

PUBLICATIONS

Publications in languages other than English are listed in English translation followed by the original language in square brackets.

I. Books

Principles of Corporate Finance Law,

Oxford University Press, 3rd edition, 2023, LIX, 629 pp.

– together with Eilís Ferran and Elizabeth Howell –

Freedom of Contract, the Firm and Insolvency – Justice Theory, Economic Analysis and Legal Principles [Privatautonomie, Verband, Insolvenz – Rechtsethik, Rechtsökonomik, Rechtsstrukturen]

University of Hamburg, 2022, 580 pp.

Creditor Protection and the Company – Rescue and Insolvency under English and German Company and Corporate Insolvency Law [Gläubigerschutz in der Kapitalgesellschaft – Krise und Insolvenz im englischen und deutschen Gesellschafts- und Insolvenzrecht],

Mohr Siebeck, Tübingen 2011, XXXVI, 1016 pp.

Reviews: Manfred Born, New Journal of Insolvency and Corporate Rescue Law [Neue Zeitschrift für das Recht der Insolvenz und Sanierung, NZI] 2011 (Vol. 23), pp. 934–935; Vincenzo De Stasio, Banking, Stock Exchange and Securities [Banca Borsa Titoli di Credito, BBTC] 2012 (Vol. LXV, Issue 4), pp. 478–479; Hans Haarmeyer, Journal of Insolvency Law [Zeitschrift für das gesamte Insolvenzrecht, ZInsO] 2011 (Vol. 40), p. 1790; Lars Klöhn and Rudolf Haesen, Insolvency Law Review [Zeitschrift für Insolvenzrecht, KTS] 2013 (Vol. 2), pp. 192–196; Marcus Lutter, New Journal of Company Law [Neue Zeitschrift für Gesellschaftsrecht, NZG] 2011 (Vol. 24), p. 942; Hanno Merkt, The Rabel Journal of Comparative and International Private Law (RabelsZ) 78 (2014), Vol. 3, pp. 672–674.

II. EDITED BOOKS

Foundations of Corporate Insolvency Law: A Comparative and Economic Perspective,

Oxford University Press (expected 2026)

– together with Aurelio Gurrea-Martínez –

Legal Innovation: Conversations about Technology, the Legal Profession and Societal Change,

Cambridge University Press, 2025, XVIII, 243 pp.

– together with Mihoko Sumida –

Legal Innovation: Technology, the Legal Profession and Industrial Change [リーガルイノベーション入門],

Koubundou Publishers, Tokyo, 2022, 420 pp.

– together with Mihoko Sumida –

Festschrift for Klaus J. Hopt in Celebration of His 80th Birthday [Festschrift für Klaus J. Hopt zum 80. Geburtstag am 24. August 2020],

De Gruyter, Berlin, Boston 2020, XVIII, 1592 pp.

– together with Stefan Grundmann, Hanno Merkt, Peter O. Mülbert, Harald Baum, Andreas M. Fleckner, Jan von Hein, Christoph Kumpan, Patrick Leyens, Katharina Pistor, Markus Roth, Heike Schweitzer, Felix Steffek, Marina Wellenhofer –

The Law of Alternative Dispute Resolution [Recht der alternativen Konfliktlösung],

C.H. Beck, Munich 2016, 2nd edn., XXVI, 513 pp.

– together with Reinhard Greger and Hannes Unberath –

Reviews: Christoph Althammer, *Journal of Conflict Management* [Zeitschrift für Konfliktmanagement, ZKM] 2017 (Iss. 1), p. 35–36; Artur Flaminio da Silva, *Procedural Law Review* [Revista de Processo, RePro] 2018 (284), p. 597–602; Foundations and Sponsorship [Stiftung und Sponsoring] 2016 (Vol. 5); Heinz Hansens, *Lawyers' Fees Report* [RVGReport] 2016 (Vol. 10), p. 366; Hans-Uwe Neuenhahn, *Journal of Succession Law* [Zeitschrift für Erbrecht und Vermögensnachfolge, ZEV] 2017 (Vol. 7); Sorika Pluskat, *New Journal of Company Law* [Neue Zeitschrift für Gesellschaftsrecht, NZG] 2017 (Vol. 16), p. 621.

