

405 Lexington Ave. | Suite 5304 | New York, NY 10174 | (646) 676-4290

## EMTA WEBINAR: Arbitration Awards and Their Effects on EM Creditworthiness

### May 26, 2022

~~~~~

**RAHIM MOLOO (Moderator)**  
**Gibson, Dunn & Crutcher LLP**

Rahim Moloo is a partner at Gibson, Dunn & Crutcher. He has been recognized as a leader in the field of international arbitration. For example, Who's Who Legal recognized him as "one of the most skilled advocates of his generation" and Law360 recently named him one of five International Arbitration "MVPs". His experience spans a number of industries and emerging market jurisdictions.

He is also an Adjunct Professor at Columbia Law School, where he teaches an advanced course on international arbitration and has published over two dozen books and articles on international arbitration.

Mr. Moloo's extensive experience in emerging markets often involves representing foreign investors when sovereigns treat their investments unfairly. For example, after it unlawfully cancelled a hybrid satellite multimedia services contract in 2004, the Indian government has prevented Devas Multimedia Pvt Ltd from enforcing a \$1.3 billion arbitration award the company won in an ICC arbitration in 2015. India has amended its own arbitration laws, levied false allegations of fraud against Devas and then forced the company into liquidation to fire its international counsel and seize control of the award. As a result, Devas shareholders filed a new arbitration claim against India in 2022, seeking redress for the Government's wrongful conduct against Devas and its shareholders to evade enforcement. Mr. Moloo is lead counsel in this new claim against India claiming for losses suffered by Devas shareholders.

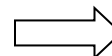
**ROBERT WHITENER**  
**Greenberg Traurig**

Robert Whitener is a partner in the International Arbitration and Litigation Practice Group of Greenberg Traurig. Based in Berlin, Robert advises clients in international disputes. He regularly appears in complex, international commercial arbitrations under the rules of leading arbitration institutions, such as the ICC, LCIA, DIS, and Swiss Rules, as well as in ad hoc arbitrations under the UNCITRAL Rules.

Robert's experience spans a range of business law matters, including the supply of goods, intellectual property, joint ventures, and business combinations. Robert also acts for clients in investor-state arbitrations under bilateral and multilateral investment treaties.

Robert lectures in international dispute resolution at Humboldt University of Berlin.

(continued)



**ASHLEY MESSICK**  
**GPW + Co Ltd**

Ashley Messick is a partner at GPW. She leads the firm's London-based Dispute Consulting team and is the head of GPW Sovereign Debt Advisors. Ashley is an acknowledged expert in asset recovery and global investigations with a particular focus on investor-state disputes and sovereign recovery.

Over the past ten years she has worked with leading law firms, corporate counsel, award holders and investors on complex, multi-jurisdictional enforcement matters ranging from multimillion awards to those in excess of two billion. Ashley is regularly engaged to provide evidence in support of enforcement measures as well as critical intelligence to support their timely application. She has provided witness testimony and evidence in support of ICSID, ICC, SCC and LCIA proceedings as well as in local courts around the world in support of enforcement litigation.

Ashley founded and leads GPW's market-leading business line – Sovereign Debt Advisors ('GPW SDA')– which provides support for sovereign award holders and investors in distressed sovereign debt. GPW SDA provides advisory services and asset assessments, and coordinates syndicated investment for award purchase and enforcement funding.

**JAY NEWMAN**

Jay Newman has spent 40 years in international finance, and has managed investments in the defaulted sovereign debt of countries in Latin America, Eastern Europe, Africa, and Asia.

He gained notoriety as "the mastermind" behind an historic 15-year legal battle to recover billions of dollars in defaulted debt of the Republic of Argentina. That campaign, which included the court-approved arrest of an Argentine naval vessel in Ghana in 2012, reached a successful conclusion in 2016.

In addition, Mr. Newman is a novelist. His first novel, *Undermoney*, is a financial thriller. It was published in January 2022 by Scribner's.

