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# Katherine Sanoja

Ms. Sanoja graduated *magna cum laude* with a juris doctor degree from Florida International University College of Law. Her practice concentrates on international dispute resolution through international arbitration and litigation. She primarily advises States and state entities in matters before ICSID and its additional facility, as well as before commercial arbitration institutions, including AAA/ICDR, ICC, etc.

She has served as counsel or acted as secretary to tribunals in arbitrations administered by international arbitral institutions, including the ICC, ICDR, LCIA, ICSID, and PCA, in proceedings conducted in English, Spanish, and Portuguese.

Ms. Sanoja also has represented clients before state and federal courts throughout the USA representing individuals and companies in various types of commercial litigation, including litigation related to the enforcement of arbitration awards and 1782 discovery requests, and in all stages of trial and appeal.

## RELEVANT EXPERIENCE IN INTERNATIONAL DISPUTES

Ms. Sanoja has participated or is acting as counsel in the following cases (selection):

### INVESTMENT CASES

- *Tethyan Copper Company Pty Ltd. v. Pakistan*, representing Pakistan s in a claim brought by a joint venture owned by Barrick Gold and Antofagasta Minerals regarding the denial of a mining lease application in Pakistan, with damages sought in excess of 8.5 billion USD; Representing Pakistan in Quantum Phase of proceedings and in annulment.
- *Agroinsumos v. Bolivarian Republic of Venezuela*, representing Venezuela in a claim brought under the ICSID Arbitration Rules by an allegedly foreign investor seeking over 5 billion USD for supposed investments in the food sector;

- *Karkey Karadeniz Elektrik Uretim A.S. v. Pakistan*, representation of Pakistan in annulment and revision proceedings;
- *Manuel Garcia Armas, et al. v. Rep. Bolivariana de Venezuela*, representation of Venezuela in proceedings under the UNCITRAL Arbitration Rules, administered by the Permanent Court of Arbitration, regarding an alleged Spanish investment in the food sector in Venezuela;
- *Luis Garcia Armas, et al. v. Rep. Bolivariana de Venezuela*, representation of Venezuela in proceedings under the UNCITRAL Arbitration Rules, administered by the Permanent Court of Arbitration, regarding an alleged Spanish investment in the food sector in Venezuela;
- *Clorox Spain S.L. (España) v. Rep. Bolivariana de Venezuela*, representation of Venezuela in proceedings before the PCA, amount claims 186 million USD.
- *Fábrica de Vidrios Los Andes, C.A. y Owens-Illinois de Venezuela, C.A. c. Rep. Bolivariana de Venezuela*, representation of Venezuela in ICSID arbitration regarding the expropriation of glass manufacturing plants in Los Guayos and Valera (proceedings in Spanish), amount claimed 1 billion USD;
- *Tenaris and Talta v. Bolivarian Republic of Venezuela (Tenaris II)*, representation of Venezuela in the annulment portion of the case, seeking to annul an ICSID award worth over 150 million USD;
- *Vestey Group Ltd. c. Rep. Bolivariana de Venezuela*, representation of Venezuela in ICSID arbitration regarding the expropriation of a cattle farming operation, amount in dispute above 150mm USD;

## COMMERCIAL ARBITRATION CASES

- *Tethyan Copper Company Pty Ltd. v. Government of Balochistan*, representation of Balochistan in an ICC arbitration brought by a joint venture owned by Barrick Gold and Antofagasta Minerals, amount in dispute confidential;

- *PDVSA Servicios S.A. v. Petrosaudi International Ltd.*, *ad-hoc* arbitration under the 2010 UNCITRAL Arbitration Rules regarding a claim for damages related to the repair, maintenance, and operation of an offshore drilling rig, amount in dispute over 500 million USD;
- Represented Brazilian distributor of automotive products in an ICC arbitration related to a joint venture agreement, amount claimed confidential;
- Represented a Brazilian wind power company in a dispute with a Dutch company regarding transfer of technology and related proceedings to execute on a letter of credit in Switzerland pursuant to ICDR arbitration clause (confidential settlement before filing arbitration);

## LITIGATION

- Various applications pursuant to 28 USC § 1782 seeking documents and testimony for use in foreign proceedings in Germany, Argentina, and Brazil;
- *Jimenez, et. al. v. Palacios, et. al.*, representation of directors of PDV Holding and Citgo Corporations in corporate disputes before the courts of Delaware.;
- Represented CEO of Brazilian companies in a fraud dispute brought before Florida state courts;
- *Huntington Ingalls v. Ministerio de Defensa de la Rep. Bolivariana de Venezuela*, pending before the Southern District of Mississippi. Representation included litigation with Crystallex International Corp. regarding the proceeds of a trust in New York as well as resisting enforcement efforts by Huntington Ingalls in District Court of the District of Columbia;
- *Enerset Electric v. PDVSA et. al.*, representation of state-owned entity in a commercial contract dispute pending before the Southern District of Texas;
- *CLA Direct Inc. v. PDVSA et. al.*, representation of state-owned companies in a commercial contract dispute pending before the Southern District of Texas;
- *Impact Fluid Solutions v. Bariven et. al.*, representation of state-owned companies in a commercial contract dispute pending before the Southern District of Texas;