Regulating Dispute Resolution – ADR and Access to Justice at the Crossroads,

Hart Publishing, Oxford 2013, XXXVI, 454 pp.

– together with Hannes Unberath and in cooperation with Hazel Genn, Reinhard Greger and Carrie Menkel-Meadow –

Reviews: Apostolos Anthimos, *Commercial Law Survey* [Episkopissi Emporikou Dikaiou] 2013, pp. 775–776; Annie de Roo, *Nederlands-Vlaams tijdschrift voor mediation en conflictmanagement* (TMD) 2015, No. 1; Naomi Creutzfeld, *The Rabel Journal of Comparative and International Private Law* [Rabels Zeitschrift für ausländisches und internationales Privatrecht] 80/3 (2016) 709–712; Elvis Grahovic, *Revue d'arbitrage et de médiation/Journal of Arbitration and Mediation* 2014, Vol. 4, No. 1, pp. 145–152; Deepu Jojo, *Association for International Arbitration Newsletter* (AIA Newsletter) 2014 (No. 1: January), p. 8; Niels Kraunsoe, *The Expert and Dispute Resolver* (TEDR) 2014 (Summer), Vol. 19, No. 2, p. 26; María Luisa Villamarín López, *International Journal of Procedural Law* (IJPL), Vol. 4 (2014), No. 1, pp. 170–171; Nancy Welsh, *Dispute Resolution Magazine* (DRM), *American Bar Association* (ABA), 2014 (Summer), Vol. 20, No. 4, pp. 22–24.

Mediation – Principles and Regulation in Comparative Perspective,

Oxford University Press, Oxford 2013, LX, 1348 pp.

– together with Klaus J. Hopt –

Reviews: Peter C.H. Chan, *14 European Business Organization Law Review* (EBOR) 2013 (Vol. 14), pp. 613–618; Judith Knieper, *German Arbitration Journal* [Zeitschrift für Schiedsverfahren, SchiedsVZ] 2013 (Vol. 6), p. 332.

Corporate Governance after the Financial and Economic Crisis – Models and Policies of Modern Company and Commercial Law [Corporate Governance nach der Finanz- und Wirtschaftskrise – Vorbilder und Ziele eines modernen Wirtschaftsrechts],

Mohr Siebeck, Tübingen 2011, XX, 342 pp.

– together with Christoph Allmendinger, Friederike Dorn, Thomas Lang, Stephanie Lumpp –

Reviews: Sebastian Mock, *DAJV-Newsletter* 2013 (Vol. 3), p. 144; Marco S. Spolidoro, *Company Law Review* [Rivista delle Società, Riv. soc.] 2012 (Vol. 57, Issue 5), pp. 1089–1092; Manuel R. Theisen, *The Director* [Der Aufsichtsrat, AR] 2012 (Vol. 6), p. 94; Manuel R. Theisen, *The Director* [Der

Aufsichtsrat, AR] (Vol. 1), p. 19 (Corporate Governance Publications of the Year); Patrick Velte, Journal of International and Capital-Markets-Oriented Accounting [Zeitschrift für internationale und kapitalmarktorientierte Rechnungslegung, KoR] 2012 (Vol. 4), p. M6.

Mediation – Empirical Research, Comparison of Laws and Regulation [Mediation – Rechtstatsachen, Rechtsvergleich, Regelungen],

Mohr Siebeck, Tübingen 2008, LI, 1175 pp.

