

Hogan
Lovells



Our Caribbean Desk

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 Hogan Lovells

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Foreword

The Caribbean is facing a period of transformation in its demand for legal services.

Substantial direct investment flow from China, the United States, the United Kingdom, and lately, the Middle East and Africa have given rise to increasingly sophisticated transactions and investments. The regulatory climate is also changing, with new regional regulations being introduced on securities and financial services. Disputes under investment contracts and treaties have increased. Governments and corporations alike are consulting and adapting to climate change, building long-term strategies on energy generation and transition.

With these new challenges comes a need for closer partnerships with advisers who have international experience combined with local knowledge, and who have built up first-class expertise across various sectors and industries.

Our lawyers at Hogan Lovells have had a long history of living and working in Latin America and the Caribbean. Many of us are Caribbean nationals and lawyers who have worked over the years on some of the largest strategic matters in the Caribbean region, across our network of offices including London, Washington D.C., New York and Miami.

We pride ourselves on being commercially focused. We can advise on transactions, projects and disputes throughout the region, from the Bahamas in the North through to Guyana in the South. We are excited about partnering with Caribbean clients (both old and new) to meet each new challenge head-on. Harnessing our expertise in consulting for regional governments, steering domestic and international M&A deals, and winning cases before courts and tribunals, we offer the one-stop shop of a full-service, top-tier international law firm with unparalleled global reach married with deep local and cultural understanding.

We combine our commercial approach with a commitment to giving back to our communities. We are long-standing advocates for justice, equality and opportunity and we also look forward to collaborating with others in the region in this capacity.



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“Very responsive, and the client service is outstanding, the breadth of knowledge is first rate and their ability to mobilise globally sets them apart.

Chambers Global 2021



Message from Juan Francisco Torres- Landa Head of Latin America Regional Practice

Hogan Lovells has a long tradition of assisting clients doing business in Latin America and the Caribbean.

With a direct presence in Mexico and Brazil, and a network of trusted counsel in all other jurisdictions, we provide seamless services to our clients across the entire region.

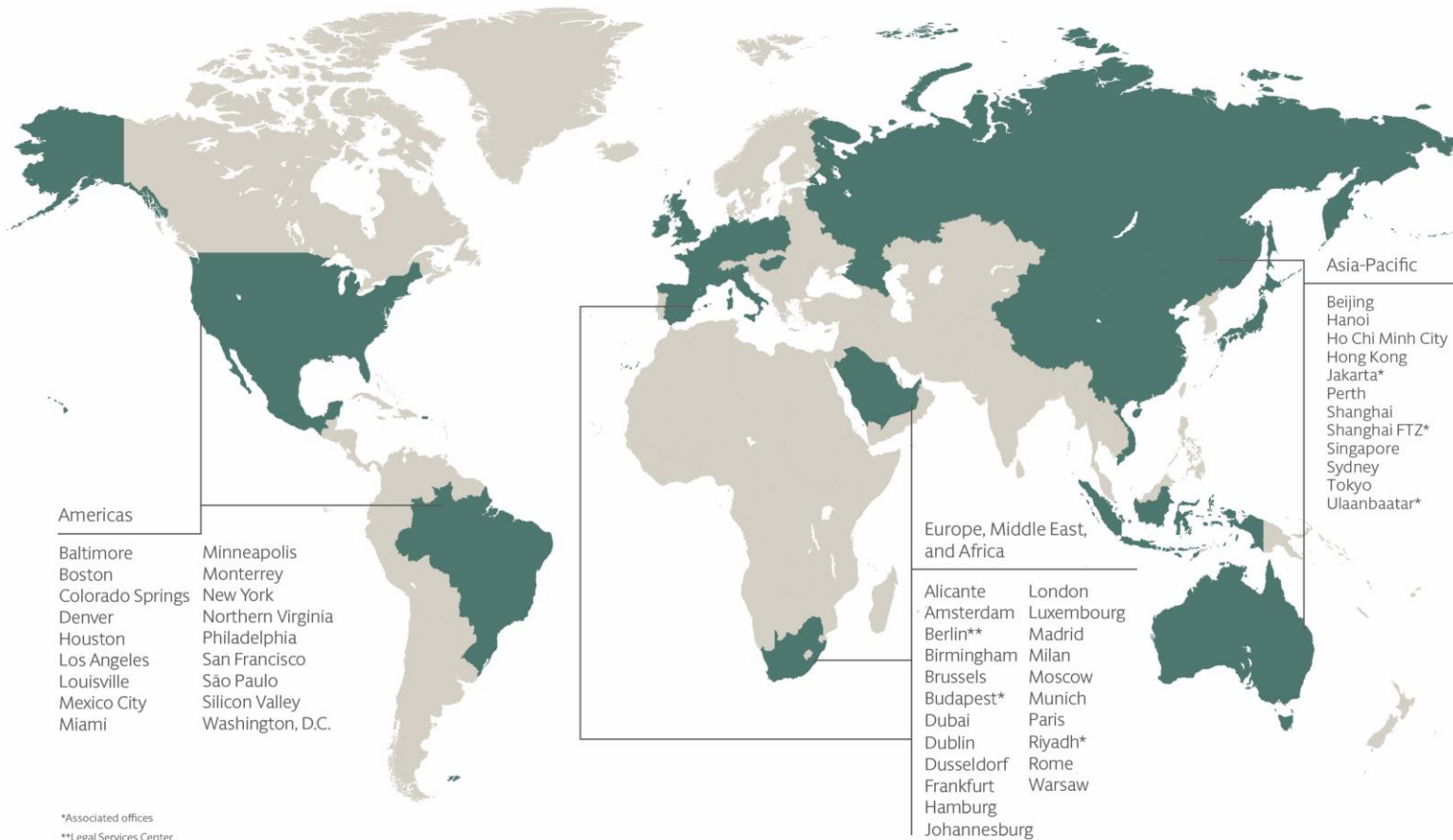
We have an industry-focused approach, and we therefore understand the business needs of our clients. Our commercial approach means that we pride ourselves in helping our clients be successful in the projects they undertake in the entire region.

