

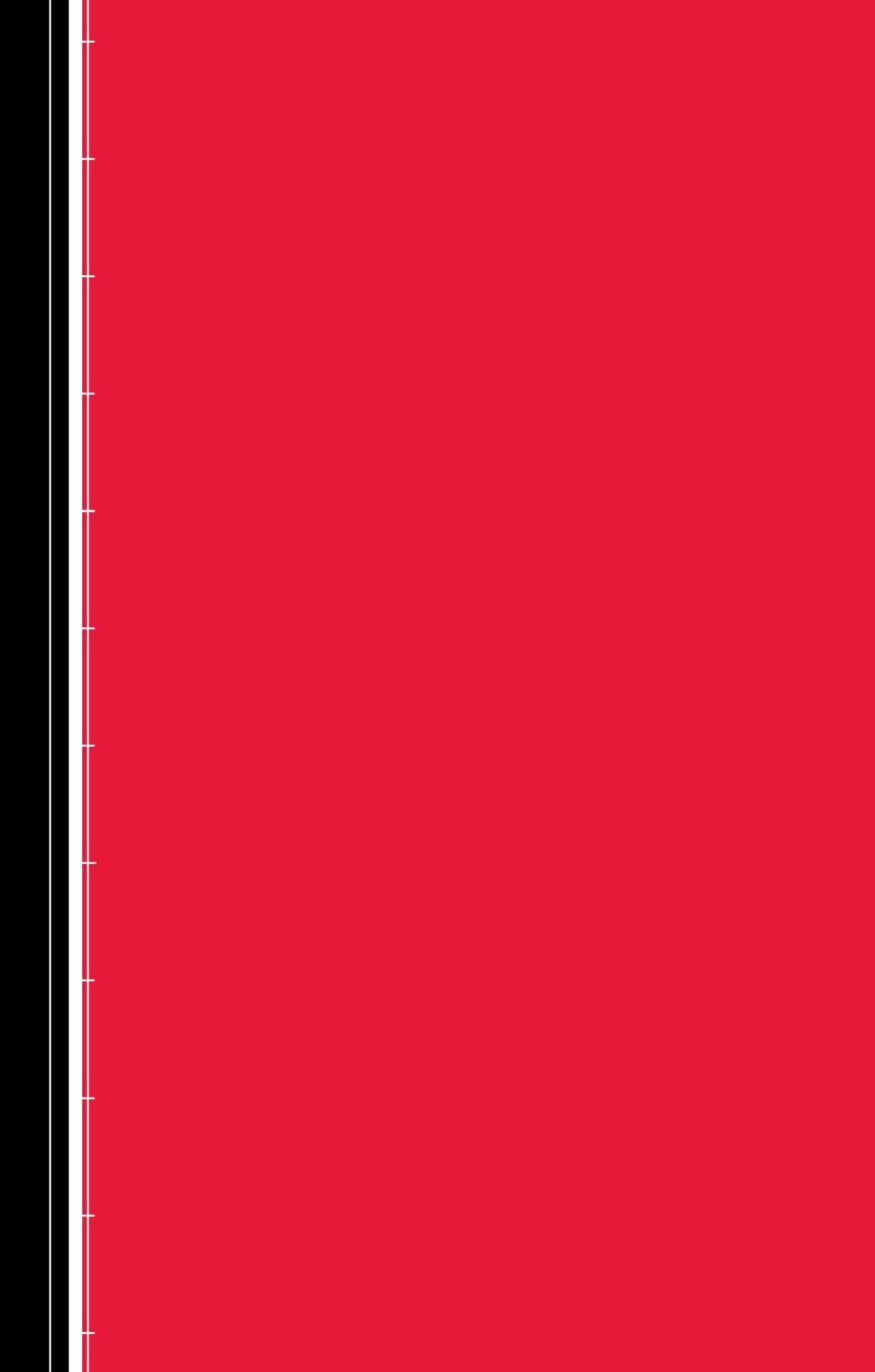


Deeper Understanding.

BETTER SOLUTIONS.

INTERNATIONAL DISPUTE RESOLUTION

BAKER BOTTS  **LLP**



Who We Are.

Baker Botts has a dedicated team of international arbitration and dispute resolution lawyers. These lawyers work across all of our offices and with our many world-leading industry advisors to provide round-the-world expertise with round-the-clock service.

Highly Credentialed Lawyers from Around the Globe

Our multinational team of international arbitration lawyers are from North and South America, Europe, Asia and the Middle East. These lawyers have been trained in the civil law and the common law. Members of the team have been employed by or worked with all of the key arbitral institutes. Our International Dispute Resolution Group has earned many accolades and honors, making them a leading worldwide arbitration practice.

Client Advocates

Our arbitration lawyers do not just manage cases, but actually try them, and have successfully done so before the world's premier arbitrators. That does not mean every case should go to a final award, because that is not always in the client's interest. It does, however, underscore our ability to separate what matters – the “big picture” – from the rest. It also means our clients have instant credibility with the arbitrators who will decide their cases . . . and with the adversaries that must evaluate their litigation risks.