– together with Klaus J. Hopt –

Reviews: Apostolos Anthimos, Journal of Commercial Law [Episkopissi Emporikou Dikaiou] 2010, pp. 297–300; Deutscher Anwaltverein (ed.), Lawyer’s Journal [Anwaltsblatt, AnwBl] 2009 (Vol. 8+9), p. XXXVIII; Tina de Vries, Yearbook of Eastern Law [Jahrbuch für Ostrecht] 2009, p. 539–541; Jürgen Klowait, Journal of Conflict Management [Zeitschrift für Konfliktmanagement, ZKM] 2009, p. 63–64; Jonas Leder, AdVoice 2009, p. 60; Dörte Liebrecht, The Rabel Journal of Comparative and International Private Law (RabelsZ) 74 (2010), Vol. 4, pp. 888–891; Christoph H.M. Maurer, International Review of Comparative Law [Revue Internationale de Droit Comparé, RIDC] 2009 (Issue 1), pp. 222–224; Monthly Journal of German Law [Monatsschrift für Deutsches Recht, MDR] 2008 (Vol. 22), p. R16; André Niedostadek, Newsletter German Mediation Society [Newsletter Deutsche Gesellschaft für Mediation, DGM Newsletter] 2009 (Issue 2), pp. 18–19; Albert J. van den Berg (ed.), Yearbook Commercial Arbitration, 2009 (Vol. XXXIV), p. 1257.

III. POLICY BOOKS

Supporting Businesses Through Better Justice Systems: A Focus on SMEs and Entrepreneurship,

OECD Publishing, Paris 2025, forthcoming, 52 pp.

– together with H. Sargeant, T. Teplova, C. Lelievre et al. –

OECD Online Dispute Resolution Framework,

OECD Publishing, Paris 2024, 44 pp.

– with contributions from Mariane Piccinin Barbieri –

Developing Effective Online Dispute Resolution in Latvia,

OECD Publishing, Paris 2024, 118 pp.

– together with Mariane Piccinin Barbieri, Seong Ju Park, Aleksandrs Fillers –

Final Report on the General Consumer Conciliation Body [Abschlussbericht zur Funktionsweise der Allgemeinen Verbraucherschlichtungsstelle und der Universalschlichtungsstelle des Bundes in Kehl],

BT-Drs. 19/27025 as of 12/2/2021 (German Parliament Documents), 150 pp.

– together with N. Creutzfeldt –

Analysis of Individual and Collective Loan Enforcement Laws in the EU Member States,

European Union, Brussels 2019, 158 pp.

Interim Report on the General Consumer Conciliation Body [Zwischenbericht zur Funktionsweise der Allgemeinen Verbraucherschlichtungsstelle],

BT-Drs. 19/6890 as of 20/12/2018 (German Parliament Documents), 122 pp.

– together with N. Creutzfeldt –

Access to Justice for Business and Inclusive Growth in Latvia,

OECD Publishing, Paris 2018, 158 pp.

– together with T. Teplova, C. Lelievre et al. –

Making Mediation Law,

in: Mediation Series: World Bank, Washington D.C., 2016, VIII, 59 pp.

– together with N. Alexander –

Review: Sharin Ruba (2021) 40(1) The Arbitrator & Mediator 119–124.

V. ARTICLES**Future Themes in Regulating Artificial Intelligence in Investment Management,**

in: (2025) Computer Law & Security Review: The International Journal of Technology Law and Practice Vol. 56, 106111.

– together with W. Buczynski, M. Jamnik, F. Cuzzolin and B. Sahakian –

<https://doi.org/10.1016/j.clsr.2025.106111>

A Story of Two Holy Grails: How Artificial Intelligence Will Change the Design and Use of Corporate Insolvency Law

in: University of Chicago Law Review Online, 2024.

