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Nationality/ Date of	U.S. citizen/Brazil permanent resident
Birth	Date of Birth 25 September 1945

### **Educational/Professional Memberships**

Silicon Valley Arbitration and Mediation Center (<u>www.SVAMC.org</u>) – Director-General and Member, SVAMC Tech List of highly vetted arbitrators for technology disputes. Board Member, Membership Committee Chair and founder, SVAMC Latin America/Caribbean group.

Co-Founder, Miami International Arbitration Society (MIAS) which hosted ICCA-2014

Co-Founder, Florida Bar [Law Society] International Litigation & Arbitration Committee

#### Education

Yale University, B.A., Russian Area Studies. Courses also included intensive basic Japanese language and Foreign Relations

The Paul Nitze School of Advanced International Studies (Washington, DC and Bologna, Italy), M.A. International Relations (International Economics, European/Russian Studies) with Academic Distinction,

University of Maine Law School, J.D., Law

#### **Admitted to Practice**

U.S. state and federal courts of Massachusetts, Maine Brazilian Bar (OAB-RJ) Foreign Legal Consultant, 2013 - 16

#### **Current Position**

**Independent Arbitrator and Mediator**, **Miami and Rio de Janeiro**. Specialize in resolving business disputes through negotiation, mediation and arbitration, many from the information technology and aviation sectors with contracts involving sales, services, M&A, joint ventures. Cases and disputes from Latin America, North America, Europe, Russia and Asia.

# **Prior Professional Experience**

**Of counsel,** Veirano Advogados (Rio de Janeiro, São Paulo, Brasília), one of Brazil's leading law firms with strong international clientele, infrastructure and energy practice, 2011 - 2013. Drafted and reviewed arbitration clauses for complex business deals, trained transactional lawyers in firm on features and benefits of arbitration and arbitration clauses, advised and assisted foreign companies coming to Brazil, negotiated international contracts.

**International Counsel, Arbitrator and Mediator**, Bastos-Tigre, Coelho da Rocha e Lopes Advogados (Rio de Janeiro & São Paulo) and Diaz Reus (Miami), 2004 - 2011. Lead counsel in several arbitrations including LCIA arbitration between Brazilian and Scandinavian partners over offshore oil drilling, said to be the first arbitration involving a Brazilian national oil company. As counsel for the Brazilian party in another energy arbitration versus a U.S. multinational party, proposed and arranged the world's first videoconference mediation, which settled the case.

**In-house Director for Legal & Government Affairs - Latin America/Caribbean & Canada, 3COM:** Contract negotiation, transactions, IP, disputes, government relations throughout the region for major IT network hardware/software/services multinational - California & Miami. Brazil was by far the largest IT network market.

**In-house Legal Director - Latin America/Caribbean, Oracle:** Contract negotiation, transactions - complex software licensing, disputes, IP for major enterprise software developer - California & Miami. Brazil was the largest software market.

**In-house Director for Legal & Government Affairs – Latin America/Caribbean and Senior Counsel/Russia, Digital Equipment Corporation:** Contract negotiation, M & A, JVs, transactions, IP, disputes, government relations for major computer hardware manufacturer - Boston & Florida. Brazil was the largest, most restricted and regulated IT hardware market.

**Special external counsel, IDT Telecommunications for Latin America/Caribbean:** M & A negotiation, contract dispute clauses, employment issues, government relations for international telecom service provider – New York area.

**Law Department International Group, Bank of Boston:** legal aspects of fintech platforms for international trade (Boston).

# Arbitration Experience

- First case as arbitrator: product import-export arbitration between Spanish and U.S. companies. Our panel was chaired by Professor Willem Vis.

- Acted as lead counsel in LCIA arbitration on offshore oil drilling between Brazilian and Scandinavian companies; as counsel in ICDR energy arbitration between Brazilian executive and U.S. energy multinational; and as counsel in *ad hoc* arbitration on football (soccer) marketing contracts between Central American and U.S. companies. The offshore drilling case was one of Brazil's first major international arbitrations in the oil & gas sector.

- Serving as co-arbitrator, sole arbitrator and tribunal chair for a wide variety of international commercial arbitrations in the following sectors:

Technology (IT, telecommunications, data communications, medical technology), financial, M & A, transportation (aviation, maritime), product sales/service/marketing/distribution, with parties from Brazil, Canada, China, India, Mexico, Panama, Paraguay, Spain, Sweden, United Kingdom, United States. Mediated commercial disputes with parties from Argentina, Costa Rica, Japan, and Russia as well. Please see <a href="https://www.paulemason.info">www.paulemason.info</a> for further details.

