

CHADBOURNE & PARKE LLP



Oliver J. Armas

Partner

Practice Description

Oliver Armas handles complex domestic and international disputes. He has an extensive practice in U.S. federal and state courts, as well as before regulatory agencies, such as the SEC, the U.S. Department of Justice, the New York Attorney General and state insurance regulators (including internal investigations, FCPA audits, advice on OFAC and export controls, etc.).

A significant part of Mr. Armas's practice involves representing foreign and domestic clients in arbitrations before the ICC, AAA/ICDR, LCIA, ICSID, the Court of Arbitration for Sport (CAS), and other tribunals.

Because he is fluent in Spanish (and can understand Portuguese), a significant percentage of his practice involves counseling clients on various matters involving Latin America and the U.S. Hispanic market.

Mr. Armas has acted as a legal expert on certain aspects of U.S. law in foreign proceedings (e.g., Mexico and Peru), and has supervised litigation and conducted FCPA field audits in almost every country in Latin America.

Representative Matters

Litigation / Regulatory

- Representing shareholders of Stan Lee Media Inc., in a derivative suit against Marvel Comics in federal court in New York.
- Represented U.S. asset-based lender against an Italian clothes manufacturer (Diesel) in a trial in the Southern District of New York. Secured a complete defense verdict and won counterclaim.
- Representing eight Argentine pension fund managers (and their Union) in an action to freeze their assets in New York and in subsequent appeals to the 2nd Circuit (which overruled District court decision in favor of our clients).
- Representing a U.S.-based construction company and its Chilean subsidiary in litigation in Chile.
- Prosecuting claims on behalf of a sports association regarding copyright infringement and Lanham Act violations.
- Representing a U.S. pharmaceutical in antitrust litigation in Mexico.
- Representing U.S. multinational in FCPA investigations in Latin America.
- Defend trademark infringement claims on behalf of a

Practice Areas

[Arbitration and ADR](#)

[Litigation](#)

[Special Investigations and Government Enforcement](#)

Regions

[Europe](#)

[Latin America](#)

[North America](#)

[U.S. Hispanic Market](#)

[United States](#)

Education

- New York University, College of Arts and Sciences, B.A., *with honors*, 1986
- New York University, Wagner Graduate School of Public Administration, M.P.A., *with honors*, 1987
- New York University School of Law, J.D., 1990

Admissions

1991 New York

1991 U.S.D.C. - E.D.N.Y.

1991 U.S.D.C. - S.D.N.Y.

1997 U.S.D.C. - D. Hi.

Languages

English

Spanish

Portuguese

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- multinational corporation; case was voluntarily withdrawn.
- Representing a U.S. pharmaceutical in an internal investigation regarding judicial corruption.
 - Representing South American company in SEC and DOJ investigation.
 - Representing a South American company in asset forfeiture case brought by DEA and Homeland Security.
 - *In re Avianca* (SDNY Bankr.) - represented trustee of a future flow receivables trust (governed by Colombian law), and noteholders in landmark recharacterization litigation. Case settled favorably before trial.
 - *Merck v. Tecnoquimicas* (SDNY) - successfully defended enforcement of arbitral award and related attachment of assets.
 - *Fujitsu v. Schaller, et al.* (Superior Ct., Morris Co., NJ) - obtained multi-million dollar judgment in an international fraud case on behalf of a German subsidiary.
 - Successfully defended a multinational corporation in unfair competition and trade secrets litigation.
 - *Aeroplasas de Mexico v. Secretaria de Comunicaciones y Transportes* (Fed Dist. Ct., Mexico City) - successfully defended a consortium of Spanish and Mexican companies that won the concession to operate twelve airports in Mexico in an action commenced by a losing bidder.
 - *Bank of China v. Central Bank of Iraq* (SDNY) - obtained multi-million dollar judgment against the government of Iraq.
 - *NY Flour Distributors v. Cargill, Inc.* (EDNY) - defended one of the largest privately held companies in the world in a multi-million dollar litigation involving allegations of fraud and anticompetitive behavior. A two week jury trial in federal court resulted in a complete defense verdict.
 - *BBC Capital Market, Inc. v. Carver Bancorp, Inc.* (Del. Chancery) - successfully represented a bank and its directors against insurgent shareholders seeking to sterilize voting rights during a proxy contest for election of directors. Defeated motion for preliminary injunction; subsequently negotiated favorable settlement on eve of trial.
 - *Abel v. Silent Hoist & Crane; Lineaweaver v. Silent Hoist & Crane* (Ct. of Common Pleas (Phil. Co.); D. Ct. Phil.) - defended London underwriters in two unrelated products liability actions involving catastrophic injuries from accidents with 30 ton capacity forklifts. Each case resulted in favorable settlements before trial.
 - *Les Schwab Tire Centers Inc. v. Sitek GmbH* (SDNY) - represented largest U.S. retail tire distributor in products liability claims against German manufacturer. Obtained favorable resolution of jurisdictional issues while litigation was pending in U.S. and Germany.
 - *Kadison v. LISB and Merrill Lynch* (NY Sup. Ct./App. Div - 1st Dep't) - successfully defended an investment bank which underwrote an initial public offering where the plaintiffs challenged the issuer's plan of conversion and public stock offering. Dismissal of case upheld by Appellate Division.