<https://lawreview.uchicago.edu/online-archive/story-two-holy-grails-how-artificial-intelligence-will-change-design-and-use>

The CLC-UKET Dataset: Benchmarking Case Outcome Prediction for the UK Employment Tribunal

in: Proceedings of the Natural Legal Language Processing Workshop 2024, pp. 81–96, 16 November 2024: <https://aclanthology.org/2024.nllp-1.7/>, also available at

<https://ssrn.com/abstract=4954617> and <https://arxiv.org/abs/2409.08098>,

– together with H. Xie, J. Ribeiro de Faria, C. Carter and J. Rutherford –

Topic Classification of Case Law Using a Large Language Model and a New Taxonomy for UK Law: AI Insights into Summary Judgment,

in: (2025) Artificial Intelligence and Law (Artif Intell Law),

– together with H. Sargeant and A. Izzidien –

<https://doi.org/10.1007/s10506-025-09434-0>

Information Extraction from Employment Tribunal Judgments Using a Large Language Model,

in: (2025) Artificial Intelligence and Law (Artif Intell Law),

– together with J. Ribeiro de Faria and H. Xie –

<https://doi.org/10.1007/s10506-025-09443-z>

LLM vs. Lawyers: Identifying a Subset of Summary Judgments in a Large UK Case Law Dataset,

in: <https://ssrn.com/abstract=4746305> and <https://arxiv.org/abs/2403.04791>, 2024; submitted to journal,

– together with A. Izzidien and H. Sargeant –

The Cambridge Law Corpus: A Corpus for Legal AI Research

in: Neural Information Processing Systems Datasets and Benchmarks Track (NeurIPS 2023): <https://neurips.cc/virtual/2023/poster/73448>, also available at

<https://ssrn.com/abstract=4763429> and <https://arxiv.org/abs/2309.12269>,

– together with A. Östling, H. Sargeant, H. Xie, L. Bull, A. Terenin, L. Jonsson and M. Magnusson –

Thinking Holistically about Procedural Justice in Alternative Dispute Resolution: A Case Study of the German Federal Ombud Scheme,

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– together with B. Bradford and N. Creutzfeldt –

The Impact of Artificial Intelligence on Dispute Resolution – Part 2 [Die Veränderung der Konfliktlösung durch künstliche Intelligenz – Teil 2],

in: Journal of Conflict Management [Zeitschrift für Konfliktmanagement, ZKM] 2023 (Iss. 4), pp. 121–126.

Hard Law and Soft Law Regulations of Artificial Intelligence in Investment Management,

in: (2023) Cambridge Yearbook of European Legal Studies (CYELS) Vol. 24, pp. 262–293.
– together with W. Buczynski, F. Cuzzolin, M. Jamnik and B. Sahakian –

The Impact of Artificial Intelligence on Dispute Resolution – Part 1 [Die Veränderung der Konfliktlösung durch künstliche Intelligenz – Teil 1],

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Consumer Dispute Resolution – Ten Reform Options [Verbraucherstreitbeilegung – Zehn Optionen zur Reform],

in: Journal of Legal Policy [Zeitschrift für Rechtspolitik, ZRP] 2022 (Iss. 7), pp. 202–206.
– together with R. Greger –

The Relationship between Mediation and Other Forms of Alternative Dispute Resolution,

in: ULP Law Review/Revista da Faculdade de Direito da Universidade do Porto (RFDUP), 25th Anniversary Edition 2022, pp. 263–296.

The Civil Dispute Resolution Code – 10 Reasons for Integrating Alternative Dispute Resolution into the Code of Civil Procedure [Die Zivilkonfliktlösungsordnung (ZKLO) – 10 Gründe für die Integration der alternativen Konfliktlösung in die ZPO],

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– together with N. Creutzfeldt –

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in: Journal of Conflict Management [Zeitschrift für Konfliktmanagement, ZKM] 2019 (Iss. 1), pp. 4–8.

Enforcement of International Settlement Agreements Resulting from Mediation under the Singapore Convention,

in: (2019) 31 Singapore Academy of Law Journal (SACLJ) 448–486.
– together with Shouyu Chong –

Empirical Research into Consumer Conciliation: Interim Report on the Study ‘Analysis of Universal Consumer Conciliation’ Commissioned by the Ministry of Justice [Empirische Forschung zur Verbraucherschlichtung: Zwischenbericht zum Forschungsvorhaben ‘Funktionsweise der Allgemeinen Verbraucherschlichtungsstelle’ im Auftrag des BMJV],

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– together with N. Creutzfeldt –

Decoding Legal Conflict – Applying Artificial Intelligence to Identify Drivers of Conflict Resolution [Die Entschlüsselung rechtlicher Konflikte – Der Einsatz künstlicher Intelligenz zur Ermittlung von Entscheidungsfaktoren der Konfliktlösung],

in: Journal of Conflict Management [Zeitschrift für Konfliktmanagement, ZKM] 2018 (Iss. 5), pp. 165–169.

