



ARBITRATION/MEDIATION

Our lawyers have represented clients in the United States and abroad in arbitrations under the rules of the ICC, UNCITRAL, ICSID, FIDIC, LCIA, AAA, and JAMS as well as under various ad hoc arrangements, and in related litigations concerning the enforcement of arbitration agreements and awards. We have also represented clients in numerous high-stakes mediations. Two of our founding partners, each with a working knowledge of French, have civil law in addition to common law degrees, and one of those partners, Dorit Ungar Black, is a native German speaker with proficiency in Hebrew and a working knowledge of Hungarian. Collectively, our attorneys have working knowledge or fluency in at least 12 foreign languages.

Additionally, Judge Holwell has offered his services as an arbitrator and mediator in appropriate matters, as has Justice McGuire.

REPRESENTATIVE MATTERS

- Air India in two separate but related actions in connection with efforts by foreign investors to enforce a \$1.2 billion arbitration award and a \$160 million arbitration award, respectively, against the state-owned airline as the alleged alter ego of the Republic of India.
- Japanese pharmaceutical company in an ICC arbitration against the sellers of a Mexican pharmaceuticals business.
- A private equity fund focused on investments in the Middle East/North Africa markets and its manager in an ICC arbitration brought by one of the fund's four shareholders who was expelled from the fund and had its investment divested after failing to timely make a capital contribution.
- An Indian pharmaceutical company in AAA/ICDR arbitration involving a dispute over royalties under a sublicense agreement for the intellectual property to a cancer-treating drug.
- Alstom S.A. in litigation and arbitration with GE arising out of Alstom's acquisition of GE's rail-signaling business.
- Comcast Corporation in a lengthy AAA arbitration and hearing concerning the technical capabilities of its outside customer care and billing provider.
- Camulos Capital, a U.S. hedge fund, in arbitration concerning amounts allegedly owed under the fund's partnership agreement.
- Landoil Corporation of the Philippines in LCIA arbitration relating to the settlement of political risk claims against Lloyd's of London.
- Banco Santander in ICC arbitration relating to its acquisition of proprietary software for managing portfolios of highly structured derivatives tied to the global credit markets.

- Mitsubishi in a AAA arbitration concerning responsibility for construction delays at a U.S. turbine-powered power plant.
- Hochtief AG in an ICC/FIDIC arbitration against the Ministry of Defense of the Russian Federation in a dispute involving critical path delays during construction of apartment buildings in Rostov-on-Don.
- A Saudi Arabian construction company in ICC arbitration relating to design flaws and delays in the construction of a cement plant in Pakistan.
- MEGA Brands, maker of Mega Bloks, in an AAA arbitration concerning its acquisition of Rose Art Industries.
- The State of New York, in an arbitration resolving a tribe's unlawful withholding of hundreds of millions of dollars in revenue sharing payments and expense reimbursement due under a gaming compact.
- A Brazilian mining conglomerate in an ICC arbitration arising from the termination of contracts to purchase and ship iron ore, which resulted in a provisional award through which the tribunal ordered the opposing party to refrain from attaching assets under the U.S. Supplemental Rule.
- A New York-based litigation finance firm in a JAMS arbitration concerning breach of a funding agreement.
- Two partners of multiple joint ventures in a AAA arbitration about whether certain JV funds should be paid entirely to specific partners or whether the funds are profits that should be shared by all JV partners.
- An Asia-based client in private mediation to resolve political risk insurance claims relating to construction projects in the Middle East.
- A U.S. manufacturer in mediation of claims brought by parents and guardians of children who suffered injuries as a result of alleged manufacturing defects.
- A non-U.S. bank in a mediation relating to a substantial total return swap.
- A non-U.S. bank in a mediation relating to alleged joint and several liability for alleged securities law violations.
- A non-U.S. bank in a mediation relating to claims by a California state government authority.