Strategic Advisors

International disputes are often complex, with multiple applicable laws, different languages and many factual twists and turns influenced by cultural differences. These complexities are the source of strategic opportunity. Many of our cases involve massive claims for hundreds of millions – and sometimes billions – of U.S. dollars. As a testament of our ability to find and implement a winning strategy, our lawyers are frequently engaged to save a case that appears to have already been “lost.”

Professionals Dedicated to Client Service

The International Dispute Resolution Group at Baker Botts is a cohesive group, practicing across our entire firm. We work together with each client to assemble an individual team that makes the most sense for its case. This allows us to provide each client with the particular skills and expertise it needs to achieve its goals. For us, lawyering is a profession.

What We Do.

International Commercial Arbitration

International commercial arbitration permits parties from different legal, geographic and cultural backgrounds to find neutral ground and independent decision makers to solve their disagreements confidentially. As global commerce has grown, so has the demand and importance of international commercial arbitration.

A snapshot of our commercial arbitration practice finds members of our team representing claimants and respondents in many industries, including energy, petrochemicals, telecommunications and technology, pharmaceuticals, banking, manufacturing and construction. The law at issue in those disputes has derived from civil law, common law, the Sharia, and the *lex mercatoria*, with recent examples including the laws of Brazil, China, the Czech Republic, Ecuador, England, France, Germany, India, Indonesia, Korea, the Netherlands, Russia, Switzerland, the United States and Yemen. The proceedings are seated – and our clients are found – throughout the world.

Investor-State Disputes

Thousands of bilateral and multilateral investment treaties, including many recent free trade agreements, give those doing business outside their home country important substantive rights and private rights of action against the nations hosting their international business activities. These protections frequently include the right to full compensation for expropriation, the right to transfer assets freely out of the host nation, the right to be treated fairly and equitably by the host nation, and the right to protection and security by the host nation's government. The treaties also contain substantive and procedural limits to protect sovereigns from their inappropriate application.

Our investor-state dispute practice has four equally important components. First, we advise many clients on how to structure their international businesses to obtain the most advantage from existing treaties and how to use that advantage when confronting difficulties in a host state. Second, we advise sovereigns on treaty compliance strategies. Third, we represent both investors and host states when disagreements end up in arbitration. Fourth, we enforce awards and represent our clients in annulment proceedings if and when necessary.

Our dedicated team of international arbitration lawyers are from North and South America, Europe, Asia and the Middle East.

“With our case virtually lost, we turned to the lawyers at Baker Botts. Rather than continuing down the same path as our former counsel, they changed our legal theories and overall strategy. The result of their vision was a ruling completely in our favor. Some time later, when I happened to meet our adversary, he said he wished he had had the foresight to hire our Baker Botts team.”

**Dra. Esther Margulis de Holcblat,
Former President
Fondo de Garantía de Depósitos y
Protección Bancarria**

“Now that the arbitration hearing is over, I just wanted to send you this short note to say how extremely impressed I have been watching your handling of this case. Your professionalism, attention to detail, tenacity and strategy were truly beautiful to behold and this is truly one of those situations where, when you leave the field of battle, you know you have held nothing back.”

**Dennis Grindinger,
General Counsel and Senior Vice President
Hunt Oil**

“The Baker Botts lawyers have a sensitivity to different cultures which is important to us in any of our international dealings. The combination of their experience and tenacity, as well as simple common sense, has always brought successful results for us. We highly recommend them for any matters of international concern.”

**Claudio Almeida, Vice President
Odebrecht Construction, Inc.**





**We frequently serve as lead counsel
to a network of trusted colleagues
around the world.**

“As a global business, Hyundai Motor Company requires global teammates. Baker Botts has taken the time to understand our business, our goals, and, most importantly, our culture. Baker Botts has provided us with creative and positive solutions in our significant international matters. I am proud to have them as an integral part of the HMC team.”

**Chung Mong-Koo, Chairman
Hyundai Motor Company**

“We were either lucky or smart in choosing Baker Botts to represent us in our recent international arbitration. The firm always kept its focus on the big picture and the objective analysis of the case was always on point. This no doubt contributed to a successful resolution. I wholeheartedly would recommend Baker Botts for any major international litigation or arbitration.”

**Melvin Gray, Chairman and CEO
Graycor Inc.**

“After interviewing several reputable law firms, we chose Baker Botts to handle a high-stakes international litigation for us. Not only were we pleased with the marvelous result, but the firm’s reputation for professionalism shone through with every aspect of this case. They always had our employees, as well as management, comfortable in all aspects of the litigation. Their ease in handling multinational regulations, experts and issues was a testament to their experience in dealing with international clients.”

**Paul Hecht,
Senior Counsel-Office of the General Counsel
DaimlerChrysler AG**

What We Do.

Boundary and Other Public International Law Disputes

Public international law reaches many areas of dispute beyond those brought under investment treaties. It is directly at issue in disputes regarding national boundaries and maritime delimitations, sovereign and diplomatic immunities, economic sanctions, international trade regulations, international discovery proceedings, extradition and foreign corrupt practices, among others.

