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MAURICIO GOMM SANTOS

MAURICIO GOMM SANTOS, FCI Arb, brings 30 years of experience as a senior level Brazilian/U.S. international attorney admitted to practice in Brazil, New York and Florida; in the latter as Foreign Legal Consultant. Mauricio Gomm Santos serves as counsel, arbitrator, and mediator in proceedings in a variety of fields under the rules of world's major arbitral institutions¹ as well as AD-HOC and cases under the UNCITRAL² Arbitration Rules. Mr. Gomm Santos participates as expert witness before national courts and arbitrations, seated in the United States and elsewhere. As arbitration expert, he served in the High-Level Meeting with Justices of Supreme Court Justices on international commercial arbitration hosted by the Organization of American States in several venues in the region. Mr. Gomm Santos was responsible for drafting the project of an academic institute focused on the study of international arbitration within the University of Miami, School of law.

ADDRESS

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¹ The International Chamber of Commerce ("ICC"); International Centre for Dispute Resolution ("ICDR/AAA"); London Court of International Arbitration ("LCIA"); Inter-American Commercial Arbitration Commission ("IACAC"); The International Institute for Conflict Prevention and Resolution ("CPR"); *Centro de Mediação e Arbitragem da Câmara de Comércio Brasil-Canada* ("CAM-CCBC"); *Centro de Arbitragem e Mediação da Bolsa de Valores de São Paulo* ("CAM BM&F BOVESPA"); *Centro de Mediação e Arbitragem do Centro das Indústrias do Estado de São Paulo* ("CAM-CIESP/FIESP"); *Conselho Arbitral de São Paulo* ("CAESP"); *Câmara de Arbitragem Empresarial - Brasil* ("CAMARB"); *Câmara de Mediação e Arbitragem da Associação Comercial do Paraná* ("ARBITAC"); *Federation of Oil, Seeds and Fats Association* ("FOSFA"); *Câmara FGV de Mediação e Arbitragem* ("FGV") and *Centro Brasileiro de Mediação e Arbitragem* ("CBMA").

² United Nations Commission on International Trade Law.

EDUCATION

- 2005-06: LL.M., International Comparative Law (Arbitration), University of Miami, School of Law;
- 1992-93: LL.M., International Private Law (Arbitration), *cum laude*, Queen Mary and Westfield College, University of London;
- 1987: Specialization Private Law, Paraná Federal University, School of Law, Curitiba, Brazil
- 1984: J.D., Paraná Federal University, School of Law, Curitiba, Brazil

ACTIVE PROFESSIONAL LICENSES

- Brazilian Bar
- New York Bar
- Florida Bar (Foreign Legal Consultant)

TEACHING INITIATIVES

- Adjunct Professor of Arbitration in Latin America, University of Miami, School of Law. 2007-10;
- Main drafter - Project for the creation of the Academic Institute focused on the Study of International Arbitration, within the University of Miami, School of Law, 2006;
- Visiting Professor at PUC/SP (Brazil) - International Arbitration - post/graduated course, since 2015;
- Visiting Professor at PUC/PR (Brazil) - International Arbitration - post/graduated course, since 2018;
- Course Introduction to Arbitration - Arbitrability within Public Administration - *Associação dos Advogados de São Paulo (AASP)*, SP, August 2017;
- Instructor - Large Complex Arbitration Case Roundtable, ICDR, Miami, June 2016;
- Advanced Training for international arbitrators (Instructor), New York City, NY.;
- Advanced International Arbitration Training ICC and Other Institutions, CAM-CCBC, São Paulo, May 31, 2016;
- International Mediation - Technical and Cultural Aspects, *Itkos Mediação Inteligente*, Sao Paulo, March 28, 2016;
- I Course Lawyering in Mediation: Setting up the case for Mediation, 10/25/16, Sao Paulo.
- Mediating Business Disputes: Practical Insights, Process Dynamics: Brazilian Bar Association - Rio de Janeiro Division. 4-hour training seminar, Rio de Janeiro, RJ, November 17, 2015;