- Experience as arbitrator with Brazilian parties at the Brazil-Canada Chamber of Commerce/CAM-CCBC São Paulo (conducted in Portuguese), ICC, ICDR and LCIA (as counsel) under Brazilian and U.S. law. Some illustrative cases:

# As Arbitrator

- Largest case decided as sole arbitrator: USD \$24 million in aviation case. Transactions involving Latin America, Asia and Europe – AAA/Miami (Latin American and U.S. parties, 2023);

- Trade secret rights between Virtual Private Network (VPN) companies ICDR/New York (California vs. Panamanian party);
- Outsourcing software (ICDR/New York (Canadian vs. U.S. parties);
- Aircraft leasing liability AAA (U.S. parties);
- Airworthiness of military jets AAA/Miami (U.S. parties);
- Commercial aircraft parts distribution AAA/Miami (British vs. U.S. parties);
- E-commerce dispute between major e-commerce portal and large-volume wholesaler AAA/Miami (U.S. parties)
- Medical tech sector debt-equity conversion ICDR/New York (Dutch/U.S. vs. Swedish parties);
- Marketing personal care products AAA/Miami (Chinese vs. U.S. parties);
- Financial software AAA/Miami (U.S./India party vs. U.S. party)
- Financial sector reverse merger dispute AAA/Miami (U.S. vs. Chinese party);
- Major internet undersea cable facility dispute AAA/Atlanta (Caribbean parties);
- Shipping large quantity of fuel oil products ICDR/New York (Chinese vs. Brazilian parties, New York law);
- Investment in U.S. real estate by Brazilian entity ICDR/Miami (Brazilian and U.S. parties, U.S. federal and Florida state law);
- Import-export of construction products ICC/Miami (Brazilian parties in Brazil and Miami, Florida state law, U.S. federal law, CISG);
- M & A in petrochemical industry, Brazil-Canada Chamber of Commerce/São Paulo (conducted in Portuguese; Brazilian and U.S. multinational parties, Brazilian and U.S. federal law);
- Investment banking ICDR/Miami (Brazilian and Swiss parties, Florida state law).

As Mediator in Med-Arb cases

- M & A in oil & gas industry - ICDR/Rio de Janeiro (U.S. and Brazilian parties);

- Agribusiness product distribution case between Brazilian multinational and Central American producers group - ICDR/Miami.

#### As Counsel

 Offshore oil drilling - LCIA/New York & Miami (Scandinavian vs. Brazilian party, UNCITRAL Rules, Brazilian substantive and procedural law, including the Brazilian Civil Procedure Code);
Energy executive compensation - ICDR (Brazilian vs. U.S. multinational party)

- Member, Panel of Arbitrators - AAA/ICDR, BIAC/Beijing, CAfA-NAI (for art)/The Hague, CBMA/Rio de Janeiro, Delos/Paris, HKIAC (on Arbitrator and Specialized Intellectual Property Panels), LCIA, VIAC/Vienna, WIPO/Geneva. Have also arbitrated Brazilian cases for the ICC and the Brazil-Canada Chamber of Commerce (CAM-CCBC).

# **Publications and Presentations**

Founder/General Editor, *International Commercial Arbitration Practice: 20<sup>th</sup> Century Perspectives*, Horacio Grigera-Naón, Co-Editor, Lexis-Nexis/Matthew Bender, New York, 2010 - present, 60+ chapters with annual updates, including one from the SIAC.

"Med-Arb, Arb-Med and Related Processes in Brazil and Beyond – Some Observations and Suggestions", chapter in *Temas de Mediação e Arbitragem*, vol. 4, pp. 327-357 (LexEditora S/A, São Paulo, July 2020).

"Videoconferencing in International Arbitration and Mediation Proceedings", https://SVAMC.org/articles May 2020, being updated in 2021.

Presentations on Arbitration in Latin America at Tsinghua Law School/Beijing and the HKIAC/Hong Kong, 2015.

For details including other arbitration related publications and presentations, please see <a href="http://www.paulemason.info">www.paulemason.info</a>

### Webinar Panelist or Moderator:

"Midnight Clauses: a Toolkit for Drafting Dispute Resolution Clauses for Technology and Other Contracts" - Moderator, with speakers Alexandre DuSartel (General Counsel, SICPA/Geneva) and Teresa Garcia-Reyes (Senior Litigation Counsel, Baker Hughes/Houston), SVAMC - Debevoise Corporate Counsel Clinic series Program no. 1, February 25, 2021.

"Cross-Border Dispute Resolution - Does Arbitration still Wear the Crown?", presentation on the Singapore Convention, 5th Annual CARTAL Conference by the Indian Journal of International Arbitration (IJAL), Jodhpur - India, October 11, 2020.

"Med - Arb and Arb - Med in Brazil and Beyond" (in Portuguese), webinar inaugurating the Brazilian Southeast Region CAMARB Competition, October 8, 2020.

"The Singapore Convention Compared with the NY Convention" and other Singapore Convention topics, ADR Centre RGNUL University - India webinar, September 12, 2020.

### Languages

English, Portuguese, Spanish, Russian, French