Rising Star: King & Spalding's Fernando Rodriguez-Cortina

By **Matt Perez**

Law360 (July 19, 2023, 10:32 AM EDT) -- Fernando Rodriguez-Cortina of King & Spalding LLP has represented energy companies, investors and other entities in international disputes against South American countries like Venezuela, Ecuador and Peru, earning him a spot among the international arbitration law practitioners under age 40 honored by Law360 Rising Stars.

His biggest case:

In an ongoing matter, Rodriguez-Cortina is representing Colombian investors in arbitration at the International Centre for Settlement of Investment Disputes against the Republic of Peru. The case concerns a toll road concession contract related to a highway that traverses the Andes, according to King & Spalding.

During a June 2022 hearing at the World Bank, Rodriguez-Cortina both delivered opening arguments and cross-examined Peru's damages expert, the firm said.

While the attorney described the case itself as significant, he noted another reason he considers it his biggest one yet.

"The reason why that was a very important case for me is because it was the first case I originated through one of my contacts," Rodriguez-Cortina said. "Because of that, it's kind of the first case [where] I was the chairperson leading the case in the firm. I was still a [senior] associate."

His most interesting case:

Rodriguez-Cortina served as the lead damages lawyer in a United Nations Commission on International Trade Law arbitration involving Singapore-incorporated oil and gas company Gente Oil and the Republic of Ecuador over a contract to develop an oil block.

In May 2022, his client, Gente Oil, was awarded $10.7 million in damages, according to the firm.

Fernando Rodriguez-Cortina
King & Spalding

Age: 38
Home base: Houston
Position: Partner
Law schools: Universidad Iberoamericana (Mexico City); New York University School of Law
First job after law school: Associate at Barrera Siqueiros y Torres Landa SC in Mexico City

"That case is novel in a way that we managed to secure moral damages," he said. "Usually tribunals don't reward moral damages."

Among the $10.7 million won, $400,000 was for reputational damage due to a criminal investigation into the contract over allegations it was procured by corruption.

His proudest moment:
Two highlights of Rodriguez-Cortina's career came from cross-examinations, he said. One involved a senior damages expert he interviewed while he was still a senior associate.

"I've seen other people cross-exam him, and I managed to do a pretty effective cross-examination," he said. "I was really nervous, obviously, before … so I was very proud it turned out to be a good cross-examination."

His first cross-examination also stood out. After its completion, the chair of the tribunal approached him, Rodriguez-Cortina recalled, and said "that I had done a very good job cross-examining the witness — which I don't think is very common, to get recognition from the chair."

On the future of international arbitration:
Like many in the industry, Rodriguez-Cortina has his eye on artificial intelligence and its potential impact on his practice area, he said.

"I think it's hard to predict with everything that's going on with AI," he said. "I'm sure that's going to be a huge part of our practice and how we conduct our work. I'm still not sure how exactly that's going to change what we do."

While he noted that AI can help with research and other, similar tasks, he doesn't believe the technology will ever replace the efficacy of giving oral arguments to a tribunal.

"I'm sure we're still going to be around in 10 years and many, many years more despite what some people say about AI changing the lives of everyone," he said.

--As told to Matt Perez.

Law360's Rising Stars are attorneys under 40 whose legal accomplishments belie their age. A team of Law360 editors selected the 2023 Rising Stars winners after reviewing more than 1,350 submissions. Attorneys had to be under 40 as of May 1, 2023, to be eligible for this year's award. This interview has been edited and condensed.