- *Goldman v. Sica* (D. Ct. Ga.) - represented an Italian manufacturer in a products liability case; case dismissed on summary judgment.
- *Banco Santander Central Hispano v. Consalvi International Inc.* (SDNY) - represented Argentine investment fund in confirmation and vacatur proceedings of an arbitral award involving "manifest disregard of the law" issues.
- *Unitel v. TCC* (SDNY) - represented one of the largest distributors of prepaid telephone cards for the U.S. Hispanic market in a breach of contract case.
- *Newbridge Latin America v. Grupo Corvi* (SDNY) - represented Mexican company in anti-suit injunction case.

Arbitration

- Representing a Dubai-based entity in a dispute involving the development of a port. (DIAC, Dubai, Dubai law, English).
- Representing a UK based multinational and its Mexican affiliate in a potential NAFTA dispute against Canada.
- Represented an Argentine investment fund in an arbitration against a leading Spanish bank in a dispute arising out of joint venture. (ICDR, New York, Spanish law, Spanish language).
- Represented a European company in an arbitration against a Japanese competitor. (ICC, Paris, Japanese law, English).
- Represented a Malaysian company in a dispute against a U.S. based oil and gas company in a dispute involving a joint venture in Qatar. (LCIA, London, NY law, English).
- Represented a European manufacturer in an arbitration against a leading supplier from Spain. (ICC, Madrid, Spanish law, Spanish).
- Represented a graphic artist against a U.S. based hedge fund over an investment dispute. (AAA, New York, New York law, English).
- Represented a Swiss investment fund in an arbitration against a U.S. based hedge fund over an investment dispute. (ICDR, New York, New York law, English).
- Represented a Mexican company in an arbitration against a U.S. conglomerate in a dispute over a joint venture. (ICC, New York, Mexican law, English).
- Represented a South American pharmaceutical company in an arbitration against a U.S. pharmaceutical in a dispute about product licensing and distribution in Latin America. (ICC, New Jersey law, English).
- Represented a large international investment bank in a NASD arbitration over the handling of certain notes from a Mexican issuer. (NASD, New York, English).
- Represented a UK based media company and its U.S. subsidiary in an arbitration with its former CFO and in a related EEOC case. (AAA, New York).
- Represented world ranked tennis player from Argentina before the Court of Arbitration for Sport (CAS) in an appeal of an alleged doping violation. His initial two-year ban was

reduced significantly. Eventually his suspension was overturned by the Swiss courts.

