

## **DIMITRIS BABINIOTIS**

Dimitris' practice focuses on state court litigation and commercial arbitration, both domestic and international.

**Litigation:** Dimitris is an expert in appellate and cassation litigation. Having written extensively in these areas, he is regularly instructed by clients from all sectors of the market, irrespective of the nature and subject matter of their disputes, to deal with the highly sophisticated procedural issues involved in proceedings before the Courts of Appeal and the Supreme Court. In this context, Dimitris has acted as lead counsel representing corporate clients in a wide range of commercial and corporate disputes, both domestic and international. These include, but are not limited to, shareholder disputes, free and unfair competition disputes in state courts, consumer disputes including pharmaceutical disputes, disputes arising out of complex commercial transactions such as M&A transactions, financing transactions and distribution and agency agreements. He has also represented corporate clients in a wide variety of tort disputes, including business defamation, employment torts, and officer and director liability.

**Arbitration:** Dimitris has acted as counsel or lead counsel in a large number of complex international and domestic commercial arbitrations. His practice encompasses disputes in all major industry sectors, namely construction and infrastructure, energy and financial services. Dimitris has also represented corporate clients in numerous arbitrations initiated by or against the Greek State or Greek state-owned companies in disputes arising out of public contracts.

**Arbitration-related litigation:** Dimitris is considered an expert in arbitration-related litigation, having acted as counsel or lead counsel in numerous annulment, recognition and enforcement proceedings before Greek state courts. He has also been instructed by international clients to compel arbitration in cases where litigation had been commenced against them in the Greek state courts.

Dimitris is an Associate Professor of Civil Procedure at the Law School of the Democritus University of Thrace, where he teaches civil procedure and arbitration at the undergraduate and postgraduate levels. His academic interests and writings focus on arbitration, Supreme Court procedure (the law of cassation), appellate procedure, the binding effect of state court decisions and arbitral awards, and the judicial review of arbitral awards.

Dimitris is admitted to practice before the Supreme Court.

### **Publications:**

#### ***(a) Books***

*Formal requirements for the recognition and enforcement of foreign arbitral awards under the New York Convention*, Sakkoulas Publications, Athens – Thessaloniki, 2022.

*The devolutive effect of the appeal and the subject matter of appellate proceedings*, Sakkoulas Publications, Athens – Thessaloniki, 2016.

*The substitution of the Court's reasoning in the law of cassation*, Ant. N. Sakkoulas, Athens – Komotini, 2009.

*The notion of "necessarily determined" prejudicial issues under article 331 of the Greek Code of Civil Procedure Code*, Doctoral Dissertation, Ant. N. Sakkoulas, Athens – Komotini, 2008.

#### ***(b) Articles (indicatively)***

*On compétence-compétence and the most unfortunate recent provision of article 870A of the Code of Civil Procedure (under publication)*

*The prohibition of reformatio in peius in appellate proceedings* in "Appellate Trial under the Code of Civil Procedure", Hellenic Association of Procedural Law (ed.), Sakkoulas Publications, Athens – Thessaloniki, 2021, 201 – 353.

*Challenging the impartiality of arbitrators on the basis of their published legal opinions*, in “Prevailing Principles of Fairness, Finality and Public Policy in International Commercial Arbitration”, Publication of the Hellenic Association of Arbitration, 2018, p. 65 et seq.

*On the Recognition and Enforcement of Foreign Arbitral Awards annulled in the State of origin*, Arbitration 2018, 20 – 95.

*On whether state courts are bound by the factual findings of arbitrators when ruling on violation of public policy as ground for annulment of an arbitral award on grounds of public policy*, EPP 2017.327 et seq.

*Non collective consumer litigation under Law 2251/1994*, “Consumer Protection Law: Procedural Issues”, Hellenic Association of Procedural Law (ed.), 2014, 17 – 126.

Dimitris has also published more than 50 case notes in various law reviews. He also serves on the editorial boards of the two most authoritative law reviews on procedural law in Greece, namely “*Review of Procedural Law*” and “*Chronicles of Procedural Law*”.

***Education:***

Democritus University of Thrace Law School (PhD)

Harvard Law School (LL.M.)

National and Kapodistrian University of Athens Law School (LL.B.)