

Nicolas OLLIVIER

Partner



Admission

Switzerland, 2008

Nationality

Swiss

Languages

French, English, German

Practices

Litigation

Business Advisory

Areas of focus

Asset Recovery

Banking and Finance

Corporate and Commercial

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BIOGRAPHY

Nicolas Ollivier joined LALIVE in Geneva 2012 and in 2021 was promoted partner. He specialises in banking and finance litigation, an area where he has contributed to developing the firm's expertise and practice. He regularly advises and represents clients in complex cases involving margin calls, fund mismanagement, fraudulent transfer orders, bank bankruptcy, freezing of accounts, financial frauds, FinTech, tokenisation as well as in administrative and enforcement proceedings before the Swiss Financial Market Supervisory Authority, and other high value, cross border commercial litigation matters.

He is a member of the International Bar Association, the Association Genevoise du Droit des Affaires, the Geneva Bar Association and the Swiss Federation of Lawyers. Nicolas was appointed in 2020 as a member of the governing body of FINSOM, the very first non-profit ombudsman organisation pursuing public interest purposes, approved by the Swiss federal government in accordance with the Swiss Financial Services Act.

Before joining LALIVE, Nicolas Ollivier worked as an associate with FBT Avocats SA, in Geneva, in the banking group (2011-2012). He previously trained with Boivin & Nussbaumer in Fribourg (2005-2007).

Nicolas Ollivier graduated from the University of Fribourg with a Master of Law, majoring European Law (2004) and holds an LL.M from the University of Durham (with Distinction) (2010).

PUBLICATIONS

Risk & Compliance Management 2022 in Switzerland

Daniel Lucien Bühr, Marc Henzelin, Nicolas Ollivier, 2022

Lexology (online): Getting the Deal Through, Risk & Compliance Management 2022, 4 April 2022

SWISS GOVERNMENT TO SHINE A LIGHT ON GREENWASHING

Nicolas Ollivier, Joanna Didisheim, 2022

Lexology (online): LALIVE's Corporate Responsibility Series – Issue 4, January 2022

Für UBS naht die Stunde der Wahrheit

Nicolas Ollivier, 2021

In: Finanz und Wirtschaft, 22 September 2021

Successful group action against a Swiss bank for money laundering

Nicolas Ollivier, Grégoire Geissbühler, Anton Vallélian, 2021

LALIVE blog, June 2021

The Cum-Ex tax scandal - a fraud on the investor?

Nicolas Ollivier, Joanna Didisheim, 2021

IBA Banking Law Committee, May 2021

Discontinuation of LIBOR: Have the Replacement Rates Passed the Covid Test?

Grégoire Geissbühler, Nicolas Ollivier, 2021

Business Law International, Vol 22 No 1 pp 5-19, January 2021

Banking and finance disputes: to arbitrate or not to arbitrate, that is the question

Nicolas Ollivier, Caroline dos Santos, 2020

In: Swiss Review of Business and Financial Market Law (SZW/RSDA) 4/2020, pp. 449-459

L'authenticité des contrats bancaires

Nicolas Ollivier, 2020

Centre de Droit Bancaire et Financier, 10 August 2020

Avec le Covid-19, le temps des appels de marge est revenu

Nicolas Ollivier, 2020

In: Le Temps (www.letemps.ch), 1 April 2020

Margin Calls – How can investors protect their position?

