



Marina Mendes Costa
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Lawyer at the Paris and São Paulo Bars

PROFESSIONAL EXPERIENCE

September 2008

CHENUT OLIVEIRA SANTIAGO – Paris, France – Consultant – in international arbitration and dispute resolution with particular emphasis on commercial disputes involving Spanish, Portuguese and Latin American parties. Also acts in matters involving corporate and business law in France and Brazil.

2001 – July 2008

INTERNATIONAL COURT OF ARBITRATION OF THE INTERNATIONAL CHAMBER OF COMMERCE (“ICC”) – Paris, France – Assistant Counsel – Administer hundreds of international arbitration cases held all over the world involving private companies and State parties principally from Latin America, Spain, Portugal, Nordic and Eastern European Countries and concerning a wide range of economic sectors (*e.g.*, construction, oil and gas, electricity, transport, telecommunications, pharmacy) and commercial matters (*e.g.*, distribution, sale of goods, agency, joint ventures, consortium, shareholders’ agreement, turn-key contracts) with amounts in dispute up to US\$ 1 billion.

Review and answer of incoming correspondence from the parties and the Arbitral Tribunal. Review of documents received from the parties and the Arbitral Tribunal such as the Request for Arbitration, the Answer to the Request for Arbitration with or without objections to the jurisdiction of the Arbitral Tribunal in multi-party and multi-contract scenarios, disclosures of arbitrators giving rise to questions as to the arbitrator’s independence, draft Terms of Reference and procedural orders.

Prepare agendas for submission to the ICC International Court of Arbitration and suggest appropriate actions to be taken with respect to the constitution of the Arbitral Tribunal (appointments, confirmations, replacements and challenges (under the ICC Rules and Uncitral Rules), the joinder of new parties, fixing of the place of arbitration and financial aspect of the file.

Communicate with the parties, the members of the Arbitral Tribunal and the ICC national committees with respect to different aspects of the procedure Monitor deadlines granted by the Secretariat, the Court or provided for in the ICC Rules.

Review of draft awards submitted by Arbitral Tribunals as part of the scrutiny process and suggest modifications of form and substance on the draft.

Attend the Court’s sessions to present the cases and Represent the ICC Court in conferences and meetings in Brazil.

2000 – 2001

VEIRANO E ADVOGADOS ASSOCIADOS – São Paulo, Brazil – Associate – Practice in Corporate Law and Arbitration. Structured commercial transactions, registered foreign investments before the Brazilian Central Bank, incorporated companies before the São Paulo Commercial Registry, drafted by-laws and articles of incorporation. Conducted due diligence in the context of corporate acquisitions. Advised clients and drafted contracts on commercial matters.

1994 – 1995

SÃO PAULO PUBLIC PROSECUTOR – São Paulo, Brazil – Trainee – Practiced with a Public Prosecutor in penal cases, researched Penal Law and drafted requisitions.

1993

RODRIGUES BARBOSA, MACDOWELL DE FIGUEIREDO ADVOGADOS – São Paulo, Brazil – Trainee – Practiced in the litigation department, followed-up the day-to-day development of each case before the State Courts, drafted memorials, presented written and oral arguments.

EDUCATION

1997 **UNIVERSITY OF PANTHÉON – ASSAS (Paris, France) – D.E.A. in International Private Law and International Trade** – Thesis « *Le règlement de différends dans le cadre du Mercosur - Le Protocole de Brasilia* » [Resolution of disputes under the Mercosul – The Brasília Protocol], under the direction of Professor Hélène Gaudemet-Tallon.

1995 **UNIVERSITY OF SÃO PAULO (São Paulo, Brazil)** – Law Degree (equivalent of *Juris Doctor*).

PROFESSIONAL QUALIFICATIONS

Member of the **Brazilian Bar** (São Paulo Chapter) since 1999.

Member of the **Paris Bar** since 2008.

MEMBERSHIPS

Member of the ICC Latin American Group on Arbitration, Brazilian Arbitration Committee (**CBar**), French Arbitration Committee (**CFA**), International Arbitration Institute (**IAI**), Young International Arbitration Group of the London Court of International Arbitration (**YIAG**).

LANGUAGES

Portuguese (mother tongue), **French** (fluent), **English** (fluent) and **Spanish** (fluent reading, advanced level writing and speaking).

PUBLICATIONS AND CONFERENCES

“*Comentários ao acórdão da Segunda Câmara de Direito Privado do Tribunal de Justiça do Estado de São Paulo sobre arbitragem e liquidação de empresas*” [Comments to the Decision of the Second Chamber of Private law of the Upper Court of the State of São Paulo on arbitration and insolvency], *Revista de Arbitragem e Mediação* [Brazilian Mediation and Arbitration Review], year 2007, nº15 (October – December 2007), p. 210.

“*L’arbitrage international au Brésil*”, *Magazine Décideurs – Guide Annuaire Risk Management, Assurance et Contentieux* 2007, p. 190.

“*Comentários ao laudo final proferido em 27 de janeiro de 2000 no procedimento CCI nº10.551*” [Comments to the Final Award rendered on 27 January 2000 in ICC case nº10,551], *Revista Brasileira de Arbitragem* [Brazilian Arbitration Review], year 1, nº 2, April – June 2004, p. 144.

“*Organizações internacionais e arbitragem CCP*” [International Organisations and ICC Arbitration], *Revista Brasileira de Arbitragem* [Brazilian Arbitration Review], Year I, nº 0, July – October 2003, p. 162.

“*Arbitragem: uma realidade no Mercosul? Comentário ao Protocolo de Brasília para a solução de controvérsias*” [Arbitration: a reality in Mercosul? Comments to the Brasília Protocol for the resolution of disputes], *Revista de Direito Bancário e do Mercado de Capitais e da Arbitragem* [Banking Law, Capital Markets and Arbitration Review], nº 9, July – September 2000, p. 376.

Seminar organised by the Brazilian Arbitration Committee: “The new directions of arbitration in Brazil” (22 - 24 September 2002) – speech on “*ICC Arbitration and International Organisations*”.

Lecture on various topics of ICC Arbitration for young lawyers at the Paris Bar in 2007, 2006 and Master students in France and Brazil (*e.g.* University of Versailles, France, in 2008, 2007, 2006 and 2005; University of Nancy, France, in 2006 and 2005; University of Le Havre, France, in 2004; University Getúlio Vargas, Brazil, in 2004).