- OAS - Organization of American States - Academic expert - Regional Meetings with Supreme Court Justices of Latin American countries and the Caribbean to discuss the role of the Courts in international arbitration: Miami, Montevideo, Santiago and St. Lucia, 2013/2014;
- IACAC - Training Program for Directors of Mediation and Arbitration Centers, June 03, 2014, at the American Arbitration Association, Miami, FL, USA;
- ICDR/AAA: Advanced Mediator Training Series, 2012-13 and Civil Law instructor for training international arbitrators;

RECENT ARBITRATION AND MEDIATION EXPERIENCE

CHAIRMAN OF ARBITRAL TRIBUNALS

- Special Committee, created under the rules of CAM-CCBC, to review and rule on challenge of an arbitrator;
- Logistics Railway-commercial-related case involving Brazilian groups under the rules of CAM-CCBC;
- Corporate matter related to the acquisition of a Brazilian bank under the rules of CAM-CCBC;
- Corporate matter between Brazilian individual and Uruguayan company under the Rules of CAMARB;
- Infrastructure matter involving Brazilian and Finnish Companies under the Rules of ICC;
- Commercial contract involving Brazilian companies in the field of sugar cane processing under the Rules of CIESP/FIESP;
- Corporate matter involving Brazilian Agribusiness Companies under the Rules of CAM-CCBC";
- Infrastructure project involving Brazilian Swedish and Brazilian entities, under the Rules of ICC;
- International distributorship case of pharmaceutical products among Indian and Puerto Rican companies under the Rules of ICC;
- International distributorship case of medical equipment between a U.S. company and Brazilian company under the Rules of ICC;
- Corporate matter in the mining sector between Brazilian companies under the Rules of CAM-CCBC;
- Consortium-related matter to build a hydro power plant in Brazil under the Rules of CAM-CCBC;
- Oil and gas-related matter under the Rules of ICC;
- International Commercial matter between a Brazilian and a U.S. entity related to transfer of technology under the Rules of ARBITAC;

- Residential and Commercial Condominium Development involving Brazilian entities under the Rules of ARBITAC;
- EPC Consortium-related matter involving Brazilian subsidiary of Austrian company and Brazilian entities under the Rules of CAM-CCBC;
- Chairman of *ad-hoc* Arbitral Tribunal in two corporate-related matters and one international distributorship agreement.

CO-ARBITRATOR IN ARBITRAL TRIBUNALS

- Infrastructure case involving Regulatory Agency and Brazilian State-owned electric power entity under the Rules of CBMA;
- Corporate matter between Brazilian shareholder and Brazilian entity in the field of education under the rules of CAM-CCBC;
- Infrastructure case involving Brazilian construction entities and *Consortium* constituted of Brazilian and Portuguese entities under the rules of CAM-CCBC;
- Contractual matter out of a renewable energy Agreement between Brazilian parties under the rules of FGV;
- Contractual matter involving *Consortium* constituted by Brazilian entities and Brazilian State-owned company out of a construction of oil refinery under the rules of CAM-CCBC;
- Construction and Operation of Hotel Chain in Brazil involving U.S. Co and Brazilian entity under the Rules of ICC;
- Contractual matter related to the license to construct a port in Brazil between Brazilian entities under the rules of FGV;
- *Consortium* involving Brazilian State-owned entity and Brazilian engineering entities under the rules of CAM-CCBC;
- Renewable-energy project involving Brazilian subsidiary of Swedish Company and a Brazilian entity under the rules of CAM-CCBC;
- Corporate matter between a Brazilian subsidiary of a U.S. entity and a Brazilian Co in the field of oil and fats under the rules of CAM-CCBC;
- International distributorship matter between a U.S. Co and a Brazilian entity under the Rules of CPR;
- Concession-related port between two Brazilian entities under the Rules of FGV;
- Oil and Gas related matter involving companies from Brazil and Netherlands, under the Rules of LCIA;
- International distributorship matter between Brazilian and U.S. entities, under the Rules of UNCITRAL, administered by the ICDR/AAA;
- Health insurance related matter involving U.S. entities under the Rules of CPR;

