


## Cristina Pagni

PARTNER | MILAN

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### Cristina is a partner in the litigation and arbitration team

Cristina is a well-known litigator in the Italian market. She has a deep knowledge of the local judiciary and legal market combined with the skills to manage complex cross-border litigation and arbitration, and deal with the challenges such work can bring.

Her practice focuses on both domestic and cross border disputes involving HNW families and individuals and their businesses and patrimonies, as well as succession and trust disputes. She has developed also extensive experience in the field of cross-border insolvency, commercial and financial litigation.

She has long been recognized by the Chambers & Partners Guide, describing her as being an important player in the market with a strong reputation for domestic and international litigation and arbitration and a top-notch experience in domestic and cross-border litigation.

She is a frequent speaker at professional events on insurance and topical issues in managing complex litigation.

Cristina is member of the steering and the scientific committees of the International Association of Insurance Law (Associazione Internazionale di Diritto delle Assicurazioni – AIDA) and regularly serves as a member of arbitration panels including those of the main International Arbitration Chambers.

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### Track record

## Claim against seller of an Italian property

Assisted a special purpose vehicle established by a South African HNWI to purchase a luxury property near the lake of Como, in bringing a claim against the seller of the property for failing to meet the obligations undertaken in a preliminary agreement.

## Arbitration proceedings

Assisting a listed Norwegian Company and its Italian subsidiary against a Luxembourgian Company in arbitration proceedings under the Rules of the Arbitration Chamber in Milano: to have a multi-million stock purchase agreement annulled or terminated respectively due either fraud or breach. The underlying business was related to solar plants in the south of Italy.

## Assisting Tozzi East LLC and Tozzi Sud SpA

Assisting Tozzi East LLC and Tozzi Sud SpA in arbitration proceedings against Tecnicas Reunidas SA and its Russian branch under the Rules of the International Chamber of Commerce (ICC). Tozzi did claim extra costs under a subcontract for electro-mechanical works at the Khabarovsk refinery (Russia).

## Bank of New York Mellon

Assisting Bank of New York Mellon in proceedings brought by SACE, Italy's ECA before the Court of Rome. This litigation was related to the set off of some claims of BNYM for payment of insured amounts against on alleged credit of SACE.

## Intesa S. Paolo SpA

Assisting Intesa S. Paolo SpA in proceedings both before the Court of Rome and the London High Court with regards to interest rate swaps. The former case related to a loan agreement, the latter case related to a claim brought by a German bank regarding an interest rate swap transaction including a novation agreement originally entered into between Intesa S. Paolo and an Italian municipality under Italian law.

## Generali Assicurazioni

Assisting Generali Assicurazioni before several Italian Courts concerning life insurance policies so called "pure", life insurance policies subject to revaluation and unit-linked and index-linked policies.

## Cattolica Assicurazioni

Assisting Cattolica Assicurazioni in a mediation in England for the settlement of a claim under a facultative re-insurance policy and a claim for professional negligence against the broker.

## Liabilities

Assisting both companies and individuals in proceedings related to the performance of managerial duties and the corporate liability of board members and auditors.

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## Talks

- 15 November 2018, Milan "La sentenza delle Sezioni Unite della cassazione sulla Claims Made: profili giuridici e scenari futuri", conference organized by Aida (International Association for Insurance Law).
- 21 October 2016, Milan, "The 'claims made' clause after the ruling of the United Sections of the Supreme Court judgment n. 9140/2016, conference organized by AIDA (International Association for Insurance Law)
- 7 July 2016, Milan, "The 'claim made' clauses - landing points after the United Sections of the Supreme Court judgment n. 9140/2016, conference organized by Diritto Bancario.it.

## External publications

Author of "Le nuove norme di comportamento per il collegio sindacale delle società quotate", published by Diritto Bancario.it, July 2018.

Author "La clausola di intrasmissibilità nelle polizze infortuni e malattia. Commento alla Lettera al mercato IVASS del 28 febbraio 2018", published by Diritto Bancario.it, June 2018.

Author of "Le claims made e le Sezioni Unite: spunti operativi tra questioni risolte e questioni aperte", published by Diritto Bancario.it, June 2016.

Author of "Polizze vita e clausole vessatorie: linee di orientamento dalla Corte di Cassazione e dall'IVASS", published by Diritto Bancario.it, January 2016.

Co-Author of the "Commentary on the Italian Code of Civil Procedure" published by Oxford University Press, 2010.

## Admissions

Admitted to the Italian bar in 1981

Admitted to appear before the Corte di Cassazione (1995)

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## Education

University of Pisa School of Law, 1978 (honours)

British Council Fellow (Law), Brunel University, Uxbridge (London - UK), 1981 - 1982

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## Languages

English

Italian

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## Memberships

IBA, A.I.D.A.

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## Key dates

Year joined: 2019

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