Our lawyers have counseled both states and private parties in matters of public international law. By representing both sovereigns and private parties, and by having lawyers who have served in government posts and international organizations, we understand the practical realities as well as the legal standards and procedural rules.

Multi-Jurisdictional Litigation

Frequently, our representations require the coordination of multi-jurisdictional litigation. In these situations, coordination and consistency of strategy are imperative – and so is the expertise to understand and manage the very complex procedural issues that arise from the multiple, potentially different laws and rules that may apply.

We frequently serve as lead counsel to a network of trusted colleagues around the world. Some examples include coordinating the worldwide legal defense of a deposed world leader; prosecuting and defending local court proceedings in several countries while related arbitration proceedings were pending; seeking an emergency court order in aid of arbitration elsewhere; and pursuing the recovery of monies, the enforcement of judgments and parallel criminal proceedings across three continents.

Honors and Rankings.

Baker Botts is repeatedly honored with recognition of its lawyers and its practice areas by publications such as *Chambers*, *Legal 500*, *PLC Which Lawyer Handbook*, *National Law Journal*, *Corporate Counsel*, *Who's Who Legal*, *Who's Who in Public International Law*, *Focus Europe*, *Vault*, *BTI Client Service Survey*, *Best Lawyers in America* and *Global Arbitration Review*. Recognized as leaders in their field, our arbitration lawyers provide invaluable insight to clients around the world with arbitration needs.

"Baker Botts is perhaps most easily distinguished from its rivals by its superior geographical spread."

Chambers Global 2008

"Offers fantastic judgment and is able to cut through to the important issues immediately and with great effect."

"Bright and user-friendly...leaves people impressed"

Chambers USA 2007

"Clients championed the 'movie-star quality' of the lawyer advocates."

Chambers UK 2008

"Meticulous, technically minded and excellent at assessing the merits of a client's position."

"Calm and thorough...always maintains composure, even in the most tense situations."

Chambers Asia 2007

“Baker Botts (has) pulled into the Top 5 international law firms for contract disputes.”

Focus Europe Arbitration Scorecard

“The International Arbitration Group is recommended by clients for its ‘ability to handle extremely complex matters and produce very high quality work under a very demanding schedule.’”

“One client recommended the firm for ‘seamless cooperation between attorneys based in Texas, Washington, DC and London’ in international arbitration work.”

The Legal 500 United States 2007

“Highly Recommended.”

PLC Which Lawyer Handbook

“Baker Botts’ work in international arbitration is notable for the values at stake.”

Global Arbitration Review 2008

Baker Botts Arbitration lawyers have been quoted extensively regarding international legal issues in such publications as:

The New York Times

Global Arbitration Review

Focus Europe

Latin Lawyer

Bangkok Post

International Herald Tribune

Energy Law360

IP Law360

Bloomberg News

Dow Jones Newswire

Reuters News Service

MarketWatch.com

The Nation

Texas Lawyer

Houston Chronicle

A Few Examples of Our Work.

YEPC v. Republic of Yemen

The firm represents the claimant, a Hunt Oil/ExxonMobil joint venture in an US\$11 billion ICC arbitration arising out of the Republic's unilateral decision to terminate the joint venture's rights in Yemen after 20 years of continuous operations under a production sharing agreement. Less than two years after filing the claim, the dispute went to merits hearings and the award is pending.

Cypriot Entity v. Russian Oil Company

The firm represented the respondent in a US\$700 million LCIA arbitration arising out of an allegedly valid English law loan guarantee issued in favor of the claimant. Following a two-week merits hearing, the Tribunal issued an award finding the guarantee null and void. Related judicial proceedings were pending in Western Europe.

Government of the Province of East Kalimantan v. PT Kaltim Prima Coal and Others

The firm represents the lead respondent in an alleged US\$700 million ICSID arbitration arising out of the government's claim to an interest in coal mining operations. The matter presents the novel circumstance in which a subdivision of the State has brought the claim. The matter is bifurcated into jurisdictional and merits phases.

Telecommunications Provider v. Telecommunications Vendors

The firm represented the respondents in a US\$3.5 billion ICDR arbitration arising out of the claimant's allegation that certain telecommunications equipment did not perform as promised and the respondents' counterclaim for contract termination. The Tribunal issued favorable awards that, inter alia, terminated the contract.

Kia Motors Corporation v. Asia Motors do Brasil, et al.

The firm represented the claimant in this approximate US\$200 million ICC arbitration arising out of a failed joint venture in Brazil. Following merits hearings, the claimant was awarded the relief it sought, including damages of more than US\$100 million and indemnification rights of over US\$100 million more. Related civil and regulatory proceedings were pending in Brazil.

Helnan International Hotels A/S v. Arab Republic of Egypt

The firm represents the claimant in ICSID proceedings against Egypt arising out of claims that Egypt breached its obligations under the Egypt/Denmark Bilateral Investment Treaty by terminating a hotel management contract. The dispute went to merits hearings and the award is pending.



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