



Mahbube Utku Cosar, Esq.
New York, New York

Primary Areas of Expertise

Energy, infrastructure, mining
M&A and partnership disputes
Sale of goods
Banking and finance
International investments
Technology

Current Employer-Title Arbitration Chambers – Member

Profession Arbitrator

Work History Member, Arbitration Chambers, New York, London, Istanbul, 2023-Present;
Partner, Cosar Avukatlik Burosu (Cosar Law Office), Istanbul, 2002-2022;
Associate, Hughes, Hubbard and Reed LLP, New York, 2000-2001.

Experience Independent arbitrator, specialized in commercial and investment arbitration, with experience in energy, construction, finance, shareholders' and post-M&A/joint venture-related disputes.

Over 20 years of counsel experience in arbitration and transactional matters, representing financial institutions, government agencies and multinational companies. Ranked in the first band and top tier for dispute resolution lawyers by Chambers and The Legal 500, respectively, for 14 consecutive years.

Transactional work experience includes advising clients on M&A transactions and joint ventures, privatizations, IPOs and other financial and corporate transactional work. Among others, represented the seller in the acquisition and IPO of a state-owned bank, the seller in the acquisition of a natural gas distribution company, the seller in a share purchase agreement involving 100% of the shares of a petroleum refinery, and the seller in the privatization of 21 separate electricity distribution regions; the buyer in the acquisition of a company active in the retail optical sector, the buyer in the acquisition of a consumer electronic goods company, and the multinational company in a merger in the energy sector. Advised clients in relation to infrastructure projects, including gas pipelines and power plants.

Member of the London Court of International Arbitration (LCIA) Court, Arbitration Court of the Swiss Arbitration Centre and the Abu Dhabi International Arbitration Centre Court of Arbitration; Vice Chair of the IBA's Arbitration Committee; and a fellow at the Chartered Institute of Arbitrators. Member of the editorial board of Arbitration International, the official journal of the LCIA and the

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Neutral ID : 5974931

The AAA's Rules provide the AAA with the authority to administer an arbitration including, arbitrator appointment and challenges, general oversight, and billing. Accordingly, arbitrations that proceed without AAA administration are not considered AAA arbitrations, even when the parties select an arbitrator who is on the AAA's Roster.

The information contained in this resume has been supplied solely by the individual arbitrator and may, or may not, be a complete recitation of their experience. The AAA assumes no responsibility for the content, completeness, accuracy, or reliability of the information contained in an arbitrator's resume. If you have any questions about an arbitrator's experience or background, you are encouraged to contact your case manager.

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Dispute Resolution International, the journal of the dispute resolution section of the IBA. Registered on the panels of various arbitral institutions, including the ICDR, ICANN IRP Standing Panel and the Singapore International Arbitration Centre (SIAC).

Alternative Dispute Resolution Experience

Have served as arbitrator under various institutional rules; applicable laws including English, Singaporean, Swiss and Turkish; and sectors including energy (oil & gas and electricity), finance, construction, consumer products, agriculture, advertising, and technology.

Recent experience as presiding arbitrator and sole arbitrator includes:

Commercial arbitration involving a project management and inspection services agreement for construction of a fertilizer complex governed by English law.

US\$13 million commercial arbitration involving a liquid carbon dioxide supply contract governed by Singapore law.

Investment arbitration under a bilateral investment treaty.

Commercial arbitration involving an advertising and promotional contract between a UK company and Russian company governed by English law.

Commercial arbitration in relation to a sales contract dispute involving the consumer products sector governed by Singapore law.

Commercial arbitration between a Turkish company and an Austrian company involving a claim for damages arising out of the construction of a power generation facility.

Commercial arbitration involving a design and manufacturing agreement governed by Turkish law.

Commercial arbitration involving a sales contract between a Swiss company and an Algerian company governed by Swiss law.

Commercial arbitration involving a business development agreement for the construction of an electricity generation facility.

Recent experience as co-arbitrator includes:

Commercial arbitration arising out of a sales contract in the technology sector governed by Turkish law.

