

Melissa MAGLIANA

Partner



Admission

New York, 2005

Nationality

Italian, Swiss, American

Languages

English, German, French,
Italian, Spanish

Practices

International Commercial Arbitration

Areas of focus

Construction and Infrastructure

Pharma and Biotechnology

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BIOGRAPHY

Melissa Magliana is a partner at LALIVE specializing in international commercial arbitration.

With experience in both common and civil law jurisdictions and holding legal degrees in US and Swiss law, she advises and represents clients in ad hoc and institutional arbitration proceedings under all major rules of arbitration. She also acts as sole arbitrator, co-arbitrator and as chair of arbitral tribunals and advises on other forms of dispute resolution and related proceedings, such as mediation and international legal assistance. Her expertise spans different sectors including construction, pharmaceuticals, transportation and logistics.

Melissa Magliana is a member of the Steering Committee of Young Arbitral Women Practitioners, a member of the Swiss Arbitration Association's (ASA) Marketing Committee and former co-chair of ASA below 40. She is also a member of various professional associations, including the ABA, Arbitral Women, ICCA, and the IBA. In 2015 and 2016 she represented ASA at the UNCITRAL Working Group and Commission sessions on the revision of the 1996 UNCITRAL Notes on Organizing Arbitral Proceedings, published in 2016. She is a frequent speaker and publishes regularly on matters relating to international dispute resolution.

Melissa Magliana was the 2016 recipient of the ASA Prize for Advocacy in International Commercial Arbitration, awarded every two years to international arbitration counsel to recognize exceptional advocacy in international arbitration. She has also been recommended by several directories, including as a Future Leader in Arbitration by Who's Who Legal and a Rising Star in Commercial Arbitration by Legal Media Group.

Before joining LALIVE, Melissa Magliana clerked for The Hon. Carol Bagley Amon at the United States District Court for the Eastern District of New York and was Counsel in arbitration and litigation at a leading Swiss law firm. She graduated from Princeton University in 1999 (*magna cum laude*) and received her *Juris Doctor* from the Columbia University School of Law in 2004, where she was a James Kent Scholar and an editor of the Columbia Law Review. In 2014, she obtained a Swiss law degree (MLaw, *magna cum laude*) from University of Lucerne School of Law.

PUBLICATIONS

Commentary of Articles 188-189 PILA

Melissa Magliana, Markus Wirth

In: Basler Kommentar (Honsell et al. Eds) [forthcoming 2019]

Commentary of Article 28 ICC Rules

Melissa Magliana

In: Arbitration in Switzerland — The Practitioner's Guide (Manuel Arroyo, 2d Ed.) [forthcoming 2018]

Commentary of Article 26 Swiss Rules

Melissa Magliana

In: Arbitration in Switzerland — The Practitioner's Guide (Manuel Arroyo, 2d Ed.) [forthcoming 2018]

Arbitration in Switzerland

Melissa Magliana, Roman Richers

In: International Commercial Arbitration: Practitioner's Guide (Balthasar, Ed.), 2016

Switzerland: Law and Practice

Melissa Magliana, Roman Richers

In: Chambers Country Practice Guides, International Arbitration 2016 (Friedland, Ed.)

Evidence Gone Astray

Melissa Magliana, Markus Wirth

In: Stories from the Hearing Room: Experience from Arbitral Practice: Essays in Honour of Michael E. Schneider (Bernd Ehle & Domitille Baizeau, Eds.), 2014

Review of the Recent Case Law of the Swiss Federal Supreme Court

Melissa Magliana

In: New Developments in International Commercial Arbitration (Christoph Muller & Antonio Rigozzi, Eds. 2012)

CONFERENCES

Panel Discussion, "The Art of Advocacy: Tips, Tricks & War Stories"

ICDR Y&I/YAWP

London, 20 September 2018

Speaker

"Different approaches to cross examination and advocacy"

GAR Live

Istanbul, 21 June 2018

Speaker

"What are the top future trends in international arbitration"

Who's Who Legal Future Leaders Arbitration Conference

London, 9 May 2018

Speaker

"Laudatio in Honor of Professor Mohamed S. Abdel Wahab"

ASA Gala Dinner & Advocacy Prize Giving Ceremony

Zurich, 1 February 2018

Speaker

"Navigating through common law and civil law waters in international arbitration: Document Production"

CIArb YMG Conference
Paris, 12 December 2017
Speaker

"Should you cross-examine a witness? What do you need to prepare for a cross-examination?"

Young ICCA Skills Training Workshop
Stockholm, 10 November 2017
Speaker

Keynote speech

Vis Moot School, University of Zurich
Zurich, 5 October 2017
Speaker

Keynote speech

ICC YAF Conference on Cost Allocation
Zurich, 30 June 2017
Speaker

"The New Expedited and Super-Expedited Procedures under the ICC and Swiss Rules: Is faster always better?"

ASA/ZAV Espace Mittelland
Bern, 8 May 2017
Speaker

"Typology of Cases and Typical Difficulties when Dealing with Recovery of Actual Expenses"

ASA Conference
Geneva, 3 February 2017
Speaker

"Practical aspects of interim measures and emergency arbitrator proceedings"

AIA | Young ICCA Skills Training Workshop
Rome, 28 October 2016
Speaker

"The Winning Strategy"

Roschier Arbitration Forum 2016
Stockholm, 31 May 2016
Speaker

"Settlement facilitation and preliminary views by arbitrators – an option for every arbitration?"

2nd Global Conference of the Co-Chairs' Circle
Helsinki, 27 May 2016
Moderator

"Early Case Assessment – Blessing or Curse? | Loser Pays – What About the Success Fees?"

2nd ICDR Y&I Swiss Chalet Debate
Geneva, 24 May 2016
Moderator

"International Arbitration and Its Conformity with the Rule of Law"

ICCA 2016 Congress

Mauritius, 8-11 May 2016

Rapporteur

"Moving from counsel to arbitrator: How to get your foot in the door – and keep it there"

Young ArbitralWomen Practitioners Launch Conference

Zurich, 8 April 2016

Speaker

"This House Believes..."

CIArb|ArbitralWomen Second International Women's Conference

Paris, 16 March 2016

Speaker
