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Michael F. Decker

Partner

Michael works primarily within international arbitration, especially in the context of post-M&A disputes. He has led several large arbitration cases through main hearings and to final awards in favor of Schjødt's clients. He most often represents buyers who are pursuing a claim against a warranty & indemnity insurer or a seller. These cases typically relate to warranties, indemnity clauses, earn-out agreements, purchase price adjustments, or similar issues. Michael has experience across a wide range of industries, including shipping/maritime, private equity, IT, pharmaceuticals, construction, transportation, and energy – both oil/gas and renewables, whether involving energy production itself or involving auxiliary services.

Michael obtained his primary legal education at Harvard Law School. He was then admitted to the New York bar. His first few years of practice were split between working at a premier boutique dispute-resolution law firm in New York and serving as a law clerk to two U.S. federal judges – one trial court judge and one appeals court judge.

In addition to his international arbitration counsel work, Michael regularly advises Schjødt's clients on U.S. legal issues, including helping them with negotiating contracts, navigating the U.S. court system and, where relevant, identifying specialized U.S.-based counsel. Michael also accepts appointment as arbitrator, having completed the SCC/SAA's diploma course for arbitrators.

Michael's experience as counsel in international arbitrations includes the following:

- Represented a private equity firm/buyer in a warranty claim related to overstated revenues and earnings of the target company. After a hearing before a panel including two former Scandinavian Supreme Court chief justices, Schjødt's team prevailed and obtained a historic award for tens of millions of Euros against the W&I insurer, meeting the cap under the applicable insurance policy, plus interest and coverage of case costs for Schjødt's client. The case has been widely discussed in the W&I industry.
- Represented an industry client which, having sold a company for hundreds of millions of Euros, faced a warranty claim asserting withholding of material information. After a hearing before a panel including, among others, a former Scandinavian Supreme Court justice and prominent academic, Schjødt's team defeated the buyer's claim, which had asserted tens of millions of Euros in losses, and the claimant was required to reimburse our client's case costs.

- Represented an industry buyer with a special indemnity claim against the seller. After a hearing, Schjødt's team obtained full coverage for its client's claim, including interest and coverage of case costs, totaling close to ten million Euros.
- Represented a private equity firm/buyer in a warranty claim against a W&I insurer related to undisclosed litigation which had been ongoing against the company at the time of the transaction. The case settled favorably for Schjødt's client.
- Represented an industry buyer with a warranty claim related to accounting irregularities discovered in the target company's books. The case settled favorably for Schjødt's client.
- Represented an industry seller with an earn-out claim against the buyer. The case settled favorably for Schjødt's client.

Michael is a native English speaker. He also speaks Norwegian and some Italian.

Michael's licensure to practice law is based primarily on his admission to the New York bar as an attorney and his status as a solicitor in England & Wales.

Practice Areas

Dispute Resolution, Litigation & Arbitration

Construction

Insurance

Mergers & Acquisitions

Private Equity & Venture Capital

Renewable Energy

Shipping & Oil Services

Trade & Industry

Education

2014

Juris Doctor cum laude, Harvard Law School

2011

Masters of Science (Special Education), Hunter College

2009

Bachelor of Arts (Philosophy) cum laude, Columbia University