Matthias Gstoehl, Simone Nadelhofer, Nicolas Ollivier, 2020

LALIVE Blog, 30 March 2020

'Dead' or 'zombie' LIBOR: consequences for agreements governed by Swiss law

Nicolas Ollivier, Grégoire Geissbühler, 2020

IBA Banking Law Committee, March 2020

Commentaire de l'arrêt du Tribunal fédéral 4A_449/2018 : litige bancaire, mandat de gestion de fait – devoir d'information envers un homme d'affaires – non-ratification – calcul du dommage

Nicolas Ollivier, 2019

AJP/PJA 10/2019, pp. 1058-1066

Mandat de gestion – Un oligarque débouté pour omniscience

Nicolas Ollivier, 2019

Centre de Droit Bancaire et Financier, 26 March 2019

Investor Claims, Regulatory Enforcement and Criminal Proceedings Within the Frame of Initial Coin Offerings

Nicolas Ollivier, 2018

Newsletter - TerraLex Connections, 30 May 2018

Swiss courts dismiss foreign currency claims if the currency of the prayers for relief is wrongly denominated

Nicolas Ollivier, Grégoire Geissbühler, 2018

IBA International Litigation News, October 2018, pp. 53-56

La monnaie des conclusions dans les litiges bancaires

Nicolas Ollivier, Grégoire Geissbühler, 2017

Aktuelle juristische Praxis - Pratique juridique Actuelle (AJP / PJA), December 2017, pp. 1439-1452

The stumbling block in asset management disputes: the quantification of damage in Switzerland

Nicolas Ollivier, 2017

IBA Banking Law News, Vol. 24, No. 2

Mandat de gestion et calcul du dommage : Le Tribunal fédéral rejette l'application d'un portefeuille hypothétique

Nicolas Ollivier, 2017

Centre for Banking and Financial Law (Geneva University), 25 January 2017

Client access to Swiss banking files

Sandrine Giroud, Nicolas Ollivier, 2016

The Lawyer, 10 October 2016, pp. 29

Reddition de compte et preuve à futur

Nicolas Ollivier, 2016

Centre de Droit Bancaire et Financier, 15 August 2016

Third-country firms' access to the EU market under MiFID II: between fragmentation and harmonisation

Nicolas Ollivier, Simon P. Quedens, 2016

IBA Securities Law Newsletter, Vol. 22, No. 1, May 2016, pp. 34-36

Le TF exclut les demandes en reddition de compte déguisées par voie de requête de preuve à futur

Nicolas Ollivier, 2016

Centre de Droit Bancaire et Financier, 19 January 2016

L'accès au marché européen : entre fragmentation et harmonisation

Nicolas Ollivier, Simon P. Quedens, 2015

Le Temps, 31 August 2015

Swiss banking law upside down

Alexander Troller, Nicolas Ollivier, 2015

IBA Banking Law News, March 2015, pp. 43-47

Margin calls: Banks' obligations towards their private clients

Nicolas Ollivier, 2014

Swiss Review of Business and Financial Market Law (SZW/RSDA), December 2014, pp. 509-521

No place left to hide – Swiss banks under scrutiny from US regulators

Alexander Troller, Simone Nadelhofer, Nicolas Ollivier, 2013

Legal Week, September 2013

Accounting – production of internal bank memos

Alexander Troller, Nicolas Ollivier, 2013

Banking in Switzerland and Liechtenstein, 2013, pp. 24-27

Attachment of state assets – a better weapon than immunity: the independent legal personality of the state-owned company

Nicolas Ollivier, 2013

IBA International Litigation News, April 2013, pp. 75-78

Jurisprudence rétrocessions : le TF crée la surprise chez les gérants

Nicolas Ollivier, Frédérique Bensahel, 2012

La Banque Suisse, No 1 January 2012, pp. 44-45

CONFERENCES

Centre de Droit Bancaire et Financier

Les données bancaires : gouvernance et externalisation

11 June 2020

Speaker: Droit d'accès aux données : état des lieux

LALIVE / Association of Foreign Banks in Switzerland (AFBS)

Roundtable on Swiss Federal Supreme Court Decision on Retrocessions: Lessons to Be Learnt

Geneva, 11 December 2012

Speaker: Retrocessions: Where Do We Stand?

ACADEMIC POSITIONS

Lecturer

University of Geneva

CAS Digital Finance Law

2020

Coach – examiner

Fribourg University School of Law (Switzerland)

Banking and Finance Law Seminar

2016 –