

# BLB&G Partner Jeroen van Kwawegen Highlights Risks of Mandatory Arbitration Provisions in *Litigation Daily*

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BLB&G Partner Jeroen van Kwawegen was featured in an article titled “Preparing a Mandatory Arbitration Provision for Securities Claims? Prepare to Get Sued,” published by *Litigation Daily*. The piece highlights Jeroen’s presentation at the Berkeley Fall Forum on Corporate Governance, where he voiced strong opposition to public companies incorporating mandatory arbitration provisions in registration statements following the SEC chairman’s recent invitation. He warned these provisions would lead to significant legal challenges and negatively impact institutional investors. Jeroen explained that mandatory arbitration eliminates the ability for class members to opt out and participate in settlements or judgments by filing claim forms.

Jeroen predicted that adopting mandatory arbitration would result in “thousands of arbitrations” without global release or precedential value, disrupting the efficiency and resolution securities class actions provide. He noted, “When people think about plaintiff’s lawyers—the plague of us—they never think about the peace that we actually provide.” Additionally, Jeroen suggested that arbitration might benefit plaintiffs, as arbitrators often “split the baby,” potentially leading to higher recoveries compared to traditional securities class actions.

Jeroen has recovered over \$4 billion for investors and advanced significant governance reforms on behalf of the firm. His notable achievements include co-leading the groundbreaking case against Tesla, resulting in the rescission of Elon Musk’s \$56 billion pay package, and securing a \$1 billion settlement for Wells Fargo investors. Jeroen is currently prosecuting several high-profile securities and breach of fiduciary duty cases, including those involving Meta Platforms and Credit Suisse.