



Dietmar W. Prager **Partner**

Dietmar W. Prager is a litigation partner in the firm's New York office who focuses his practice on international arbitration and litigation. He co-leads the firm's Latin America Practice Group.

Dr. Prager has represented parties in numerous arbitrations throughout the world under the auspices of the ICC, ICSID, LCIA, AAA, ICDR and the PCA as well as in ad hoc arbitration proceedings. He was also one of the youngest lawyers ever to argue before the International Court of Justice.

Dr. Prager's recent representations include disputes involving complex infrastructure projects, mining projects, shareholder disputes, investment treaties, oil & gas projects, energy projects, the retail sector, the finance sector, sovereign debt and distribution agreements. Dr. Prager also regularly sits as arbitrator.

Dr. Prager is ranked among the leading international arbitration practitioners by *Chambers Global*, *Chambers USA*, *Chambers Latin America*, *The Legal 500 US*, *The Legal 500 Latin America*, *Benchmark Litigation*, *The Lawdragon Global Litigation 500* and *Who's Who Legal*, which recognizes him as a Thought Leader for Arbitration. He receives high praise from clients who say he is "an extraordinarily sophisticated lawyer" with "deep commercial awareness and wonderful client service skills." He is said to be "fully hands on, with outstanding legal skills" and "he goes to the core of each issue with great

analytical skills and unparalleled capability to deal with foreign law matters.” Sources say “he is brilliant and knows his business inside and out” and he has been described as “analytically strong,” “a very thorough and careful lawyer” who “displays excellent strategic thinking.” He is said to be “really very impressive,” “outstanding” and an “excellent lawyer.” The publications have also highlighted his “excellent strategic thinking,” “excellent combination of legal knowledge and experience” and his ability to “effortlessly work across cultures and jurisdictions.” He receives further praise for his “impressive work and responsiveness to clients’ needs,” his “great depth of analysis,” his “great ability to manage stressful situations” and his “vast linguistic ability.”

Dr. Prager is an officer of the IBA Arbitration Committee, a member and former vice-chair of the Executive Committee of the Institute for Transnational Arbitration (ITA), a member of the KCAB International Arbitration Committee and a member of the Board of the Vienna International Arbitration Centre (VIAC). He also serves as a member of the Vance Center Committee, the governing body of the Cyrus R. Vance Center for International Justice. He is a former co-chair of the IBA Subcommittee on International Arbitration Case Law. Dr. Prager is a member of the International Council for Commercial Arbitration (ICCA), the Society of Construction Law North America, the Comitê Brasileiro de Arbitragem (CBAr), the Asociación Latinoamericana de Arbitraje (ALArb), the Club Español de Arbitraje and the American Society of International Law.

Dr. Prager is the author of several articles and blogs on international arbitration, international courts and tribunals, international procedural law, as well as Latin-American integration, and he speaks regularly at international arbitration conferences.

Dr. Prager is a member of the bar of New York. Prior to joining Debevoise in September 2000, Dr. Prager served as Legal Officer at the Registry of the International Court of Justice. He received his LL.M. from New York University School of Law, his Dr. iur. from University of Innsbruck and his law degree from University of Vienna.

Dr. Prager speaks English, German, Spanish and French and is proficient in Portuguese.

DIETMAR W. PRAGER'S SELECT REPRESENTATIONS

Tethyan Copper Company in its US\$6 billion arbitration win against the Islamic Republic of Pakistan, which is the second-largest ICSID award ever rendered.

An engineering and commissioning contractor in an AUS\$2 billion ICC Singapore arbitration concerning the disputed termination of an EPC subcontract to build a captive Combined Cycle power station on an LNG facility.

Freeport-McMoRan and Sociedad Minera Cerro Verde in an ICSID arbitration brought against the Government of Peru under the United States-Peru Free Trade Agreement, with claims in excess of US\$1 billion. The dispute arises out of the Government's assessment of royalties, taxes, penalties and interest against Sociedad Minera Cerro Verde—one of the world's most productive copper mines.

Barrick (PD) Australia Pty Limited in an ICSID arbitration, and Barrick (Niugini) Limited in an ICSID conciliation, both with the Independent State of Papua New Guinea, arising out of the Government's refusal to renew a special mining lease held over the Porgera Gold Mine.

A construction company in its ICC arbitration with a major oil company over delays and additional costs in a project for the construction of an FPSO platform.

YPF S.A., as a co-defendant with the Argentine Republic, in litigation brought by Petersen Energía and Eton Park in the S.D.N.Y. arising from the Republic's 2012 intervention in YPF, temporary occupation of 51% of YPF's capital stock held by Repsol S.A., and subsequent expropriation of that capital stock.

A leading global engineering and project management company in an UNCITRAL arbitration arising out of the construction of a multibillion dollar LNG plant.

A leading telecommunications and digital media company in an LCIA arbitration of a contractual dispute arising out of the purchase of assets in multiple jurisdictions, winning a complete victory on indemnification claims of over €139 million, defeating counterclaims of over €84 million, and obtaining a substantial costs award.

A construction company in an ICC arbitration with a major oil company under an EPC contract for the construction of a semi-submersible drilling platform.

A Peruvian power company in a dispute arising out of defects in the generators installed in a new dual-fuel power plant.

A South American power company in a dispute arising out of delays and defects in the construction of a hydroelectric power plant.

A major infrastructure and engineering company in an ICC arbitration relating to the construction of a fertilizer plant in the USA.

Abilio Diniz, the founder of one of Brazil's leading retail businesses, in three ICC arbitrations governed by Brazilian law and seated in São Paulo against Casino Guichard-Perrachon SA in a shareholder dispute. The dispute ended with a widely reported settlement favorable to our client that was awarded the Deal of the Year Award – Disputes by *Latin Lawyer* (2014).

Holcim Ltd. and its two wholly owned Dutch subsidiaries, Holderfin B.V. and Caricement B.V., in a dispute against the Bolivarian Republic of Venezuela, arising from the expropriation of their local subsidiary by the Venezuelan government, leading to a \$650 million settlement that has been fully paid.

Pueblo Viejo Dominicana, a joint venture between Barrick Gold and Goldcorp, in a dispute with the Government of the Dominican Republic regarding the Pueblo Viejo gold, silver and copper mine, which is reported to be the largest foreign investment in the Dominican Republic.

The lead claimant in *Reineccius, First Eagle, and Mathieu v. Bank for International Settlements*, in which a five-member tribunal constituted under the 1930 Hague Agreement awarded private shareholders some US\$500 million.

Autopista Concesionada de Venezuela, C.A. ("Aucoven") in an ICSID arbitration against the Republic of Venezuela, where the tribunal issued a final award finding liability and damages against Venezuela involving claims arising from the breach of a concession agreement for a toll road in Venezuela.

A natural resources company in defending its interests in connection with proceedings or inquiries before international bodies, such as the Inter-American Commission on Human Rights and the International Labour Organization.

The Government of Mexico in *Avena and Other Mexican Nationals (Mex. v. U.S.)*, 2004 I.C.J. 12, in its successful claims against the United States for violations of the Vienna Convention on Consular Relations in respect of 52 Mexican nationals sentenced to death in state court proceedings in the United States. In March 2004, the ICJ held the United States liable in 51 of those cases and ordered the United States to review and reconsider the convictions and sentences.