**DAVID ORTA**  
**Quinn Emanuel Urquhart & Sullivan, LLP**

David Orta is Chair of the U.S. International Arbitration Practice and of the Latin America International Arbitration Practice. Chambers Global and Chambers Latin America report that clients call David Orta a "tenacious" advocate, "a vastly experienced attorney who inspires real confidence, with a remarkable ability to see all the angles." They also report that Mr. Orta wins praise from clients for his dedication and "goes above and beyond to get the best result."

David is a trial lawyer and arbitration advocate with many years of experience successfully representing clients all over the world in complex international arbitrations (including investor-state (treaty) arbitrations and complex, international commercial arbitrations) and complex, commercial transnational litigations. David's clients and cases have spanned most continents, including North America, Central America, South America, Europe, Asia, Africa and Australia. David represents both governments and investors in international arbitration matters. His experience spans many sectors, including energy, oil and gas, transportation, infrastructure, construction, power plant, telecommunications, mining, and post-merger and acquisition disputes. He also serves as arbitrator and expert in international investment and commercial arbitration disputes.

David has handled numerous investor-state arbitrations under bilateral and multilateral investment treaties administered under the auspices of the International Centre for Settlement of Investment Disputes (ICSID). David also has represented clients in treaty and commercial ad hoc arbitrations administered under UNCITRAL Rules and international commercial arbitrations administered by the International Court of Arbitration of the International Chamber of Commerce (ICC), the London Court of International Arbitration (LCIA) and the International Centre for Dispute Resolution (ICDR/AAA). David also has handled many commercial, transnational litigations within and outside of the United States, including post-M&A and asset sale disputes, arbitral award enforcement proceedings and asset recovery litigation.

David has received various accolades for his work, including being named consistently as a Leading International Arbitration Advocate by Chambers Global, Chambers Latin America, Legal 500, Euromoney's Expert's Guide to the World's Leading Commercial Arbitration and being named consistently as "one of the world's leading commercial arbitrators" by the International Who's Who Legal. Most recently in 2021, David was selected as one of 500 litigators selected from around the world by Lawdragon 500 for Global Litigation. Lawdragon 500 selected 38 honorees from Quinn Emanuel, a larger number of attorneys than any other firm included. He was also named a Top 100 Lawyer for Arbitration & Litigation by Latinex for 2018-2020. He has been named on two separate occasions (once by the National Law Journal and once by Washingtonian Magazine) as one of the Top 40 Lawyers under 40 in Washington, DC; selected numerous times for inclusion in Super Lawyers—Washington, D.C. for international arbitration, named to the 2014 Lawyers of Color Hotlist, named one of the world's leading practitioners in The International Who's Who of Asset Recovery Lawyers 2012, elected as Member of The American Law Institute, included in Global Arbitration Review 100 (2010 Edition) "Names to Know," and named in Lawdragon 500 "New Stars, New Worlds" in 2006. He regularly lectures on topics of international arbitration and public and private international law all around the world and has published numerous articles on topics of interest within the international arbitration community.

**HENRY WEISBURG**  
**Shearman & Sterling**

Henry Weisburg is Of Counsel in the International Arbitration and Litigation practices. He focuses on the resolution of cross-border financial disputes arising out of investments, projects and joint ventures, expropriations, banking insolvencies, sovereign debt restructurings and similar matters. He has both represented and been adverse to sovereign states, and was claimant's counsel in a case against a Gulf state that resulted in one of the world's largest awards. Henry represents clients in international arbitrations in proceedings administered by many different bodies, including the ICC, ICSID, AAA and LCIA, as well as in *ad hoc* proceedings. In addition, Henry regularly appears in domestic courts with respect to issues such as the construction and enforcement of arbitration clauses, arbitral awards and foreign judgments, sovereign immunity issues and matters involving torts under international law. He also acts as arbitrator.

Henry Weisburg has been praised by clients and peers in leading directories as "tremendously smart" and a "hugely experienced" and "very impressive" lawyer with an "electric intellect" who "always has his strategy clearly defined and is excellent at preparing a case."