The launch of our dedicated Caribbean Desk reinforces our commitment. We are proud, as a firm, to be able to meet the needs of the English, Spanish and French-speaking Caribbean across offices and geographies and we hope that this is the start of a period of even closer collaboration and engagement.



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Our global footprint



*Associated offices
**Legal Services Center



45+ offices



2,800+ lawyers



6 continents

Our values

We are proud of our five values.

They are a fundamental part of who we are: they reflect the principles by which we conduct ourselves, shaping what we do and how we do it.

1. Clients come first

Our aim is to satisfy our clients through a deep understanding of their needs, their businesses and their industries, and by providing an excellent, responsive and innovative service.

2. Excellence in all we do

We combine technical excellence in our work with a business-oriented approach, the highest level of integrity and a focus on solutions.

3. One team worldwide

We act as an integrated team across our entire firm worldwide, working together in an atmosphere of mutual respect, collegiality and friendliness.

4. Commitment to our firm's success

We put intense effort into our work and actively look for ways to deliver the best results for our clients, and therefore for our firm.

5. Good citizenship

We embrace our responsibility to give back to our communities through pro bono and community service work, and we are committed to a diverse workforce that is inclusive and welcoming.



Our unique approach

Historically, most law firms have been practice-driven, dividing work across practice areas. Whilst most of our lawyers specialise in a specific practice area, we pride ourselves on a sector and industry-based approach.

Our sector-based approach ensures that we know our clients' businesses extremely well, as we are able to combine industry knowledge from various practice areas, offices and locations to ensure that we are on top of our clients' specific commercial context and market practice.

This approach is all the more important in the Caribbean market where knowledge of the local market and business approaches can vary on an island to island and/or regional basis and over time. Our industry-led approach ensures that we have up-to-the-minute information on the latest news and developments so that we can deliver informed advice and assist in formulating strategy.

We are particularly well-equipped to advise clients seeking advice and representation in these core areas:

- Dispute Resolution
- Energy and Infrastructure
- Finance and Capital Markets

We have a wealth of experience working with large corporates, financial institutions and sovereigns. We also have a history of working very closely with firms in the top Caribbean offshore centres.



“Taking care of absolutely everything: they have infinite patience, they search and investigate, exposing all the possibilities in which you can find yourself.” – Chambers, 2021



Band 1, Global disputes resolution – Chambers, 2021

Dispute Resolution

Simply put, we are a dispute resolution powerhouse.

Disputes are where we shine. We are a top tier firm, recognised in the top bands by the leading directories for global dispute resolution worldwide. We field a deep bench of highly experienced dispute resolution specialists who can handle complex multijurisdictional litigation and arbitration before most tribunals including the ICDR, the ICC, the LCIA and ICSID.

Our litigators work across an array of sectors including energy and infrastructure, real estate and finance and corporate disputes. We are equipped to act on disputes touching and concerning Latin America, the United States and Europe (or all three) and we are excited to bring our vast experience to the benefit of the Caribbean region. Our lawyers are multilingual and can handle matters in English, Spanish, French, Portuguese and other languages.

We are particularly well placed to advise and provide representation on:

- Investment treaty and contract claims
- Large, high-value cross-border commercial disputes
- Cross-border regulatory investigations
- Business restructuring and insolvency-related litigation
- Climate change and ESG claims
- Pre-contentious and advisory work, including mediations

We regularly appear in the BVI and Cayman courts on a wide variety of fraud, insolvency and asset tracing matters, and have good connections with a number of local firms.

