Wöss & Partners - Arbitration & Trade

Wöss & Partners is an international arbitration and trade law firm highly specialized in commercial and investment arbitration, dispute settlement procedures before the World Trade Organization and has experience operating under several arbitration rules, free trade agreements, investment treaties, international trade regulations and with trade negotiations. Members of the Wöss & Partners International Arbitration & Trade Group have acted as counsel and arbitrators in a large number of arbitrations, including several investments arbitrations (for example: lead counsel in the ICSID Annulment Case ARB/10/17 Renée Levy de Levi v. Peru). In 2014, Wöss & Partners was involved in several arbitrations in Japan, Mexico, Peru, the USA, Chile and Switzerland. Wöss & Partners has offices in Mexico City, Washington DC and Lima. The working languages of the firm are English, French, German, Italian, Spanish and Portuguese.

Wöss & Partners also engages in contract and claim management, dispute prevention, management and resolution, and regularly liaises with the Dispute Resolution Board Foundation, the Inter-American Development Bank, UNCITRAL, UNCTAD, the World Bank as well as other organisations in that field to ensure the most up-to-date information guides its practice. Dr. Herfried Wöss is a pioneer with dispute boards and played an instrumental part in the Mexican Government’s decision to include a dispute board in the first Mexican PPP under the new PPP law. Members of Wöss & Partners’ International Arbitration & Trade Group participate in the UNCITRAL PPP Working Group.

Four members lead Wöss & Partners International Arbitration & Trade Group. Dr. Herfried Wöss is a leading international arbitration counsel who regularly sits as arbitrator and has significant experience involving cases relating to infrastructure projects with State entities. Dr. Wöss also influenced the recent energy reforms in Mexico. Adriana San Román Rivera is an international damages expert combining both legal and financial credentials at the highest level and is frequently designing and framing damages strategies, including for major international law firms. Dr. Wöss and Ms. San Román are authors of the seminal treatise on “Damages in International Arbitration under Complex Long-term Contracts” published by Oxford University Press in February 2014. Dante Figueroa is a multi-jurisdictional attorney also admitted to the bar of the US Supreme Court capable of solving the most sophisticated legal issues. Christian Carbajal is highly experienced in both commercial and investment arbitration and one of the leading arbitration lawyers in Peru. Wöss & Partners frequently leads or integrates into larger legal teams.
Members of the Wöss & Partners International Arbitration & Trade Group have the highest professional and academic credentials and frequently publish in leading arbitration and law journals as may be seen on our webpage: www.woessetpartners.com. Wöss & Partners International Arbitration & Trade Group understands the problems and necessities of emerging market and developing countries and of the investors in such countries. They are not only arbitration and trade law experts but also familiar with corporate law, international business and commercial law, competition law, infrastructure projects, intellectual property, joint ventures and M&A, and have executed innumerable transactions during the last 20 years while maintaining a personal approach of service to their clients. Wöss & Partners International Arbitration & Trade Group is particularly familiar with the legal issues arising from the French institution of the ‘contrat administratif’, which appears throughout Latin America, and is capable to understand and solve the complications caused thereof, which lead, for example, to the annulment of the award in the COMMISA v. PEMEX arbitration as analysed in a forthcoming article.

In 2014, members of Wöss & Partners International Arbitration & Trade Group spoke at conferences in Berlin, Bogota, Heidelberg, Lima, Baltimore (University of Maryland), Miami, New York and Puerto Rico.

Wöss & Partners International Arbitration & Trade Group key professionals:

Dr. Herfried Wöss has trained and practiced in Austria, the Legal Service of the European Commission, the UK and Mexico and has extensive experience in international arbitration under the ICC, UNCITRAL, ICSID and various local arbitration rules both as arbitrator and as party counsel, in particular with respect to major infrastructure projects disputes and project agreements with state entities. The International Who’s Who of Commercial Arbitration has listed him as one of the leading professionals and considers him outstanding as sole arbitrator and party counsel. He specialises in infrastructure and construction projects such as privately financed infrastructure projects and public-private partnerships, construction law, M&A, competition law, as well as the telecommunications, pharmaceutical and automotive industries. Dr. Wöss is the co-founder of the Investment Arbitration Forum, Executive Board Member of the North America Branch of the Chartered Institute of Arbitrators, and Special Editor of the prestigious Transnational Dispute Management Journal. Dr. Wöss is also considered a leading international trade lawyer and has participated in cases before the European Court of Justice, the WTO, anti-dumping and countervailing duty investigations and other trade measures in different countries around the world.
particularly in Latin America. He has participated in trade negotiations and advised govern-
ments and large corporations with respect to rules of origin, GATT, GATS, TRIPS, technical
standards, labelling norms, subsidies and government procurement. His academic record
includes numerous publications in the field of investment and commercial arbitration and
dispute resolution. He was a Visiting Scholar for arbitration at the Georgetown University
Law Center from 2012-2013. Several of his awards and publications have produced
judicial precedents. He can be reached at: hwoess@woessetpartners.com.

Adriana San Román R. is a founding partner at Wöss & Partners, and has more than twenty years of
experience as attorney and financial analyst, having worked in the areas of corporate banking, financial
engineering and project finance. She is an internationally recognized expert in arbitrations involving large
infrastructure, construction and technology cases, particularly concerning the formulation of damages claims.
Her work includes the structuring and implementation of public and private infrastructure projects, M&A
transactions, loans restructuring for financial institutions, anti-dumping and subsidy procedures, and antitrust
issues. Ms. San Román was a Ford Foundation Scholar at the University of Exeter where she obtained an M.A. in
Finance & Investment, and foreign associate with Mayer, Brown & Platt in New York. As an attorney at law as
first profession, she also passed the first level of the Chartered Financial Analyst exam. Her extensive experienc-
e in the Mexican banking sector includes her leadership role in several IFC projects. She is principal author of
the book titled Damages in International Arbitration Under Complex Long-Term Contracts published by in the
Oxford International Arbitration Series in February 2014. She can be reached at:
asanroman@woessetpartners.com.

Dante Figueroa is a multilingual attorney authorized to practice law in Chile, New York, Washington, D.C.,
before the Court of International Trade and at the U.S. Supreme Court, and the resident partner of Wöss &
Partners PLLC in Washington DC. He has a solid international experience in international arbitration and
litigation matters. For years, he has served as expert witness in complex multi-million dollar foreign arbitral
award enforcement procedures before United States District courts. Mr. Figueroa has advised Latin American
clients on the civil and criminal aspects involved in multimillion-dollar litigation conducted in the United
States and Latin America concerning funds frozen in the U.S. pursuant to judicial orders. He has advised
multinational companies preparing investor-state arbitration complaint against a Latin American State in ICSID
procedures, and has prepared briefs on strategies for international litigation before the U.S. Export-Import
Bank, the World Bank, and the Inter-American Development Bank, concerning a major energy project in South
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Christian Carbajal – Peruvian multilingual attorney graduated from Pontifical Catholic University of Peru, with LLM degree in International Economic Law from The University of Warwick, England under a scholarship granted by the British Council. He has a solid experience representing foreign investors and exporters in international arbitration proceedings in fora such as ICSID, ICC and GAFTA, as well as ample experience in anti-dumping procedures before the National Institute for the Defence of Competition and Protection of Intellectual Property in Peru (INDECOPI). He has also advised foreign mining investors in Peru in relation to the execution of complex contracts for the acquisition of mining property rights as well as for the obtaining of mining concessions from the Mining Authority (MINEM). He is an active arbitrator in several arbitration centres in Peru, such as the Lima Chamber of Commerce (CCL), AMCHAM – Peru, Pontifical Catholic University of Peru (PUCP) and the Peruvian Authority for the Supervision of State Procurement and Contracts (OSCE), as well as the London Court of International Arbitration (LCIA). He is a Professor of International Trade, Foreign Investment Law and International Arbitration at the Postgraduate School of the University of Lima. He has published several articles in the fields of investment and international arbitration. Christian Carbajal is the resident partner of Wöss & Partners in Lima. He can be reached at: ccarbajal@woessetpartners.com.

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* not admitted in Washington DC