Commercial arbitration in relation to a €6.5 million sales contract dispute involving the agricultural sector governed by English law.

Commercial arbitration in the financial services sector between a Cypriot company and a Georgian bank governed by English law.

Experience as counsel includes:

Representing a major multinational company in an arbitration involving mineral exploitation rights.

Acting for a French multinational specialty chemicals company in an arbitration arising out of a joint venture.

Acting for a US multinational company in a joint venture dispute.

Representing a sovereign state in a US\$10.1 billion investment treaty claim involving electricity utilities brought by a Cypriot entity under the Energy Charter

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Treaty.

Advising the largest global producer of polyvinyl chloride stabilizers in an arbitration involving a post-acquisition dispute.

Representing a pension fund against a Dutch multinational banking and financial services company in an arbitration involving a share purchase agreement.

Representing a sovereign state in two investment treaty claims with a combined claim value exceeding US\$9 billion, brought by Polish entities under the Energy Charter Treaty.

Representing an oil major in a US\$125 million construction arbitration against a German construction company in relation to a turnkey project for natural gas underground storage facilities.

Acting for a sovereign state in two European Court of Human Rights (ECHR) cases involving multiple claimants asserting billions of dollars in expropriation claims.

Acting for a natural gas company in an arbitration against the national gas company of the Republic of Iran in a price adjustment dispute exceeding US\$1 billion.

Representing a sovereign state in a US\$560 million arbitration against an international consortium in respect of the transfer of operating rights for three power plants.

Acting for the Energy Ministry of a sovereign state in a commercial arbitration involving concession contracts for a power plant and coal mines, and energy sales agreements.

Technology Proficiency

Very familiar with and willing to conduct case management meetings and hearings using online platforms such as Zoom, Microsoft Teams, GoToMeeting and WebEx. Experience in dealing with electronic document platforms.

Education

Georgetown University Law Center (LLM, Master of Laws-1999; LLM, International Legal Studies-1998); Marmara University Faculty of Law, Istanbul (LLB-1996).

Professional Licenses

Admitted to the Bar: New York (2002); Turkey (1998).

Professional Associations

New York State Bar Association; International Bar Association; American Bar Association; International Council for Commercial Arbitration; Istanbul Bar Association.

Recent Publications & Speaking Engagements

Publications:

The Power of Arbitrators to Remove Counsel – One Step Too Far? Published by Dispute Resolution International, Vol 17, No. 2 (2023); Fraudulent Evidence: Investment Arbitration, Max Planck Encyclopedia of International Procedural Law (EiPro), published by Oxford University Press (2020); ICC Turkey Arbitration Day, Investment Treaty Protection: Construction Sector (2018); Claims of Corruption in Investment Treaty Arbitration: Proof, Legal Consequences and Sanctions, in Legitimacy: Myths, Realities, Challenges, ICCA Congress Series No. 18, van den Berg (ed), published by Kluwer Law International (2015).

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Speaking Engagements:

Co-chair of the conference, GAR Live Istanbul (2024); Speaker, IBA Annual Conference Miami 2022, panel entitled "The Power of Arbitrators to Remove Counsel, One Step Too Far?" (2022); Chair of the Organizing Committee, IBA Arbitration Day Istanbul (2022); Speaker, ICC Turkey Arbitration Day, panel entitled "The Judiciary Approach to Arbitration in Turkey: An Overview of the Recent Case Law" (2021); Speaker, Harvard International Arbitration Law Students Association, International Arbitration Workshop, panel entitled "Damages in International Arbitration" (2021); Speaker, White & Case International Arbitration Survey: "Improvements and Innovations in International Arbitration" (2018); Co-chair of the conference and Moderator, GAR Live Istanbul (2018).

**Citizenship
Languages**

Turkey
English; Turkish

Compensation

Hearing: \$500.00/Hr
Study: \$500.00/Hr
Cancellation: \$3500.00/Day
Cancellation Period: 30 Days
Comment: Cancellation policy: in the event of cancellation less than 30 days prior to reserved hearing days, 50% of the daily rate is due; if less than 15 days prior, the full daily rate is due. Subject to waiver/modification for good cause.

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