- Corporate matter involving Brazilian brewery and Brazilian construction companies, under the Rules of CAM-CCBC;
- Corporate matter involving a Brazilian subsidiary of a Swedish Company and Brazilian companies under the Rules of CAM BM&F BOVESPA;
- International distributorship matter involving a dispute between a U.S. Company and Brazilian Company dealing with an international distributorship agreement under the Rules of ICDR/AAA;
- International distributorship matter between a Brazilian and an American company related to medical products under the Rules of ICDR/AAA;
- Infrastructure matter related to the construction of underground metro involving Brazilian and French companies, under the Rules of ICC;
- Mining related matter between U.S. mining company and a Canadian engineering company, under the Rules of ICDR/AAA;
- International distributorship matter between a U.S. and Chinese companies, under the Rules of ICDR/AAA;
- Security related matter involving U.S. Air Carrier and Engineering Companies, under the Rules of ICDR/AAA;
- Loan Agreement related matter between U.S. bank and a U.S. air company, under the Rules of ICDR/AAA;
- International distributorship matter between a U.S. and Ecuadorian companies, under the Rules of ICDR;
- International agency related matter between Italian and U.S. entities, under the Rules of ICC.

SOLE ARBITRATOR

- Infrastructure matter related to renewable energy involving Brazilian company and Brazilian subsidiaries of U.S. and French entities, under the rules of CAM-CCBC;
- Corporate matter involving U.S. Equity Fund, Cayman and Chinese parties under the Rules of AAA/ICDR;
- Hydroelectric construction related matter involving Austrian and Brazilian entities, under the Rules of CAM-CCBC;
- International distributorship matter of telecom equipment involving U.S. and Brazilian companies, under the Rules of CAM-CCBC;
- Franchising related matter between Franchisor and Franchisee, under the Rules of CAESP;
- 5 Cruise Line cases, under the Rules of ICDR/AAA;

EMERGENCY ARBITRATOR

- International distributorship matter between Chinese and U.S. entities, under the Rules of ICDR/AAA;
- International distributorship matter between U.S. and Canadian entities, under the Rules of ICDR/AAA;
- International distributorship and asset acquisition matter between U.S. and Germany entities, under the Rules of ICDR;

RECENT EXPERIENCE AS MEDIATOR

- Ad-hoc international case involving U.S. stock-market American and Brazilian entities;
- Ad-hoc international case involving commercial contracts among U.S. and Brazilian companies;
- Ad-hoc international case among companies from Brazil, U.S.A, and Holland regarding corporate matters;
- Ad-hoc international distributorship, agency and securities case among Brazilian and U.S. companies;
- Ad-hoc franchising case involving U.S and Brazilian parties

RECENT EXPERIENCE AS EXPERT WITNESS

- On Brazilian law in Federal courts in Florida and New York;
- On Brazilian law in arbitrations seated in Miami and California;
- On Brazilian law before Cayman Islands Courts.

RECENT EXPERIENCE AS COUNSEL/ARBITRAL CONSULTANT

- Leading counsel in corporate and securities dispute under the Rules of CAM BM&F BOVESPA;
- Co-counsel in a construction case between PDVSA Servicios S/A v. Petrosaudi Oil Services Ltd, under UNCITRAL Rules;
- Leading counsel in corporate disputes involving two related arbitration with flour milling companies before the CAM-CCBC and the ARBITAC;
- Leading counsel in a corporate dispute involving Brazilian and U.S. companies in the business of distribution and manufacture of automobile products under the Rules of ICC;

