

## **ORLANDO F. CABRERA C.**



### **Firm**

Hogan Lovells

### **Position**

Foreign Law Clerk

### **Area of Specialisation / Arbitration Experience**

Administrative Law, Commercial Arbitration, Construction / Engineering, Environment Law, Investment Dispute, Metals and Mining, Oil and Gas, Power / Energy, Telecommunications

### **Address**

600 Brickell

33131

United States

### **E-Mail**

[occ224@nyu.edu](mailto:occ224@nyu.edu)

### **Phone**

5212222126654

### **Website**

<http://orlandocabrera.com/>

### **LinkedIn**

<https://www.linkedin.com/in/orlandocabrera/>

### **Languages**

English, French, Spanish, Portuguese

### **Nationality**

Mexico

## Education

**NEW YORK UNIVERSITY SCHOOL OF LAW (NYU)** New York

Master of Laws (LL.M.), May 2017

CONACYT- Ministry of Energy Scholarship, full academic scholarship for excellence

**ESCUELA LIBRE DE DERECHO (ELD)** Mexico City

Certificate in Energy Law, August - December 2014

**UNIVERSIDAD NACIONAL AUTÓNOMA DE MÉXICO (UNAM)** Mexico City

Certificate in Telecommunications & Antitrust Law, February - October 2014

Certificate in Telecommunications Law, February - October 2013

**FUNDACIÓN UNIVERSIDAD DE LAS AMÉRICAS PUEBLA (UDLAP)** Puebla, Mexico

*Licenciado en Derecho* (Law Degree) *magna cum laude*, June 2009

Specialized in international law

UDLAP Scholarship, full-tuition scholarship for excellence, Arx, Honor Society

**UNIVERSITÉ DE MONTRÉAL (UDEM)** Montreal, Canada, Spring 2008

**MEXICAN SUPREME COURT OF JUSTICE (SCJN)** Puebla, Mexico,

Certificate in Law and Globalization, Oct 2004 - March 2005

## Publications

### Book

Investment Arbitration, with Ignacio Torterola (Forthcoming)

### BOOK CHAPTERS

The Dual System of Public Interest Safeguards in Mexican Public-Private Arbitration and its Evolution since the pre-NAFTA Years, with A. Orta, in *LEX MERCATORIA PUBLICA* (Oxford forthcoming)

[Mexico](#), in *ENFORCEMENT OF FOREIGN JUDGMENTS* (Kluwer Law International BV 2016)

[Sovereign Wealth Funds and their Regulation under International Law and Investment Arbitration](#), in *FORO DE ARBITRAJE DE INVERSIÓN* (UNAM-IIJ 2013)

### JOURNALS

The Fourth Arbitrator: The Gray Scale in the Function of the Administrative Secretary, *Revista Ecuatoriana de Arbitraje* (forthcoming)

Increasing Cross-Border Trade in Electricity by NAFTA's Renegotiation, *Energy Law Journal* (forthcoming)

[The Arbitrability of Administrative Contracts in Latin America: A Raging Sea to Explore](#), (Lima Arbitration, 2018)

[The Applicable Law to the Arbitration Agreement](#) (ICC, Pauta 2018)

[The Promise of Renewable Energy Microgrids for Rural Latin America](#) (Guarini Center 2017)

[The Failure of Class Actions: The Effects on Consumers](#), IDC (GRUPO EXPANSIÓN 2016)

[Bestiary of Mexican State Contracts: Treatise on Various Real and Mythical Kinds of Arbitration](#), with A. Orta (TRANSNATIONAL DISPUTE MANAGEMENT 2016)

[Arbitration in the Mexican Banking and Financial System](#), with E. Ortega, A. Nieto, J.C. Zamora (ICC BUSINESS BULLETIN MEXICO 2016)

[Prevention impedes Punitive Damages](#), 361 IDC Asesor Jurídico Corporativo (GRUPO EXPANSIÓN 2015)

[Dispute Resolution in Construction Contracts](#), 75 PAUTA (ICC MÉXICO 2015)

[Mexican State Contracts and International Arbitration](#), 2 BOLETÍN ARBITRAJE (2015)

[Challenges and Opportunities in the Draft of the Water Law](#), 346 IDC (2015)

[The Freedom of Arbitrators to Conduct Collective Proceedings When the Rules are Silent: Considerations in the Wake of the Abaclat Decision](#), 6 (1) JOURNAL OF INTERNATIONAL DISPUTE SETTLEMENT (2015)

[From Medieval Equity Courts to ICSID Tribunals: Judicial Innovation, Collective Mass Claims Actions and Consent to Arbitrate](#), 6 LIMA ARBITRATION (2015)

Promising Energy Future, 85 PETRÓLEO Y ENERGÍA (2015)

Bidding of 2 TV Channels, 44 ABOGADO CORPORATIVO (2014)

The New Electric Sector and the Clean Energy Certificates: Business Opportunities, 24 REVISTA DE ENERGÍAS RENOVABLES (2014)

[International Turnkey Contract: a Windfall for the Mexican Infrastructure](#), 6 REVISTA DE DERECHO PRIVADO (2014)

