

# Sara K. McBrearty

Senior Associate

*Trial and Global Disputes / International  
Arbitration and Litigation*

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Sara McBrearty is a senior associate on King & Spalding's International Arbitration team in the Houston office. She focuses on complex, international commercial and investment disputes arising from long-term and multinational projects. Sara has represented clients in several of the largest international arbitrations on record, and has particular experience in the energy sector.

Sara has acted as counsel in international and domestic arbitration proceedings held under the auspices of most of the major arbitral institutions and rules, including the International Centre for Settlement of Investment Disputes (ICSID), the International Chamber of Commerce (ICC), the American Arbitration Association/International Centre for Dispute Resolution (AAA/ICDR), the Singapore International Arbitration Center (SIAC), the Hong Kong International Arbitration Centre (HKIAC), the Energy Charter Treaty (ECT), the Cairo Regional Center for International Commercial Arbitration (CRCICA), JAMS and *ad hoc* cases under the Permanent Court of Arbitration and UNCITRAL Rules. She has also represented clients in arbitration-related proceedings in U.S. federal courts and Texas state courts.

Sara has substantial experience in complex, multi-jurisdictional disputes in Latin America, Africa, Europe, and Asia in a variety of sectors, including oil and gas, LNG, electricity, private equity, infrastructure, and pharmaceuticals. Her treaty experience includes investment arbitrations against the governments of Ecuador, Argentina, Italy, Germany, India, South Korea, and Egypt. Her commercial experience also includes disputes regarding joint ventures, breach of long-term LNG contracts, tax disputes, private equity energy projects, and decommissioning in the Philippines, Brazil, Indonesia, Ecuador, Egypt, Madagascar, and the United States.

Sara also advises clients in cross-border transactions, assessing risks and maximizing investment protections.

## Matters

Representing a **major international oil company** in UNCITRAL arbitration involving cost recovery claims arising under a production sharing contract.

Representing a **Chinese investor** in an ICSID investment treaty arbitration against a South Asian

state regarding a billion-dollar asset.

Advising **Australia Pacific LNG (APLNG)** on an LNG SPA price review negotiation, with a multi-billion-dollar price differential in dispute.

Representing **Chevron Corporation** in a treaty arbitration against the Republic of Ecuador seated in The Hague, concerning the US \$9 billion "Lago Agrio" environmental judgment issued by the Ecuadorian courts, resulting in precedent-setting awards in favor of Chevron, including a finding of denial of justice and treaty breaches by Ecuador's courts, as well as numerous interim measures awards ordering Ecuador to prevent enforcement of the court judgment.

Represented **Union Fenosa Gas** in an ICSID arbitration against Egypt concerning the Damietta LNG Project. In a 100% victory, the tribunal awarded our client over US \$2 billion, finding that Egypt's unilateral interruption of gas supply to the plant breached Egypt's treaty commitments to treat UFG's investments fairly and equitably.

Represented **Union Fenosa Gas** in two commercial arbitrations against Egypt's national gas company regarding claims arising from a long-term LNG contract.

Won a \$360 million award for **Burlington Resources** in an ICSID arbitration against Ecuador, arising out of the expropriation of an oil concession and associated counterclaims for alleged environmental contamination.

Representing an **Indonesian pipeline operator** in an HKIAC arbitration under a long-term LNG contract involving damages in excess of \$400 million.

Represented a **partner in a pharmaceutical joint venture** in a breach of contract arbitration regarding illegal conduct, improper distributions, and intellectual property claims.

Represented a number of **private equity funds** and their portfolio companies in Energy Charter Treaty disputes involving several European states.

Represented a **private equity client** in a commercial dispute regarding a technology project in Brazil.

Represented a **major US oilfield services and equipment provider** in a German contract arbitration and related US litigation.

Served as Secretary of the Tribunal in an **ICC commercial arbitration** involving an African state and investors in a railroad construction project under the auspices of the World Bank.

## Credentials

### EDUCATION

J.D., The University of Texas at Austin

### ADMISSIONS

Texas

### LANGUAGES

French

## Insights

### ARTICLE

September 4, 2020 • Source: *Jus Mundi*

Arbitration Team of The Month (September) – King & Spalding

#### CLIENT ALERT

February 20, 2020

Coronavirus and Force Majeure Declarations – Energy Industry

#### NEWSLETTER

March 12, 2020

Energy Newsletter – March 2020

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## News

#### CASES & DEALS

March 17, 2020

King & Spalding Secures Victory for Halliburton in U.S. Discovery Application

#### IN THE NEWS

July 28, 2021 • Source: *Global Arbitration Review*

K&S counsels Chevron and Texaco Petroleum in a pollution dispute with Ecuador

August 11, 2020 • Source: *Global Arbitration Review*

K&S represents Chevron before the Argentine Supreme Court, which refused to enforce a \$9.5B judgment against the company over environmental pollution in the Amazon

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