

Lucila Hemmingsen (Luli)

Partner

*Trial and Global Disputes / International
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Lucila (Luli) I. M. Hemmingsen is dual-qualified in civil law and common law and her practice focuses on international commercial and investment arbitration, and public international law matters, with a particular emphasis in Latin America. Luli advises and represents domestic and foreign companies in commercial arbitrations, as well as foreign governments and investors in investment-treaty arbitrations, conducted in English, Spanish and Portuguese, under civil and common law. She also advises clients on treaty protection structuring and handles proceedings ancillary to arbitration before local courts worldwide. Luli also accepts arbitrator appointments in international disputes conducted in English, Spanish and Portuguese.

In her almost two decades of practice, Luli has handled commercial and investment disputes governed by various substantive laws and conducted under the rules of the ICC, LCIA, AAA/ICDR, SCC, CCBC, NAI, ICSID and UNCITRAL. Her experience runs a broad gamut of industries, including infrastructure and construction, renewable energy, mining, oil & gas, retail, finance and investments, real estate and international trade.

Her clients have praised her for her ability to boil down complex concepts of law from both civil and common law jurisdictions to create winning strategies. Clients' and colleagues consistently refer to her as a "brilliant lawyer", "pragmatic and conscious of clients' needs", "hard working", and have stressed her "acute legal analysis" and "deep insight regarding the legal and commercial dynamics in Latin America." Luli has been selected by *Who's Who Legal* as a *Future Leader in International Arbitration* for their upcoming 2021 listing, has been recognized by *Legal 500 Latin America 2020* and ranked by *Latinvex* amongst *Latin America's Top 100 Female Lawyers* in 2020.

Luli graduated from Law School in Buenos Aires and began her career in the litigation and international arbitration department of Marval, O'Farrell & Mairal. Throughout her several years of practice in Buenos Aires, she represented clients in institutional and hoc arbitrations and in a variety of industries, including construction, real estate, and oil & gas.

Luli also maintains an active pro bono practice, including matters involving public international law and human rights law. Luli is also deeply involved in a number of diversity and women

empowerment initiatives and organizations. She currently manages the international Mentoring Program for Women in International Law of the American Society of International Law, co-chaired the Empowerment Lunch in the Annual Meeting of the American Bar Association Section of International Law of 2020.

Publications

- Co-author, “‘Deference to Arbitrators is Not Without Its Limits,’ But Those Limits Are Tightly Circumscribed,” *New York Law Journal*, February 11, 2019
- Co-author, “Discovery in Cross-Border Disputes: Choosing Between Domestic Litigation and International Arbitration,” *New York Law Journal*, March 9, 2018
- Co-author, “The Top-5 News in International Arbitration in 2017,” *CIAR Global*, January 3, 2018
- Co-author, “Through the Looking Glass: Transparency In Arbitration Costs and Costs Allocation,” *New York Law Journal*, November 27, 2017
- Co-author, “A Look At Argentina’s New Anti-Corruption Law,” *Law360*, November 21, 2017
- Co-author, “Expedited Arbitration: When Is Faster Better?” *New York Law Journal*, August 7, 2017

Recent Speaking Engagements (2017 to present)

- Panelist, NYIAC Virtual Talks: La ilegalidad y la corrupción: consideraciones prácticas para árbitros y abogados de partes en arbitrajes internacionales y delitos de cuello blanco, (November 5, 2020)
- Speaker, Fourth Diploma Course on Anticorruption at the Universidad Panamericana in Mexico, jointly organized with the International Chamber of Commerce México (ICC México) (January 2020)
- Speaker, Current Issues in International Arbitration, PLI International Arbitration Day 2019, New York (June 2019)
- Speaker, Third Diploma Course on Anticorruption at the Universidad Panamericana in Mexico, jointly organized with the International Chamber of Commerce México (ICC México) (February 2019)
- Speaker, Best Practices in Cross-Border Investigations, in conjunction with KPMG, Buenos Aires (December 2018)
- Panelist and Co-Chair, “The Future of ISDS in the Context of the Free Trade Agreements Overhaul: Will Investment Arbitration Also be ‘Walled Off’,” ABA International Section of International Law, Mexico International Trade and Investment Conference, Mexico (November 2018)
- Panelist, “Overlap between contractual and treaty obligations of States,” New York Law School (November 2018)
- Panelist, “Best practices in arbitration,” Second Amcham Brazil Arbitration Conference “Critical View of Arbitration,” São Paulo, Brazil (June 2018)
- Panelist, “New International Arbitration Trends,” ICC YAF, Mexico (March 2018)
- Guest Lecturer, “Costs and Costs Allocation in International Arbitration,” Harvard Law School (March 2018)
- Panelist, “The Impact of Technology on International Arbitration” co-organized by the ICDR Young & International, the ICC Young Arbitrators Forum and the University of Buenos Aires, Buenos Aires (February 2018)

