

**LEHMANN & WALDBURGER**  
ATTORNEYS AT LAW



**Martin Waldburger**

Dr. iur., Attorney at law, LL.M.  
Partner

Martin Waldburger advises and represents clients primarily in the areas of Corporate Law (including M&A), Capital Markets, Restructurings, Banking & Finance and Real Estate Transactions.

He also acts as party representative and sits as an arbitrator in commercial arbitration cases. His practical experience as an arbitrator includes proceedings under the arbitration rules of the International Chamber of Commerce and the Swiss Arbitration Centre (Swiss Chambers' Arbitration).

A particular focus of Martin's work lies on issues of good corporate governance, board work and D&O liability. In the latter field he has, since becoming a Partner of Lehmann & Waldburger, litigated claims with an aggregated value of more than USD 1 billion. He is regularly asked to contribute expert opinions and to appear as a speaker on these issues.

**Curriculum:**

- Partner at Lehmann & Waldburger (since 2003)
- Associate with a major law firm in Zurich (2001 - 2002)
- University St. Gallen (HSG): Ph.D. in Law (2002)
- NYU School of Law, New York: LL.M. (1999)
- Associate with a major law firm in Geneva (1998)
- Associate with a major law firm in Zurich (1996 - 1997)
- Junior Associate with a major law firm in Zurich (1994 - 1995)
- University St. Gallen (HSG): lic. iur. HSG (J.D. equivalent; 1994)

**Languages:**

German, English

**Admission:**

Admitted to practice in all Swiss Courts (since 1996)

**Contact:**

[martin.waldburger@lehwal.ch](mailto:martin.waldburger@lehwal.ch)  
T: +41 43 305 00 00  
F: +41 43 305 00 10  
Toedistrasse 52  
8002 Zurich

**Publications:**

- 2022 Kommentar zum ZGB/OR, Schulthess Verlag, Kommentar zu den Art. 620 ff. OR (die Aktiengesellschaft, einleitende Artikel); 4. A.  
[Commentary on Paragraphs in the Swiss Commercial Code dealing with the Corporation]
- 2020 Die Aufbereitung komplexer und weit zurückliegender Sachverhalte bei Verantwortlichkeitsprozessen, in: Verantwortung im Unternehmensrecht X, Hrsg. von Rolf Sethe und Peter R. Isler, Zürich 2020  
[Fact-finding and litigation techniques in complex D&O liability law suits]
- 2020 D&O Risk and Liability, Country Report Switzerland, in: Financier Worldwide, January 2020 (Co-Author)
- 2016 Kommentar zum ZGB/OR, Schulthess Verlag, Kommentar zu den Art. 620 ff. OR (die Aktiengesellschaft, einleitende Artikel); 3. A.  
[Commentary on Paragraphs in the Swiss Commercial Code dealing with the Corporation]
- 2015 Verwaltungsratshonorare und aktienrechtliche Rückforderungsklage (Art. 678 Abs. 2 OR) (Entscheidbesprechung) in: Gesellschafts- und Kapitalmarktrecht (GesKR) 1/2015, 141 ff.  
[Re-claiming of excessive board remunerations; notes on a decision handed down by the Swiss Federal Supreme Court]
- 2012 Kommentar zum ZGB/OR, Schulthess Verlag, Kommentar zu den Art. 620 ff. OR (die Aktiengesellschaft, einleitende Artikel); 2. A.  
[Commentary on Paragraphs in the Swiss Commercial Code dealing with the Corporation]
- 2011 Aktienrechtliche Anfechtungsklage und widersprüchliches Verhalten (Entscheidbesprechung) in: Gesellschafts- und Kapitalmarktrecht (GesKR), 3/2011, 416 ff.  
[*Bona fide* limits to the successful challenging of shareholders' resolutions in Court; notes on a decision handed down by the Swiss Federal Supreme Court]
- 2007 Die "kleine Aktienrechtsreform", in: Gesellschafts- und Kapitalmarktrecht (GesKR) 4/2007, 411 ff.  
[Main new provisions of the amended Swiss law on corporations]
- 2007 100 Jahre ZGB, Kommentar zum ZGB/OR, Schulthess Verlag, Kommentar zu den Art. 620 ff. (die Aktiengesellschaft, einleitende Artikel)  
[Commentary on Paragraphs in the Swiss Commercial Code dealing with the Corporation 2005 Trends in Swiss Corporate Governance, in: Euromoney Corporate Governance Guide 2005]
- 2004 Swiss Corporate Governance, in: The Euromoney Compliance Officer's Handbook, London
- 2003 Corporate Governance in Switzerland, in: The Euromoney Equity Capital Markets Handbook 2003, London (Co-Author)
- 2002 Die Gleichbehandlung von Mitgliedern des Verwaltungsrates (St. Galler Studien zum Privat-, Handels- und Wirtschaftsrecht, Bd. 66), Diss., St. Gallen  
[The individual right of Board members to equal treatment; Ph.D. thesis]

- 2001 Country Report on Corporate Governance in Switzerland, in: Corporate Governance Guide 2001, Supplement to October issue of "Corporate Finance", London, 2001 (Co-Author)
- 2000 Banking and Finance in Switzerland. Contribution to a commercial Web-Site
- 1996 Die GmbH - Ein Grundriss, Zürich 1996 (2. A. 1997) (Co-Autor)  
[Book on the Swiss Limited Liability Company; Co-Author]