Energy and Infrastructure


Our energy and natural resources practice is dynamic, diverse and global. Our network of energy lawyers span the globe. Our deep knowledge of local markets and our familiarity with international best practices mean we can offer creative and impactful solutions to most legal and commercial problems.

The urgency of the transition towards renewable energies is particularly acute for the Caribbean. It comes at a time when economies are in the process of being de-carbonised and recent technological advances mean that the energy sector can now rapidly develop.

We are one of the few international firms who have a track record in working on energy and infrastructure in emerging markets, and we have recently received instructions on landmark projects across the Caribbean. We advise Governments, major project sponsors and all the main development finance institutions. Our experience is extensive. We have seen and done it all.

Our team can help with a number of matters, including, but not limited to:

- Structuring and restructuring complex energy transactions
- Drafting finance documents for energy projects
- Advising on new regulations
- Structuring public-private partnerships
- Resolving contentious energy issues

“Complete expert knowledge provided by the team and individual team members to reach the final goal.” - 

Legal 500 EMEA, 2020

Finance and Capital Markets

We have a global team of more than 150 lawyers who are experts and industry leaders when it comes to navigating financial transactions and the capital markets. We have advised sovereigns and multinational companies alike, using innovative bond structures and derivative instruments.

We have extensive experience of working in the capital markets in emerging markets, and have continued to advise a number of investors, governments and entities in Latin America on raising capital during the pandemic.

We are known for our creative and can-do approach which has assisted us in achieving many firsts. We have, for instance, recently advised on Colombia's largest ever social bond which was linked to a multi-billion dollar infrastructure project in Latin America.

We have experience of working closely with development agencies and financial institutions such as the World Bank, the IMF, and in the Caribbean, the Caribbean Development Bank.

We are excited about the substantial opportunities to advise on financial matters and development of the debt markets in the Caribbean. We are eager to support States and corporations alike in providing long-term investment opportunities.

Other Practices and Industries

We are one of the few truly full-service global law firms. This means that in addition to our core practice areas, we have experts in a vast number of complementary areas that are essential in their own right to servicing transactions, deals and disputes. Lawyers from across our practice areas work together collaboratively to provide a seamless service.

We are able to advise on:

International Trade, Investment and Competition:

We can handle complex trade and investment matters. We can assist with navigating multilateral and regional trade agreements, addressing export and import control restrictions, and complying with anti-corruption laws. We have experience of working with governments in the US, EU and Asia. We often assist our clients with implementing legislation and with negotiations.

Privacy and Cyber Security:

We have built up tremendous capacity in this area. We can advise on all aspects of legal, policy and technical work, and can advise on the implications of new technologies and the handling of data breaches.

Financial Services Regulatory:

We have a multidisciplinary transactional, regulatory and advisory team who can advise on new regulation and provide innovative solutions to compliance, risk and operational challenges.

Anti-bribery and Corruption:

We have an established Bribery and Corruption Task Force who can provide a 360 degree anti-corruption service. We can, inter-alia, investigate allegations of bribery, undertake internal investigations and advise on criminal and related liability around the world.



Highlights of our work in the Caribbean

Dispute Resolution



A global oil company

We represented a global oil company in arbitration proceedings in London under the LCIA rules in connection with a Joint Operating Agreement (JOA) for the exploration of an oil block in Guyana.



A major technology company

We advised this company in its defence against a Petition for Certiorari brought by the Puerto Rico Telephone Company d/b/a Claro against the Puerto Rico Department of Education's 2019 decision to award a multi-million Wireless Equipment and Services Request for Proposal to our client.



A global leader in power generation

We advised our client in pursuing an international arbitration against an agency of the Government of the Dominican Republic dedicated to the distribution and sale of electric power in the Dominican Republic.



A major conglomerate

We achieved significant successes for a major conglomerate and its subsidiaries with respect to potential investment claims against Jamaica under the Netherlands-Jamaica BIT and the US-Jamaica BIT. In addition to the potential investment claims, we are actively advising our client on potential regulatory reforms and new investments that could lead to an amicable resolution of the dispute.

Our work has yielded significant results. In fact, the Energy Minister of Jamaica has publicly stated that the Government of Jamaica entered into efforts to negotiate a new electricity license framework due to potential legal challenges before ICSID. This outcome is typical of the outstanding results we obtain for our clients.



An affiliate of a U.S. based generator

We have advised this client in IACAC arbitration proceedings in Miami regarding the construction of a multimillion dollar LNG dock facility in the Dominican Republic.

Dispute Resolution (continued)



A multinational technology company

We are representing a multinational technology company in multiple consumer class actions alleging violations of consumer privacy rights. This high-profile matter was featured prominently in an article in the Wall Street Journal. Cases are pending in Puerto Rico and other jurisdictions.