- Represented a U.S. steel company and its Mexican parent in an arbitration with its former CEO and president. (AAA, New York).
- Acted as sole arbitrator in a music royalties dispute. (AAA, New York).
- In a case of first impression, represented the State of New York in a dispute filed in Mexico under the NAFTA side labor agreement. (NAFTA/NAALC).
- Represented a Chilean natural gas company against an Argentine gas supplier. (ICDR, New York, Argentine law, English).
- Acting as sole arbitrator in case involving alleged breach of a settlement agreement and related issues. (ICDR, Bahamas, New York law, English).
- Acting as sole arbitrator in an international commercial dispute over Sharia financing and related issues. (ICDR, Bahamas, New York law, English).
- Acted as co-arbitrator in a dispute involving a hotel development in Mexico. (ICDR, Mexico, Mexican law, English).
- Acted as Special Master in an action between two Portuguese banks regarding contractual breaches relating to a failed merger. (ad hoc, New Jersey, Portuguese).
- Acting as a co-arbitrator in a joint venture dispute. (ICDR, NY, New York law, English).
- Acting as co-arbitrator in a case involving breach of a distribution agreement in Costa Rica. (AAA, New York, English)

Honors

Mr. Armas has been selected for inclusion in [Chambers](#) (Global ,USA and Latin America) and has been selected for inclusion in Who's Who of International Commercial Arbitration. He has been cited in [Benchmark: Litigation](#) as a "New York Future Star." He is rated AV (highest ranking) by [Martindale Hubbell](#), ranked as a "Highly Recommended" arbitration practitioner, recognized as a recommended lawyer in New York for dispute resolution in [PLC Which Lawyer](#) (2010) and has been nominated to the [Guide to the World's Leading Experts in Commercial Arbitration](#) (7th Edition). Mr. Armas is on the roster of experts on Latin American issues by the Round Table Group. He is on the panel of international arbitrators of the AAA's International Centre of Dispute Resolution and was designated as Honorary Fellow of the Center for International Legal Studies.

Activities and Affiliations

Mr. Armas is a member of the Advisory Committee of the Argentine Commission of National and Transnational Arbitration (CARAT). He is on the Advisory Committee of the Swiss Arbitration Academy (SAA), American Bar Association, Association of the Bar of the City of New York and the Hispanic National Bar Association (International Law Committee and Business and Securities Practice Committee). He is also a

member of the International Bar Association and the London Court of International Arbitration (the North American Users' Council and the Latin American Users' Council). Mr. Armas is a member of the New York State Bar Association (International Law Section, Chair 2007 and current member of its Executive Committee). He is also a member of the USCIB of the International Chamber of Commerce.

Publications

- "[The United Kingdom's Bribery Act 2010 and other Recent Anti-Corruption Enforcement Activity in the United Kingdom](#)," May 3, 2010
- "[Sovereign Debt – Judicial Cases in the United States](#)," *Global Financial Crisis: Navigating and Understanding the Legal and Regulatory Aspects*, October 30, 2009
- "[Foreign Judicial Corruption and Liability for Local Counsel](#)," (co-author), *New York Law Journal*, September 9, 2009
- "[Doing Business in Cuba: New Guidance on Embargo Rules](#)," April 28, 2009
- "[New Era for Choice of Court Agreements](#)," (co-author), *New York Law Journal*, April 13, 2009
- "The U.S. Foreign Corrupt Practices Act – An Overview," *International Law Practicum (NYSBA)*, Vol. 22, No. 1, Spring 2009
- "[Limitations Lurking In Parties' Ability To Craft Arbitration Agreements: The Scope of Judicial Review of Arbitral Awards under the U.S. Federal Arbitration Act](#)," (co-author), *Revista del Club Espanol del Arbitraje*, February 2008
- *Setting the Stage for Successful International ADR, Inside the Minds Series: Best Practices for International Alternative Dispute Resolution*, Aspatore Books, 2007
- *International Execution Against Judgment Debtors in Mexico*, Oceana Press, 2005
- "The Growth of International Commercial Arbitration in Latin America," *The International Comparative Legal Guide to International Arbitration*, January 1, 2004
- "Products Liability Law in Mexico," *The International Comparative Legal Guide to Products Liability*, 2003
- "Sponsorship Law in the U.S.," "Consumer Contracts in the U.S.," "Product Regulation, Safety and Recall in the U.S." and "Products Liability in the U.S.," *Global Counsel Web*, Practical Law Company, 2003