- Leading counsel in a corporate and securities dispute involving a major Brazilian construction company under the Rules of CIESP/FIESP;
- Co-Counsel for a Brazilian investor in a large securities-related lawsuit in the Southern District of New York;
- Co-Counsel for Brazilian engineering construction company in a corporate arbitration case under the Rules of CIESP/FIESP;
- Co-Counsel for a former Brazilian CFO sued as part of multi-billion dollar securities class action in the Southern District of Florida;
- Counsel for a Guatemala citizen against an American company under the Rules of ICDR;
- Counsel for a Brazilian party in an arbitration case against a U.S. company related to distribution agreement under the Rules of ICC;
- Counsel for a Brazilian party in an arbitration case against a U.S. company related to breach of sales agreement under the Rules of CPR;
- Counsel for U.S. manufacturer of heavy construction equipment in an arbitration case against a Brazilian corporation under the Rules of IACAC;
- Counsel for a Brazilian grain exporter against a German entity in an arbitration under the Rules of FOSFA;
- Counsel for an Argentinean investor in a security related arbitration under the Rules of FINRA;
- Advised Brazilian guarantor in a \$4.5 billion transaction related to purchase of company in the United States;
- Counsel to Brazilian franchise chains in a litigation related to a brand contract and unfair competition;
- Counsel for Brazilian first private-owned seaport in contractual matters involving international loans.

INSTITUTIONAL ACTIVITIES

- FCIARb - Fellow of the Chartered Institute of Arbitrators, since October 2018;
- CCBC – Center for Arbitration and Mediation of the Chamber of Commerce Brazil-Canada: Vice President, 2015-2019;
- CCBC - Member of the Roster of Arbitrators since 2007;
- ICDR/AAA - Chairman of the Brazilian Advisory Committee, since 2009;
- ICDR/AAA - Member of the Roster of International Arbitrators since 2004;
- ICDR/AAA - Miami Advisory Committee since 2017
- AAA - Member of the Board of Directors 2014-16;
- ICC - International Chamber of Commerce: Member of Latin American Arbitration Group since 2006;

- CPR – Conflict Prevention & Resolution: Member of the Roster of Arbitrators since 2013;
- ICCA – International Council for Commercial Arbitration, Member, 2014;
- IADC - International Association of Defense Counsel, since 2016
- IERG - International Executive Resources Group, Florida Chapter, since 2018
- CIESP/FIESP - Member of the Roster of Arbitrators since 2012;
- The Alliance - Equality in Dispute Resolution - Council Member, since 2018
- CAM-FIEP – Center for Arbitration and Mediation of the Chamber of Paraná: Member of the Roster of Arbitrators since 2013, and member of the Board since 2017;
- Official Center of the Chamber of Madrid: Member of the Roster of Arbitrators since 2013;
- CAMARB – Commercial Arbitration Center: Member of the Roster of Arbitrators since July 2013;
- BCAM – Brazilian Center of Arbitration and Mediation: Member of the Roster of Arbitrators since November 2013;
- CAESP – Arbitral Center of São Paulo - Member of the Roster of Arbitrators since 2013;
- CBAR – Brazilian Arbitration Committee, Founding Member;
- Club Español del Arbitraje, since 2011;
- BACCF – Brazilian American Chamber of Commerce of Florida - member of the board of directors, since 2012;
- MIAS – Miami International Arbitration Society, founding member, 2008;
- LCIA – London Court of International Arbitration, 2008;
- OAB-PR – Arbitration and Mediation Committee of the Brazilian Bar Association, Paraná Division - President 2004-05;
- ARBITAC – Arbitration and Mediation Center of the Paraná Chamber of Commerce: President in 2004 and Member of the Board of Arbitrators since 1999;
- IDB - Inter-American Development Bank - Committee of Coordination and Oversight of the Project for the development of arbitration and mediation in Brazil, President, April 2000-01;
- CONIMA –National Council of Mediation and Arbitration Institutions: President, 1999-2001.

RECENT PUBLICATIONS

WWW.GSTLLP.COM

SPEAKING ENGAGEMENTS

WWW.GSTLLP.COM



ARBITRATION/MEDIATION PRACTICE: INDUSTRIES

- Agency/Distribution
- Construction
- Corporate
- Infrastructure (involving state-owned entities)
- Insurance
- Joint-Ventures
- Oil & Gas
- Renewable energy

AWARDS

- Global Arbitration Review included GSTLLP in the world's top 100's law firms in the field of international arbitration in 2015, 2016, 2017, 2018, 2019 and 2010.
- Named among the top 5 in Latin America and a prominent figure in Brazil in international arbitration, recognized by the Global Arbitration Review, 2006.

LANGUAGES

- Portuguese, English, Spanish and French