



# International Arbitration

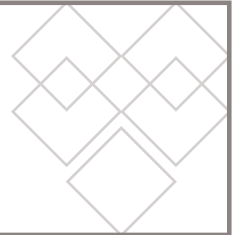
## 2023



PROFILED:

**MICHAEL STEPEK**

Winston & Strawn LLP



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## International Arbitration



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#### PERSONAL BIOGRAPHY

**Michael Stepek's** practice focuses on international commercial arbitration and litigation, investment treaty arbitration and complex, high-value disputes. He advises on matters involving the control of corporate entities, foreign direct investment, concession agreements, major infrastructure projects and joint ventures. He has over 30 years of experience in international arbitration conducted pursuant to various institutional rules as well as ad hoc.

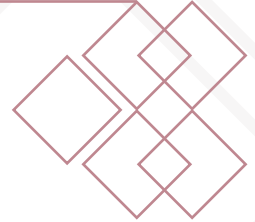
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## Q&amp;A WITH MICHAEL STEPEK

**Could you provide an insight into how you approach your work? What drives and motivates you?**

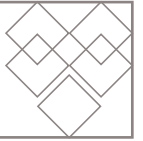
◆ It is both the intellectual and human interests involved in the disputes that motivate my continued interest in international arbitration. International arbitration is akin to three-dimensional chess. You not only have the complexity of a dispute, but you have the added complexities of potentially different systems of law that might apply to the arbitration and to the substance of the dispute. The different legal systems involved may be from entirely different legal traditions, and they may be in different languages, raising linguistic and cultural issues of understanding as well. It helps of course to also have a competitive streak such that once engaged, one works to achieve the best result possible. These complexities and the challenges these disputes pose, as well as the insight into human nature, are what drive and motivate me.

**Are you active in any programmes or initiatives within your organisation? To what extent have you found this work rewarding and fulfilling?**

◆ I am, at present, the chair of the international arbitration group and am relied on to ensure the success of the department and alignment with the firm's strategic objectives. Part of that role is ensuring the ongoing development of our younger lawyers. Winston & Strawn has a long, well-earned reputation for turning out top-notch trial lawyers. It is no different in our international arbitration department. We believe in empowering our younger lawyers with the skills they need to be excellent advocates for their clients, whether that is in written pleadings, case preparation or oral advocacy. It is by far the most enjoyable and fulfilling part of my job to be able to work with a younger lawyer on an issue or a witness and see them

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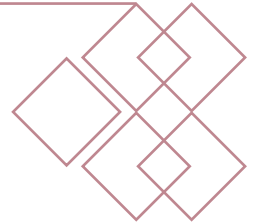
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carry it through to the end result. I am almost always pleasantly surprised at how well they do, and the entire team effort is better for this approach.

**What strengths and characteristics do you, your team and your firm strive to demonstrate to clients?**

◆ We are a truly international practice in that we conduct international arbitrations all over the world under any number of substantive laws and arbitral fora. We specifically recruit and train lawyers from a variety of legal systems to ensure that we have a team before any given tribunal that can communicate effectively with it. Many of us are licenced in multiple jurisdictions. Facility in multiple languages is also important, as even if the formal arbitration process is in the English language, documents, witnesses or even communications with the client often call for a different language. When one is from the English-speaking world, it is easy to fall into a complacent belief that English is the only language that matters, when in fact one should be cognisant of the need to approach issues and people in a language and from a perspective that is persuasive to achieving the end result, whether that be clear instructions or the appropriate resolution of the dispute. ■



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