Speeches and Events

- "[How Corporate Counsel Can Avoid Common Pitfalls In International Litigation](#)," June 10, 2010
- "Mock Session: Anti-Suit Injunctions and International Arbitration," (speaker), Practising Law Institute, New York, March 23, 2010
- "International vs. Domestic Construction Dispute Resolution: The Practitioners' Roundtable," (panelist), Miami International Arbitration Conference, Miami, March 22, 2010

- "The FCPA and Other Federal Laws That Keep In House Counsel Awake at Night," (speaker), ABA Conference on Current Issues in Pharmaceutical and Medical Device Litigation, Kenilworth, NJ, November 12, 2009
- "ICDR International ADR Reporting Series," (moderator), North American Roundtable, São Paulo, Brazil, October 27, 2009
- "The International and Domestic ADR: Legal Updates and Clause Design for Corporate Counsel," ICDR program hosted at Chadbourne, New York, NY, October 14, 2009
- International Chamber of Commerce's Young Arbitrators Forum, (Panelist), "So You Want to Become an Arbitrator", New York, NY, October 13, 2009
- "[The Ins and 'Outs' of Contractual Performance in Today's Economy](#)," New York, May 19, 2009
- "[International Arbitration and the Current Global Financial Crisis](#)," (speaker), International Arbitration Conference at Harvard Law School, Cambridge, MA, April 4, 2009
- "[Living with the FCPA in an Era of Enhanced Enforcement](#)," New York, NY, December 17, 2008
- "Transatlantic Disputes: Is Arbitration an Effective Alternative to U.S. Courts for Europeans?," European American Chamber of Commerce, New York, NY, December 4, 2008
- [EACC Conference on International Arbitration](#), New York, December 3, 2008
- "[Current Issues in Export Controls and Foreign Corrupt Practices Act](#)," (panelist), Managing Business Disputes and Legal Risk in Latin America Conference, Miami, FL, October 23-24, 2008
- "[Investments Treaties and National Laws](#)," (panel chair), Dispute Resolution in the International Oil & Gas Business Conference, Rio de Janeiro, Brazil, October 21, 2008
- "[Focus on Argentina and Latin America](#)," (panelist), Forum on International Arbitration, Buenos Aires, Argentina, October 10, 2008
- 6th Annual ICC Latin American Arbitration Conference, (speaker), Miami, FL, October 9-11, 2008
- "[International ADR in North America](#)," (moderator), International ADR Reporting Program Series Conference, São Paulo, Brazil, August 11, 2008
- "Controversial Provisions in the NY Convention," 4th Rio de Janeiro Int'l Arbitration Conference, (speaker), Rio de Janeiro, Brazil, May 13, 2008
- "Overcoming Corruption Challenges in Emerging Markets," American Conference Institute's Conference on FCPA and International Anti-Corruption for Pharma and Life Sciences, New York, May 1, 2008
- "International Litigation and Arbitration," International Legal Training Seminar, (panelist), April 2008
- [ICDR Miami International Arbitration Conference](#), Coral Gables, FL, March 31, 2008
- "Anti-suit Injunctions," PLI International Arbitration Seminar, March 2008

- IBA's First Conference of the Americas, (panelist), February 2008
- The ICDR's Latin American International ADR Roundtable, (moderator), Washington, November 2007
- ICDR's International Commercial Arbitration Report on Latin America, (speaker), New York, October 2007
- NYSBA's International Law Section's Meeting, (section chair), Peru, September 2007
- "Statement of Claim and Emerging Injunctive Relief," Arbitrating in Brazil AAA/ICDR Conference, July 2007
- "Anti-Suit Injunctions and Arbitration," Practising Law Institute, New York, March 2007
- "Tertulias: Developments in Arbitration in Latin America," ICDR 5th Annual Miami International Arbitration Conference, February 2007