

Achieving fast, innovative and cost-effective dispute resolution for businesses

EFFICIENCY. INNOVATION. RESOLUTION.

Maria Claudia Procopiak – Arbitrator

“ She is a very experienced and talented lawyer with particular insight and expertise in Latin America. ”

Who's Who Legal Arbitration 2020 - Future Leaders

OVERVIEW

Maria Claudia Procopiak is an internationally recognised arbitration expert, who sits as arbitrator in a wide variety of international arbitration matters under all major institutional and ad hoc arbitral rules.

Maria Claudia started her career at the ICC International Court of Arbitration in Paris, where she served as Deputy Counsel of the Latin American/Iberian Peninsula team. From there, Maria Claudia joined the international arbitration group of Dechert LLP where she worked for 10 years in Paris and London representing clients in both commercial and investment arbitrations. In 2020, Maria Claudia left to set up Procopiak Arbitration and focus on her work as arbitrator.

Maria Claudia is a member of the ICC Commission on Arbitration, and member and Secretary of the Latin American and Iberian Chapter of the ICC Institute of World Business Law since 2018.

Maria Claudia is fluent in English, Portuguese, Spanish and French.

STYLE AND APPROACH

Every case is different. It is very important to listen to the parties and understand their needs from the outset of the case. While I have developed some procedural preferences and suggestions that I discuss with the parties, I do not try to impose the same procedural rules on every case.

EXPERTISE

- Construction and Engineering
- Energy & Natural Resources
- Joint Ventures and Corporate Disputes
- Contractual and Transactional Issues

EXPERIENCE

Construction and Engineering

- President of the Arbitral Tribunal in an ICC arbitration between two Angolan companies in a dispute arising out of a contract for the design, construction and assembling of highway signalisation (Luanda seat, Angolan law, Portuguese language).
- Co-arbitrator in an ICC arbitration between a Brazilian company, against another Brazilian company, against four other Brazilian companies in a dispute arising out of a construction contract (Rio de Janeiro seat, Brazilian law, Portuguese language).
- As counsel, represented a leading European construction company in Autopista del Norte S.A.C. v. Republic of Peru, ICSID Case No. ARB/18/17, arising from the breach of a concession contract for the construction of a highway (Spanish language).
- Secretary to the Arbitral Tribunal in an ICC arbitration between, on the one hand, two Portuguese companies and, on the other hand, one Portuguese company relating to a construction agreement (Madrid seat, Portuguese law, Spanish language).

- Secretary to the Arbitral Tribunal in an ICC arbitration between two Portuguese companies relating to an engineering, procurement and construction agreement (Lisbon seat, Portuguese law, English language).
- Secretary to the Arbitral Tribunal in an ICC arbitration between a Brazilian company versus another Brazilian company versus a Spanish company relating to a contract for the supply of conveyor belts (London seat, Brazilian law, English language).
- Secretary to the Arbitral Tribunal in a Centre for Arbitration and Mediation of the Brazil-Canada Chamber of Commerce ("CAM- CCBC") arbitration between two Brazilian companies in a dispute arising out of a construction agreement (Rio de Janeiro seat, Brazilian law, Portuguese language).

Energy & Natural Resources

- As counsel, represented the Republic of Ecuador in *Perenco Ecuador Limited v. Republic of Ecuador*, ICSID Case No. ARB/08/6, arising from the termination of a participation contract for the exploration and exploitation of petroleum fields quantified at US\$3.5 billion (English and Spanish language).
- As counsel, represented the Republic of Ecuador in *Burlington Resources, Inc. v. Republic of Ecuador*, ICSID Case No. ARB/08/5, arising from the termination of a participation contract for the exploration and exploitation of petroleum fields quantified at US\$3.2 billion (English and Spanish language).
- As counsel, represented the Plurinational State of Bolivia in the PCA-UNCITRAL investment arbitration case, *Glencore Finance (Bermuda) Limited v. Plurinational State of Bolivia*, arising from the nationalisation of a mining concession (Paris seat, English and Spanish language).
- As counsel, represented the Republic of Ecuador in the PCA-UNCITRAL arbitration case *EcuadorTLC S.A., Cayman International Exploration Company S.A. and Teikoku Oil Ecuador v. The Republic of Ecuador*, arising from the termination of a transitory contract for exploration and production of petroleum crude quantified at US\$1 billion (Santiago seat, Ecuadorian law, Spanish language).
- As counsel, represented the Republic of Ecuador in the PCA-UNCITRAL investment arbitration case *Chevron Corporation and Texaco Petroleum Company (TexPet) v. The Republic of Ecuador*, arising from the claimants' challenge of a US\$18 billion Ecuadorian court judgment (The Hague seat, English language).
- As counsel, represented a Bolivian state entity against an Indian company in a US\$90 million ICC arbitration arising from a contract for the joint exploitation of a mining concession (Santa Cruz de la Sierra seat, Bolivian law, Spanish language).
- As counsel, represented the Dominican Republic and one of its state companies against a Caymanian hedge fund in an ICC arbitration arising from the by-laws of an electricity generation company and criminal proceedings brought against directors of such company (Santo Domingo seat, Dominican law, Spanish language).

