

Christopher Smith (Chris)

Associate

*Trial and Global Disputes / International
Arbitration and Litigation*



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Christopher Smith's practice focus is international investment and commercial arbitration, as well as arbitration-related litigation. Chris represents clients from all over the world in the energy, pharmaceutical, automotive, and health insurance sectors.

Chris has extensive experience representing European investors in the solar, wind, and hydro sectors in nearly twenty investment treaty arbitrations under the Energy Charter Treaty arising out of several European States' alterations to and abrogations of their renewable energy incentive regimes. Each of these disputes is administered by either ICSID or the SCC under their respective institutional rules, and involves amounts in dispute of approximately €25 million to €155 million. Tribunals in five of these matters have issued awards in favor of Chris's clients, including:

- An award of approximately €50 million, plus €3.9 million and US \$3 million in costs and legal fees and interest at a highly favorable rate in favor of my clients in their dispute with Spain in SCC Arb. No. 2015/150;
- An award of approximately €34 million, plus over €1.5 million and a quarter-million US\$ in costs and legal fees and interest at a favorable rate in favor of my clients in their dispute with Spain in ICSID Case No. ARB/15/20;
- An award of approximately €42 million, plus over US \$5.1 million and half a million € in costs and legal fees and interest at a favorable rate in favor of my client in its dispute with Spain in ICSID Case No. ARB/15/15;
- An award of approximately €12 million, plus approximately €1.9 in cost and legal fees and interest at a favorable rate in favor of my clients in their dispute with Italy in SCC Arb. No. 2015/095;
- An award of approximately €9.6 million, plus €1 million in costs and legal fees and interest at a favorable rate in favor of my client in its dispute with Italy in SCC Arb. No. 2015/158.

Additionally, Chris advises several other investors in both the renewable and conventional energy sectors regarding potential claims against these and other States.

In the field of commercial arbitration and litigation, Chris represents a company in an ICDR

arbitration in a contract dispute in the nuclear power industry regarding the purchase of uranium fuel. I have also successfully represented a pharmaceutical company in a Texas appellate litigation to enforce a partial final award, which the Texas Supreme Court subsequently declined to review. The AAA tribunal ultimately awarded my client injunctive relief.

Chris has experience representing clients in arbitrations under the ICSID, SCC, ICDR, AAA, ICC, DIS, CAS, WIPO, SIAC, and ASA Rules.

Since 2015, Chris has coached the University of Georgia School of Law's Vis international commercial arbitration moot team.

Having worked for over two years in King & Spalding's Paris office, Chris is currently based in the firm's Atlanta headquarters.

Matters

Represents and advises **dozens of European investors in the renewable energy sector** in eighteen investment arbitrations in relation to claims under the Energy Charter Treaty arising out of changes to feed-in tariffs and other incentive regimes by Spain, Italy, Bulgaria, and Romania. In each proceeding, between approximately €25 million and €155 million is in dispute.

Represents a **major U.S.-based electric utility** in an ICDR arbitration involving a contract dispute regarding the purchase of nuclear fuel.

Successfully represented UK-based private equity firm **First Reserve** in its dispute with Spain in ICSID Case No. ARB/15/15. The tribunal awarded Chris's client approximately €42 million, plus over US \$5.1 million and half a million euros in legal fees and costs and interest at a favorable rate.

Successfully represented UK-based private equity firm **Foresight** and Denmark-based renewables firm **Athena Investments**(formerly Greentech Energy Systems) in their dispute with Spain in SCC Arb. No. 2015/150. The tribunal awarded Chris's clients approximately €50 million, plus €3.9 million and US \$3 million in legal fees and costs and interest at a highly favorable rate.

Successfully represented Luxembourg-based investor **Cube Infrastructure** and France-based investor **Demeter** in their dispute with Spain in ICSID Case No. ARB/15/20. The tribunal awarded Chris's clients approximately €34 million, plus over €1.5 million and a quarter-million U.S. dollars in legal fees and costs and interest at a favorable rate.

Successfully represented Denmark-based renewables firm **Athena Investments** (formerly Greentech Energy Systems) and Luxembourg-based investor **Novenergia** in their dispute with Italy in SCC Arb. No. 2015/095. The tribunal awarded Chris's clients approximately €12 million, plus approximately €1.9 million in legal fees and costs and interest at a favorable rate.

Successfully represented UK-based private equity firm **Glennmont Partners** in its dispute with Italy in SCC Arb. No. 2015/158. The tribunal awarded Chris's client approximately €9.6 million in damages, plus €1 million in costs and legal fees and interest at a favorable rate.

Successfully represented U.S.-based **Signature Pharmaceuticals** in a Texas appellate litigation against an Indian pharmaceutical company to enforce a partial final arbitration award, which the Texas Supreme Court subsequently declined to review after written briefing. The AAA tribunal ultimately awarded Chris's client injunctive relief.

Successfully represented an **Indian health insurance coding company** in an ICDR arbitration

against a U.S. company in a dispute arising out of a stock purchase agreement.

Advised a **European investor in the oil and gas sector** regarding the viability of a claim against a European state in relation to retroactive modifications to an investment regime.

Successfully represented a **U.S. manufacturer in the photovoltaic sector** in a DIS arbitration against a German manufacturer in a sale of goods dispute.

Credentials

EDUCATION

J.D., University of Georgia, cum laude

B.A. Political Science and History, Furman University, magna cum laude

ADMISSIONS

Georgia

ASSOCIATIONS

Georgia

LANGUAGES

Dutch

English

French

German

Russian

Spanish

Insights

ARTICLE

September 13, 2017 • Source: *Kluwer Arbitration Blog; Young ICCA Blog*

Expropriation Under the Foreign Sovereign Immunities Act: Raising the Jurisdictional Bar

CLIENT ALERT

January 14, 2019

U.S. Supreme Court Strikes Down “Wholly Groundless” Exception Where Parties Have Agreed to Arbitrate Arbitrators’ Jurisdiction

NEWSLETTER

November 5, 2015

Energy Newsletter - November 2015

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Events

SPEAKING ENGAGEMENT

September 8, 2019

Christopher Smith to Speak at ICC YAF/AtIAS Young Practitioners Group Event

News

CASES & DEALS

November 21, 2018

