



Dr. Maria Walter Burkhardt, LL.M.

Partner

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.

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Profile

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

Expertise

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

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.

Arbitration (Counsel)

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

Arbitration (Arbitrator)

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

Publications & Speaking Engagements

Publications

- Walter, Maria: Gedanken zum einstweiligen Rechtsschutz gegen pflichtwidriges Handeln von Verwaltungsräten (Thoughts on interim relief against conduct of board members in violation of their duties), SZW 90 (2018), S. 531 - 546.
- Walter, Maria: Ans Gesetz gebunden und doch frei: Wie Richter Urteile fällen (Bound by the law and yet free: How judges pass judgment), in: Zweifelsfälle, hg. v. Christine Abbt/Oliver Diggelmann, Bern 2007, S. 137 - 153.
- Walter, Maria: Die Wissenszurechnung im schweizerischen Privatrecht (Imputation of knowledge under Swiss private law), Bern 2005 (= Abhandlungen zum schweizerischen Recht, Heft 690).
- von der Crone, Hans Caspar/Walter, Maria: Konzernklärung und Konzernverantwortung (Liability of declared groups of companies), SZW 73 (2001), S. 53 - 68.

Speaking Engagements

- «Schwerpunkt Zivilprozess – Effiziente Verfahrensgestaltung», Weiterbildungsveranstaltung für erfahrene Praktiker aus Justiz und Anwaltschaft vom 24. Oktober 2024, organisiert vom Zürcher Obergericht in Zusammenarbeit mit dem Zürcher Anwaltsverband (Joint conference by the Zurich High Court and the Zurich Bar Association on efficiency in civil proceedings), Co-Leitung eines Workshops zu praktischen Fragen des Beweisrechts
- «Aktienrechtliche Verantwortlichkeit und statistische Schiedsklauseln» (D&O liability and arbitration clauses in articles of association), Symposium Hans Nater, 11. März 2024
- «Aktuelles Enforcement der FINMA gegen natürliche Personen – Die Sicht der Betroffenen» (Current FINMA enforcement proceedings against individuals – The view of the persons concerned), 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» (Having right(s) and obtaining relief? Governance of stock corporations and effective relief), SZW-Tagung zum Aktienrecht 2018, Tagungsleitung Prof. Dr. Walter Stoffel and Prof. Dr. Hans Caspar von der Crone, 13. Juni 2018
- «FINMA-Verfahren gegen natürliche Personen» (FINMA enforcement proceedings against individuals), Zürcher Anwaltsverband Fachgruppe Bankenrecht, 26. September 2017
- «FINMA-Enforcement – Parteirechte im regulatorischen Umfeld» (FINMA enforcement proceedings - party rights in regulatory matters), 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: super detailed, never gives up, will do what's necessary but not waste time and money.»

Legal 500:

«The precise and persistent Maria Walter Burkhardt is an excellent litigator in court and regulatory proceedings.»

Legal 500:

«Maria Walter is a very experienced litigator with excellent analytical skills and particularly good at grasping the relevant facts of a case.»

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.»