



Select List of Representative Matters

From negotiating and drafting sophisticated arbitration clauses to enforcing arbitration awards - and everything in between - members of the International Arbitration Group have represented individuals, private parties, sovereign governments, and state-owned enterprises in international commercial and investment arbitrations around the globe. Recent Americas-related arbitrations include representation of:

Commercial Arbitration

- A Brazilian joint venture company in a Paris-based ICC arbitration against a Brazilian state-owned utility arising out of a long-term power purchase agreement (PPA) and involving issues related to the construction of a power plant. The dispute involved claims and counterclaims in excess of US\$ 1.8 billion, and was one of the first major international arbitrations involving a Brazilian mixed-capital company. (*UEG Araucária Ltda. v. COPEL*)

- A U.S. energy services company in a multi-million dollar ICC arbitration, under Texas law, concerning the construction of a gas-fired power plant in Brazil. The seat of the arbitration was Houston, Texas, USA.

- A Peruvian real estate development company in connection with the construction of a five-star hotel in Lima, Perú, against a U.S. engineering corporation. The final hearing took place in Lima.

- A U.S. telecom company in a dispute under the auspices of the International Center for Dispute Resolution (AAA/ICDR) arising from the breach of a technology agreement against a Colombian corporation. The case was settled.

- An Israeli electronics company in an arbitration dispute against a Brazilian distributor. The arbitration was administered by the International Center for Dispute Resolution and the final hearing took place in Sao Paulo, Brazil.

- A U.S. telecom corporation in connection with the breach of long distance services agreement against an Ecuadorian state-owned telephone company.

State-Investor Arbitration

- The Republic of Bolivia in an ICSID arbitration involving the “Water War” in Cochabamba. After defending the case for nearly four years, and following a hearing on the issue of jurisdiction, we reached a “no-pay” settlement for Bolivia. This result was a significant victory for our government client. (*Aguas del Tunari, S.A. v. Republic of Bolivia*)
- A U.S. company in an ICSID dispute arising out of a legal stability agreement relating to the company’s multi-million dollar investments in the Peruvian electricity sector. The dispute arose out of the Peruvian Government’s application of a series of unlawful taxes on a retroactive basis. (*Duke Energy International Peru Investments No 1, Ltd. v. Republic of Peru*)
- A U.S. company in an ICSID dispute relating to the company’s multi-million dollar investments in the Ecuadorian electricity sector. (*Duke Energy Electroquil Partners and Electroquil S.A. v. Republic of Ecuador*)
- A Houston-based energy services company in a Miami-based arbitration under the UNCITRAL Arbitration Rules. The language of the arbitration was Spanish. The governing law was the law of Guatemala. The parties’ dispute arose out of a long-term power purchase agreement (PPA) and, in particular, concerned the interpretation of the PPA’s payment clause and Guatemalan electricity sector regulations. (*Case name withheld for confidentiality*)
- A U.S. mining company in connection with a multi-million dollar investment dispute in a Central American country under the CAFTA. (*Case name withheld for confidentiality*)
- A publicly-held Canadian corporation owning rights in mining claims in the California desert. The claims, brought under the NAFTA, are based on the U.S. Government’s alleged expropriation of those rights and breaches of customary international law. (*Glamis Gold Ltd. v. USA*)
- A Canadian company and Canadian citizens who are members of the Six Nations Confederacy in an UNCITRAL arbitration under the NAFTA. The claims are based on measures taken by 46 State Governments and six territorial administrations of the U.S. subsequent to a litigation settlement agreement made with large tobacco manufacturers. (*Grand River Enterprises et al v. USA*)
- Petroleos Mexicanos (PEMEX) on all energy and related issues (government procurement and dispute resolution) in the North American Free Trade Agreement (NAFTA) negotiations, including the development of negotiation strategies and tactics, preparation of substantive proposals, review and analysis of Canadian and U.S. proposals, and judgments concerning the motivations and objectives of the parties.

A Complete Experience List Can Be Provided Upon Request