- As counsel, represented a Dominican state company against a Dominican private company in an ICC arbitration arising from the by-laws of another electricity-generation company and criminal proceedings brought against directors of such company (Santo Domingo seat, Dominican law, Spanish language).
- Secretary to the Arbitral Tribunal in an LCIA arbitration between two Spanish companies in a dispute arising out of a gas supply contract (Madrid seat, Spanish law, English language).
- Secretary to the Arbitral Tribunal in an arbitration under the UNCITRAL Rules administered by the LCIA between a Brazilian company and a Chinese company in a dispute arising out of an engineering, procurement and construction agreement (London seat, Brazilian law, English language).

Joint Ventures and Corporate Disputes

- Emergency Arbitrator in an ICC emergency arbitrator proceeding between two Portuguese companies against four Portuguese companies in a dispute arising out of a shareholders agreement (Paris seat, Portuguese law, Portuguese language).
- Secretary to the Arbitral Tribunal in an ICC arbitration between, on the one hand, two Brazilian companies, two Australian companies and a New Zealand company, and, on the other hand, several Brazilian individuals and a Brazilian company, in disputes arising out of a share purchase agreement (São Paulo seat, Brazilian law, English language).
- Secretary to the Arbitral Tribunal in a second ICC arbitration between, on the one hand, two Brazilian companies, two Australian companies and a New Zealand company, and, on the other hand, several Brazilian individuals and a Brazilian company, in disputes arising out of a share purchase agreement (São Paulo seat, Brazilian law, Portuguese language).
- Secretary to the Arbitral Tribunal in an ICC arbitration between, on the one hand, two Brazilian companies and, on the other hand, two Brazilian financial institutions relating to a share purchase agreement (São Paulo seat, Brazilian law, Portuguese language).

Contractual and Transactional Issues

- Sole Arbitrator in an arbitration under the rules of the Madrid Court of Arbitration between a Spanish company and a Qatari company in a dispute arising out of a consulting agreement (Madrid seat, Spanish law, English language).
- Co-arbitrator in an ICC arbitration between a German company and a Brazilian company in a dispute arising out of a sales contract (Geneva seat, Swiss law, English language).

- Co-arbitrator in an ICC arbitration between a Swiss company and a Brazilian company in a dispute arising out of a contract for the supply of plant machinery, and mechanical and electrical equipment (Madrid seat, Swiss law, English language).
- Represented, as co-counsel, a Finnish and an American company against a Japanese and an American multinational electronics corporation in an ICC arbitration arising from antitrust claims in connection with the sale and purchase of batteries for mobile devices (London seat, English law, English language).
- Represented, as co-counsel, a Finnish and an American company against a different Japanese and American multinational electronics corporations in an ICC arbitration arising from antitrust claims in connection with the sale and purchase of batteries for mobile devices (Helsinki seat, German law, English language).
- Advised two El Salvador clients against a company of the same country in four arbitrations related to a telecommunication agreement, under the ICC Rules (Miami and San Salvador seats, Salvadoran law, English language).
- Advised a Japanese client in an arbitration against a Chilean company under the Japanese Commercial Arbitration Association Rules arising out of a sponsorship agreement (London seat, Japanese law, English language).
- Secretary to the Arbitral Tribunal in an ICC arbitration between an English company and a Spanish company in a dispute arising out of a contract for the distribution of seeds (Paris seat, Spanish law, Spanish language).
- Secretary to the Arbitral Tribunal in an ICC arbitration between a Mauritian company and a Dominican company in a dispute arising out of a distribution contract (Paris seat, Dominican law, Spanish language).
- Secretary to the Arbitral Tribunal in an ICC arbitration between, on the one hand, a Spanish company and, on the other hand, two Spanish companies and a Belgian company relating to a real estate project (Madrid seat, Spanish law, English language).
- Secretary to the Arbitral Tribunal in a CAM-CCBC arbitration between three Brazilian companies in a dispute arising out of an agreement for the rendering of port services (Rio de Janeiro seat, Brazilian law, Portuguese language).

CAREER HISTORY

- 2007-2010, ICC International Court of Arbitration (Paris).
- 2010-2019, Dechert LLP (Paris and London).

PROFESSIONAL QUALIFICATIONS

- Admitted to the Brazilian Bar, Curitiba section (2004).
- Admitted to the Paris Bar, France (2010).

Contact

E: info@lcam.org.uk

W: lcam.org.uk

T: +44 (0)20 7203 1946

