

## MONIKA MCQUILLEN

lic. iur., LL.M Certified Specialist  
SBA Employment Law, Mediator  
SBA/SCCM  
Partner

+41 44 387 19 00  
mcquillen@lplegal.ch



Monika McQuillen is specialized in resolving complex commercial disputes and employment matters. Her practice also includes strategic counselling in these areas, including dispute prevention. Monika is regularly instructed by national and international companies in the commodities trading, pharma, chemical, med-tech, industrial engineering, aviation and financial services sectors.

Monika has a notable track record of representing clients in Cantonal Courts and the Federal Tribunal, of acting as counsel in international arbitrations under the ICC, UNCITRAL and Swiss Rules, and of settling disputes as a mediator. Her wider experience is in the fields of contract, construction, individual and collective employment, corporate liability, distribution, joint ventures / partnerships as well as data protection law. Monika regularly works in a cross-border environment.

Clients praise her for her strategic and hands-on advice and assistance in managing difficult situations. Monika has been recognized for many years as a practitioner in legal directories such as Chambers and Partners Guide and The Legal 500.

---

### PRACTICE AREAS

Arbitration | Litigation | Mediation | Employment | Internal Investigations | Data Protection | Commercial Law | International Judicial Assistance

---

### LANGUAGES

- German
- English
- French

---

## CAREER

- Since 2022: Lecturer EMAA of the University of Zurich
- Since 2021: Lecturer ZHAW Master in Management and Law, Module ILSSL
- Since 2021: Mediator at ombudfinance.ch
- Since 2019: Partner with Lustenberger + Partners
- 2008 - 2019: Partner with Eversheds Sutherland AG, Zurich, Dispute Resolution and Head of Employment Practice Group
- 2004 - 2007: Associate and Trainee with Werder Attorneys at Law, Zurich
- 1999 - 2003: Research assistant for Professor Dr. iur. Roger Zaech, Faculty of Private, Commercial and European Law, University of Zurich
- 1988 - 1994: Henkel Corporation, Pennsylvania/US; Henkel KGaA, Duesseldorf, Germany

---

## EDUCATION

- 2021: Singapore International Mediator Accreditation Workshop
- 2017: Certified Specialist SBA Employment Law
- 2015: Certified Mediator SBA / SCCM
- 2010: University of Cologne, LL.M., specialization in arbitration (summa cum laude)
- 2007: Zurich Bar, admitted to all Swiss courts
- 1999: University of Zurich, lic. iur. (magna cum laude)
- 1988: Cooperative State University of Mannheim, B.A. Business Administration, Germany

---

## MEMBERSHIPS

- Zurich and Swiss Bar Associations (ZBA/SBA)
  - Swiss Arbitration Association (ASA)
  - German Institution of Arbitration (DIS)
  - Swiss Chamber of Commercial Mediation (SCCM)
  - International Bar Association (IBA)
  - Inter-Pacific Bar Association (IPBA)
  - International Association of Defense Counsel (IADC)
  - German-Swiss Lawyers' Association (DSJV; board member, President 2016-2020)
-

---

## CREDENTIALS

- Chambers & Partners 2022: *"Monika McQuillen boasts expertise in a variety of employment matters ranging across unfair dismissals to bonus claims, working condition issues and contract terminations. A pleased client states that 'she has a rare ability to put local legal issues into the context of a multinational organisation and the courage to suggest solutions instead of simply telling one what the law says'."*
- Legal 500 2022: *"Monika McQuillen is an excellent listener, takes the time to understand the situation from all angles, and provides practical, actionable answers. She is always a pleasure to work with."*
- Who's Who Legal 2021: Monika McQuillen *"is able to understand the business context and translate the business needs into comprehensive advice."*

---

## SELECTION OF CASES

### Commercial

- Representing a joint venture partner in a USD 220 million ICC arbitration against the joint venture leader concerning a construction of telecommunication related infrastructure project in the Middle-East.
- Defending a med-tech manufacturer against a former Egyptian distributor in an ICC arbitration concerning the termination of a long-term distribution relationship.
- Representing an Indian IT service provider in an SCC arbitration against a Swiss bank regarding the extraordinary termination of an infrastructure project after several years of project delivery.
- Representing a bank against over 200 bank customers following the lifting of the EUR/CHF FX floor and the subsequent crash of exchange rates.
- Representing a founding equity partner against an international law firm in an ICC arbitration regarding the termination of the partnership agreement by the law firm.

### Employment

- Representing a commodity trading company in a high scale employment dispute concerning a USD 7.5 million bonus and equity participation claim by a former executive, and the employer's USD 21 million counterclaim because of mismanagement.
- Defending a quasi-international organisation in an employment dispute against an employee's claim for an exit payment to balance out the dispense from social insurances in Switzerland for foreign nationals (precedent case).
- Representing an employee (CFO, Director, shareholder) against the employer in a dispute concerning his unjustified dismissal following an internal investigation, and defence against the employer's set off indemnity claim against various payments due to the employee, including bonus and payment for the shares; securing the employee's position in relation to potential future liability from director's responsibility.
- Assisting employers in relation to the negotiation of social plans, restructurings, collective dismissals, conflict management at the workplace, internal investigations. Assisting employees in relation to bonus, unfair dismissal, non-competition, overtime disputes, liability claims (contentious and non-contentious).