- Speaker, Second Diploma Course on Anticorruption at the Universidad Panamericana in Mexico, jointly organized with the International Chamber of Commerce México (ICC México) (*February 2018*)
- Panelist, “Challenges 2018: Addressing Risks in Cross-Border Transactions, Compliance and Dispute Resolution,” Demarest Advogados, São Paulo (*December 2017*)
- Panelist, “Investment and Risk Management: Arbitration, Corruption and Other Issues,” Marval, O’Farrell & Mairal, Buenos Aires (*November 2017*)
- Guest Lecturer at International Arbitration Seminar, Mock Arbitration, University of Chicago Law School (*November 2017*)
- Co-speaker, “Best Practices for Drafting Arbitration Clauses,” Training on International Arbitration, Ministry of Foreign Affairs and Ministry of Economy and Finance of Peru, Lima (*August 2017*)
- Panelist, “Perspectives in Dispute Resolution - Litigation and Arbitration,” 2017 CLS Brazil Forum at Columbia Law School (*April 2017*)

Matters

A group of **Mexican investors** in an ICSID arbitration against the Kingdom of Spain, as well as in a proceeding before the Court of Justice of the European Union against the European Commission and the European Sole Resolution Board, and in discovery proceedings before the SDNY, in relation to the total loss of their investment as a result of the resolution of the sixth-largest bank in Spain.

An **international health insurance company** in connection with a \$400 million ICC arbitration involving an M&A dispute arising from the sale of a business the client purchased in Brazil. The ICC arbitration is governed by Brazilian law, is seated in Brazil and will be conducted in Portuguese and English.

Mexican investors in an ICC arbitration against a Spanish financial institution in relation to a cross investment between financial entities.

A **public Mexican company** in the infrastructure, real estate and concessions business in relation to potential investment disputes arising under NAFTA arising out of State actions leading to the cancellation of long-term roadway concessions.

The Republic of Turkey in an ICC construction arbitration related to the largest infrastructure project in Turkey involving Istanbul’s railway system.

One of the largest **U.S. defense contractors** in a multimillion-dollar construction-related ad hoc arbitration against a Latin American country in connection with the repair and maintenance of two frigates.

A **Middle Eastern State** in a mining-related ICSID investment treaty dispute arising out of the Free Trade Agreement with the United States.

A **Barbadian company** in an ICSID arbitration against Venezuela in connection with a vehicle import enterprise and the application of currency exchange regulations.

A **Spanish company** in an ICSID arbitration against Venezuela in connection with the banking sector.

An **Italian company** and investors in an ICSID arbitration against the Republic of Albania in relation to the loss of their investments in a renewable energy generation sector and in a television

company.

A **Dutch entity** in an ICSID arbitration against Laos related to the expropriation of their investment in the gaming industry.

An **Argentine subsidiary** of a multinational oil and gas company in an ICC arbitration conducted in Spanish regarding a multimillion-dollar dispute with another multinational oil and gas company involving the sale of gas and transportation of gas rights through various countries in Latin America.

A **U.S. company and its Latin American affiliates** in an ICC arbitration related to the health data industry, which required the application of laws from various Latin American countries, including Brazil, Mexico, and Argentina, and was conducted exclusively in Spanish with some elements in Portuguese.

A **U.S. beverage company** in a multimillion-dollar ICC arbitration against Latin American licensees.

A **U.S. company** in an ICDR arbitration concerning the sale of oil interests in Peru worth US\$1 billion to oil companies in Colombia and Korea.

The European entity of an **American multinational sports-apparel corporation** in a commercial dispute against a distributor, under the auspices of the Netherlands Arbitration Institute.

Credentials

EDUCATION

LL.M., University of Pennsylvania, with distinction

J.D., Universidad Torcuato di Tella

ADMISSIONS

New York

Argentina

ASSOCIATIONS

American Bar Association

International Bar Association

New York City Bar Association

National Association of Women Lawyers

ArbitralWomen

American Society of International Law (ASIL) - Mentoring Program Manager for Women in International Law Interest Group (WILIG)

Americas Society and Council of the Americas

Argentine Lawyers' Association of New York

Asociación Latinoamericana de Arbitraje

Women Way in Arbitration -- WWA LATAM (Asociación de Mujeres en el Arbitraje LATAM)

LANGUAGES

French

Italian

Portuguese

Spanish

Events

SPEAKING ENGAGEMENT

November 5, 2020

Lucila Hemmingsen to Speak on NYIAC Virtual Talks

News

RECOGNITION

October 16, 2020

Latinvex Names Lucila Hemmingsen Among the Top 100 Female Lawyers Practicing in Latin America

October 15, 2020

Benchmark Litigation Recognizes King & Spalding as a Leading Litigation Firm

October 9, 2020

Legal 500 Latin America 2021 Ranks King & Spalding Among the Region's Top International Firms

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