- *Karkey Karadeniz Elektrik Uretim A.S. v. Pakistan*, representing Pakistan in 1782 proceedings and in enforcement proceedings before the District Court of the District of Columbia;
- *Owens Illinois European Group v. Rep. Bolivariana de Venezuela*, representation of Venezuela in relation to the recognition and enforcement of an ICSID award in the Southern District of New York and before the Federal District Court of the District of Columbia;
- *Comparelli, et al. v. Rep. Bolivariana de Venezuela*, representation of Venezuela in relation to a suit for damages related to an alleged expropriation pending before the Southern District of Florida;
- *Berkowitz v. Republic of Costa Rica*, representation of investor in proceedings to set aside Interim Award before the district court of the District of Columbia;
- *Environmental Solutions do Brasil v. RLC Technologies, Inc.*, dispute before courts near Richmond, Virginia, regarding the purchase and sale of a specialized environmental remediation machine;
- *JAMA Software, Inc. v. QA Systems GmbH*, dispute in the District Court for the District of Oregon regarding payment of commissions for the sale of licenses in Europe;
- *Triangulo Pisos e Paineis, Ltda. v. BR-111 Imports & Exports, Inc.* in an enforcement action of an ICC award in Florida regarding unpaid invoices and ownership of a trademark, award of over 1.5 million USD and counterclaim defeated of over 12 million USD;
- *Eco Tech Engenharia Ltda. v. Pothole Killers, LLC*, in arbitration related court proceedings in New York regarding an international leasing contract;
- *BRFibra Inc. v. BRFibra Telecommunications LLC, et al.*, represented the plaintiff in a case for civil theft, fraud, and corporate issues of more than 10mm USD arising from the telecommunications sector, included a parallel proceeding in Federal court in regard to certain intellectual property;
- *United States of America v. Assets Described in "Attachment A" to the Verified Complaint for Forfeiture in Rem*, representing individual Colombian investor in recovery of losses suffered as a result of fraudulent investments by Evolution Marketing Group.

- *Gamboa et.al. v. Marriot Resorts Hospitality Corporation*, representing individual Colombian investor in recovering his time-share property in Orlando after wrongful foreclosure of the property.

## PUBLICATIONS

- “Corruption in International Arbitration: Evidentiary Challenges” (2019).
- “The Singapore Convention on Mediation: Facilitating the Cross-Border Enforcement of Mediated Settlement Agreements in International Commercial Disputes” (2019); IADC Int’l Arbitration Committee Newsletter
- “Obrigações do vendedor – entrega de mercadorias e remessa de documentos (arts. 30 a 34)” en Comentários à Convenção de Viena Sobre Contratos de Compra e Venda Internacional de Mercadorias (CISG), 69-84 (2016)
- “Entidades Estatais e Execução de Sentenças Arbitrais nos Estados Unidos/State-Owned Entities and Enforcement of Arbitral Awards in the United States” in Revista de Arbitragem e Medição, 279-284 (April –June 2015).
- “Article 7: The Interpretive Tool of the CISG” en A CISG e o Brasil: Lições e reflexões quando de sua entrada em vigor, Ingeborg Schwenzer, Cesar A. Guimarães Pereira y Leandro Tripodi (eds.) (2015)
- “Execução de Laudos Arbitrais Internacionais na Flórida/Execution of International Arbitral Awards in Florida” in Revista Catarinense de Solução de Conflictos, 30-31 (Sept. 2014).
- “Risk Allocation in the Delivery of Goods under the U.N. Convention for the International Sale of Goods,” Editora Appris en Brasil (2015).
- “The Impact of ‘Anti-Sharia’ Legislation on Arbitration and Why Judge Nielsen in Florida Got It Right,” Florida International University Law Review (2012).

## PRESENTATIONS

- *Reglamento UNCTIRAL*, II Curso de Destrezas Legales en Arbitrage, Instituto Peruano de Arbitraje (2017);
- Procedural Orders and Cross-Examination, ICC YAF Panel (2017);

- *Advice and Practical Insights: Conquering New Grounds: the Finance and Banking Industry*, YAI Talks, Institute for Transnational Arbitration (2017)

## **MEMBERSHIP & ASSOCIATIONS**

- Admitted to the Florida and DC Bar.
- Chair of the CLE Committee for the International Law Section of the Florida Bar (2017-2020)
- Chair of the Legislative Committee for the International Law Section of the Florida Bar (2015-2017)
- Member of Steering Committee for the Annual Conference of the International Law Section of the Florida Bar (2014-2016)
- Member of Hosting Committee for the Willem C. Vis –International Arbitration Pre Moot (2013-2016)
- Member of Young ICCA y ICCA (International Committee of Commercial Arbitration).
- Member of YAP (Young Arbitration Practitioners)
- Member of Miami International Arbitration Society
- Treasurer of Future of Arbitration: Miami (2015-2020)

## **LANGUAGES**

English, Spanish, and working proficiency of Portuguese.