– together with L. Bull –

The Relationship between Mediation and Other Forms of Alternative Dispute Resolution [Das Verhältnis der Mediation zu anderen Verfahren der Konfliktlösung],

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– together with H. Unberath, L. Adrian, A. De Matteis, G. De Palo, F. Ferrand, R. Greger, J. Härtling, U. Janzen, S. Kakiuchi, L. Kirchhoff, P. Mayr, I. Meier, K. Nemeth, M. Pel, A. Sperr and I. Verougstraete –

Principled Regulation of Dispute Resolution – Taxonomy, Normative Theory, Topics and Methodology [Prinzipiengeleitete Regelung der Konfliktlösung – Systematik, normative Grundlagen, Themen und Methode],

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Auditor Independence at the Crossroads – Regulation and Incentives,

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– together with Walter Doralt (coord.), Andreas M. Fleckner, Susanne Augenhöfer, Alexander Hellgardt, Klaus J. Hopt, Christoph Kumpan and Reinhard Zimmermann –

Comments on the Green Paper of the European Commission ‘Audit Policy: Lessons from the Crisis’ [Stellungnahme zum Grünbuch der Europäischen Kommission ‘Weiteres Vorgehen im Bereich der Abschlussprüfung: Lehren aus der Krise’],

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Download: <http://ssrn.com/abstract=1723039>,

– Under the title ‘Comments on the European Commission Green Paper’ additionally published in: *Company Law Review [Rivista delle Società, Riv. soc.]* 56 (Vol. 2) 2011, pp. 485–493.

The Liability of Directors of Public and Private Companies – Economic Analysis and Legal Principles [Die Innenhaftung von Vorständen und Geschäftsführern – Ökonomische Zusammenhänge und rechtliche Grundlagen],

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Insolvency Law and Its Reform from a German and European Perspective [La reforma del Derecho de la insolvencia: La perspectiva alemana y europea],

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Directors’ Liability – Economic Theory and Introduction to Germany Company Law

[Odpowiedzialność członków zarządu spółek z o.o. i spółek akcyjnych w stosunku wewnętrznym – Podstawy ekonomiczne i wprowadzenie do niemieckiego prawa spółek],

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– together with Klaus J. Hopt and Christoph Kumpan –

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Insolvency Grounds in the European Union – Comparison of Laws, Regulatory Structures and Perspectives of Legal Harmonisation [Insolvenzgründe in Europa – Rechtsvergleich, Regelungsstrukturen und Perspektiven der Rechtsangleichung],

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The Civil Law Partnership in the Land Register [Die Gesellschaft bürgerlichen Rechts im Grundbuch],

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Vulnerable Transactions in English Insolvency Law – A Functional Comparison with Specific Emphasis on Company Related Transactions [Das englische Recht der Insolvenzanfechtung – ein funktionaler Vergleich unter besonderer Berücksichtigung kapitalgesellschaftsrechtlicher Aspekte],

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– together with Peter Ulmer –

IV. CONTRIBUTIONS TO COLLECTED EDITIONS, COMMENTARIES AND HANDBOOKS

An Economic Perspective on Triggering Restructuring and Liquidation Proceedings for Limited Liability Companies at the Right Time [Die rechtzeitige Auslösung von Restrukturierungs- und Liquidationsverfahren über haftungsbeschränkte Gesellschaften aus ökonomischer Perspektive],

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§ 16: Ground for the Opening of an Insolvency Proceeding [Eröffnungsgrund],

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§ 18: Future Cash Flow Insolvency [Drohende Zahlungsunfähigkeit],

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