The Telecommunications Reform and Other Policies that Impact both the Internet and the ICTs for the Economic Development of Mexico, 5 COMPUTER TELECOMMUNICATIONS LAW REVIEW (Sweet & Maxwell, UK, 2014)

[La Reforma en Telecomunicaciones y Otras Políticas que Impactan tanto al Internet como a las TICs para el Desarrollo Económico de México](#), 69 PAUTA (ICC México 2014)

The Construction of Pari Passu Clauses in the Sovereign Debt: Certitude for Investors, 35 ABOGADO CORPORATIVO (2013)

Regulations of the Public-Private Partnerships Law: Another Turn to the Screw, with W. Luna, 33 ABOGADO CORPORATIVO (2013)

International Bidding Procedures of Petroleum in Mexico, IP NEWSLETTER (2011)

Petrobras and the Oil Regulation in Brazil, 55 PETRÓLEO Y ENERGÍA (2011)

Reforms to the Mexican Arbitration Law, 29 REVISTA DE ARBITRAGEM E MEDIAÇÃO (2011)

Law and Arbitration of Oil and Gas Disputes in Brazil and Mexico, with E. Silva, 9 OIL GAS AND ENERGY LAW JOURNAL (2011)

## **CASE REPORTS**

Report of cases for [International Arbitration Case Law](#) in **Spanish, English and French**

NML Capital, Ltd. v. Argentina, U.S. Court of Appeals for the Second Circuit

Getma and others v. The Republic of Guinea, Decision on the Proposal for Disqualification of Mr. Bernardo Cremades, ICSID Case No. ARB/11/29

Abaclat and others v. The Argentine Republic, Decision on Jurisdiction and Admissibility, ICSID Case No. ARB/07/5

The Republic of Italy v. The Republic of Cuba, Final Award, ad hoc arbitration

Enron et al. v. The Argentine Republic, Annulment Decision, ICSID Case No. ARB/01/3

Gemplus S.A. et al. v. The United Mexican States, Award, ICSID Case No. ARB(AF)/04/3 and ARB(AF)/04/4

## **Professional Associations**

Chartered Institute of Arbitrators (CIArb)

New York State Bar Association (NYSBA),

American Bar Association (ABA),

Energy Bar Association (EBA),

National Association of Company Lawyers (ANADE);

International Chamber of Commerce (Arbitration, ICC YAF, Energy and Digital Economy Committees):

COPARMEX (Energy Committee);

LCIA's YIAG;  
YCAP;  
Young ICCA;  
Young Arbitrators Forum of CAM/CANACO;  
Public Contracts in Legal Globalization;  
Young OGEMID;  
*Phi Delta Phi*, The International Legal Fraternity.

## **Other Qualifications**

### **RECENT LECTURES**

Evidence in International Arbitration, ICC YAF, Lima, Peru, July 7, 2016  
Turnkey Contracts, VII Certification in International Commerce, ICC Mexico and Escuela Libre de Derecho, May 23, 2016  
Strategies and Defenses for the Termination of Oil Contracts, Potentia, April 26, 2016  
Introduction to Investment Arbitration, a Practical Approach, Foro CAM-CANACO, April 21, 2016  
Reforms to the Works Law, Ibáñez Parkman Abogados, March 30, 2016  
Arbitration in the Banking and Financial System, ICC YAF, February 11, 2016  
The Freedom of Arbitrators to Conduct Collective Proceedings, Institute of the Federal Judiciary Branch, October 23, 2015  
Punitive Damages a Comparative View, ANADE, Mexico, September 30, 2015  
Public Contracts and Investment and Commercial Arbitration, ANADE, Mexico, August 25, 2015  
Turnkey Contract, IV Certification in International Commerce, ICC Mexico and Escuela Libre de Derecho, May 19, 2015  
Turnkey Contract, ANADE, México, November 20, 2014  
Investment Arbitration, Mexican Supreme Court of Justice, Chiapas, July 1, 2014  
Judicial Assistance to Arbitration, Institute of the Federal Judiciary Branch, May 28 and 29, 2014  
Turnkey Contracts, V Certification in International Commerce, ICC Mexico and Escuela Libre de Derecho, May 21, 2014  
Investment Arbitration Challenges in Costa Rica, University of Costa Rica, October 18, 2013  
ICTs and the Internet's impact on economic growth in Mexico, ICC Commission on Digital Economy, October 10, 2013  
U.S. and International Law Experience in Class Action Arbitration, CAM/CANACO Young Arbitrators Forum, Aug 22, 2013  
Turnkey Contracts, VI Certification in International Commerce, ICC Mexico and Escuela Libre de Derecho, May 21, 2013  
Introduction to Class Actions in Mexico and Comparative Law, Mexican Class Action Seminar, September 27-28, 2012  
The Protection of Foreign Investors through Arbitration: The Mexican Experience, ICC, January 26, 2012  
Generic Service Contract for Hydrocarbons, Petroleum Conference of Mexico, July 19, 2011  
**Invitee**, "Punitive Damages: New Risk for Mexican Companies?" on Judiciary Channel (112 IZZI | 639 SKY | 731 Dish), Perspectiva Derecho de Empresa, October 8, 2015  
**Invitee**, "Telecommunications Reform," on TV Educativa (Channel 412), Mundo Jurídico, April 10 and 14, 2013