

**Dr. Maria Walter Burkhardt, LL.M., Partner**

Nater Dallafior Rechtsanwälte AG

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DE | EN | FR



Maria Walter represents clients before state courts, arbitral tribunals and administrative authorities, focusing on corporate, commercial and banking litigation, including regulatory enforcement proceedings before FINMA. She also sits as arbitrator.

**Recognitions**

- Ranked in **Chambers Global and Chambers Europe** (Litigation)
- Ranked in **Legal 500** (Litigation)
- Ranked in **Leaders League** (Commercial Litigation and Banking and Finance Litigation)

**Professional Experience**

- Partner with Nater Dallafior Rechtsanwälte AG, Zurich (since 2012)
- Legal counsel with the Swiss Financial Market Supervisory Authority FINMA (enforcement proceedings against banks; 2012)
- Legal counsel with Coutts & Co Ltd (2012)
- Associate with Lenz & Staehelin, Zurich (2006–2007 and 2008–2011)
- Admitted to the bar in 2006
- Law clerk with the District Court of Zurich (2003–2005)

**Education**

- Postgraduate studies at the Harvard Law School (LL.M., 2008)
- Research and teaching assistant with the chair of private and commercial law at the University of Zurich (Prof. Dr. H.C. von der Crone, 1999–2001 and 2003)
- Studies at the University of Zurich (lic. iur., 1998; Dr. iur., 2005)

**Other Professional Activities**

- Co-Chair of the Zurich Bar Association Banking Law Practice Group

### **Recent Cases: Litigation**

- Representing foreign clients against Credit Suisse in attachment proceedings brought by the bank against the clients before Zurich District Court, Zurich High Court and Swiss Federal Supreme Court (case nos. 5A\_517/2023 and 5A\_515/2023)
- Representing an employee of a bank in regulatory proceedings brought by FINMA regarding alleged breach of duty of care in AML matters in the context of 1MDB.
- Representing a bank officer in regulatory proceedings brought by FINMA in the context of the Forex investigations (Federal Administrative Court, case no. B-688/2016; Supreme Court, case no. 2C\_235/2020)
- Representing a Swiss bank against claims for retrocessions brought by clients.
- Representing a Swiss bank against a damages claim for alleged maladvice brought by a client.

### **Recent Cases: Arbitration (Counsel)**

- Representing a foreign local agent for chemical companies in ICC arbitration proceedings against a global provider of specialty chemicals.

### **Recent Cases: Arbitration (Arbitrator)**

- Presiding arbitrator in ad hoc arbitration proceedings regarding a dispute arising in connection with a share transaction.

### **Publications**

- Walter, Maria: Gedanken zum einstweiligen Rechtsschutz gegen pflichtwidriges Handeln von Verwaltungsräten, SZW 90 (2018), S. 531 - 546
- Walter, Maria: Ans Gesetz gebunden und doch frei: Wie Richter Urteile fällen, in: Zweifelsfälle, hg. v. Christine Abbt/Oliver Diggelmann, Bern 2007, S. 137 - 153.
- Walter, Maria: Die Wissenszurechnung im schweizerischen Privatrecht, Bern 2005 (= Abhandlungen zum schweizerischen Recht, Heft 690).
- von der Crone, Hans Caspar/Walter, Maria: Konzernklärung und Konzernverantwortung, SZW 73 (2001), S. 53 - 68.

### **Speaking Engagements**

- "Aktienrechtliche Verantwortlichkeit und statutarische Schiedsklauseln", Symposium Hans Nater, 11. März 2024

- "Aktuelles Enforcement der FINMA gegen natürliche Personen – Die Sicht der Betroffenen", 16. Zürcher Tagung zu Entwicklungen im Finanzmarktrecht des Europainstituts an der Universität Zürich, 4. Juni 2019
- "Recht(e) haben und Recht bekommen? Rechtsschutz in der Governance von Aktiengesellschaften", SZW-Tagung zum Aktienrecht 2018, conference chair Prof. Dr. Walter Stoffel and Prof. Dr. Hans Caspar von der Crone, 13. Juni 2018
- "FINMA-Verfahren gegen natürliche Personen", Zürcher Anwaltsverband Fachgruppe Bankrecht, 26. September 2017
- "FINMA-Enforcement – Parteirechte im regulatorischen Umfeld", Mittagsveranstaltung Nater Dallafior vom 23. September 2014, Vortrag zum Thema "Parteirechte aus Sicht der Betroffenen: Erfahrungen aus der Anwaltspraxis" sowie Leitung der Diskussion mit Prof. Dr. Felix Uhlmann, Ordinarius Universität Zürich, und Dr. David Wyss, damals Leiter Geschäftsbereich Enforcement FINMA

#### **Client / Market Feedback**

- **Chambers Europe & Chambers Global:** She is really an excellent litigator.
- **Legal 500:** Walter heads the firm's banking and financial services litigation practice, boasting extensive experience before the Swiss Federal Administrative Court and the Swiss Federal Supreme Court.
- **Legal 500:** Maria Walter Burkhardt is characterised by a profound knowledge of the subject matter relevant to us. Her work is extremely precise and the chains of argumentation are sound, understandable and comprehensible.
- **Legal 500:** Maria Walter Burkhardt impressed with her deep legal knowledge and know-how, and also her own practical experience. In a very efficient way we worked closely together, in an atmosphere of professionalism and trust.

#### **Expertise**

- Commercial & Corporate Litigation
- Banking & Finance Disputes
- International Arbitration
- Insolvency Disputes & Asset Recovery