PDVSA

We represent PDVSA in the defence of human rights claims brought by a group of Cuban healthcare professionals in the US. The plaintiffs claim they were sent by their government to Venezuela to provide medical services to the poor as part of a bilateral agreement between Cuba and Venezuela, and seek in excess of US\$60m in damages. We obtained a dismissal of all claims against PDVSA in the District Court.



Underwriters

We advised our client on a claim under an aviation insurance policy that it provided. This claim arose from flights to/from Cuba.



An airline

We represented a national Caribbean airline in a defamation action brought by former employees of the company. The employees were seeking hundreds of thousands of dollars in damages.



Atlantic LNG1

We are advising on the price reopener arbitration against Atlantic LNG1 of Trinidad and Tobago and court actions relating to it.



Professional negligence

We advised a firm of solicitors in relation to a professional negligence claim brought in the courts of the Bahamas.



A mining company

Acting as lead counsel for a mining company in a federal admiralty action against a vessel for allision and destruction of a Caribbean shipping facility.



An energy company

We acted as lead counsel for an energy company in an ICC arbitration in London regarding construction of a US\$720m gas-fired power plant in the Caribbean.

Energy and Infrastructure



A renewables company

Acting for an investor (a renewables company) based in Miami on a power project for a Caribbean island. This mandate includes advising on a PPA and a related concession agreement for the provision of clean energy.



International Airport

Advised the Government of The Bahamas on the privatization of Nassau International Airport and other civil aviation policy and regulatory matters.



Wind power

Advising a client on a wind power purchase agreement project in Puerto Rico.



Power generators

Counseled Guascor on supply agreements of power generators in Cuba.



Refinery upgrading

Counseling Petróleos de Venezuela SA (PDVSA) on the legal issues relating to upgrading its Cienfuegos refinery in Cuba.



EPC contract

Advised Iberinco on the negotiation of an EPC contract for a power plant in Cuba.



Equinor

Advising Equinor on an oil storage terminal in The Bahamas.



Multiple entities

We advised on the project financing of a two-phase 60MW PV solar plant located in the town of Monte Plata, Dominican Republic, which was the largest PV array in the Caribbean at the time.



Standard Bank Plc

Represented Standard Bank Plc on a syndicated facility for the financing of a power plant in Cuba.



Landmark oil and gas project

Advising oil major on the development of a landmark oil & gas project in Guyana, the first in-country.



Power supply

Advising a Caribbean country on the restructuring of its electric power supply system.



Electricity generation plants

Negotiating a shareholders agreement and sale and purchase agreement regarding two electricity generation plants in Santo Domingo in the Dominican Republic.

Finance and Capital Markets



A leading French bank

We assist a leading French bank, jointly with our Washington office, on an OFAC investigation matter in relation to alleged non-compliance with US sanctions laws, including against Cuba.



Derivatives

We are one of the few firms that has a derivatives team focused on Latin America and the Caribbean and we have commercial fluency in Spanish and Portuguese. We work with clients across the spectrum in Latin America and the Caribbean, including financial institutions, corporates, energy companies, and sovereigns.



Lenders of the preferred bidder

We advised lenders, selected by a French public entity located in the Caribbean Sea, in relation to the financing, design, build and management of high-speed telecoms broadband connecting San Juan (Puerto Rico) to Marigot (Saint Martin), Baillif (Guadeloupe), Baie-Mahault (Guadeloupe), and Gustavia (Saint Barthélemy). This included the due diligence of the tender procedure and the concession contract, and the negotiation of the financial documents until the closing of the project.



A major financial institution

Advised a major financial institution in relation to its interests in the restructuring of a group of hotels in the French Caribbean.



Bank rating agency

We have represented an arranger, an issuing bank, rating agency, credit enhancer, and trustee in proposed or completed transactions in the Dominican Republic, variously relating to (a) securitization programs by DR banks of credit card merchant voucher receivables, and (b) project bonds relating to (i) resort properties and (ii) a toll road.



A financial institution

Representation of a Caribbean-based bank in a loan to a port operator in Haiti.



National Commercial Bank

We have represented National Commercial Bank Ltd in the establishment of, and multiple offerings from (i) its credit card merchant voucher securitization program and (ii) its diversified payment rights securitization program.

Other Practice Areas



The owners of a tourist resort

Advising the owners of a resort on Canouan Island in the Caribbean on a management regime for the resort, including the villas available for private sale and the golf course, and a suite of hotel management documents.



A Caribbean government

Advised on U.S. Department of Education requirements related to the accreditation of medical schools with respect to eligibility of U.S. students for federal student loans.



Our commitment to the region

We believe in forming strong local partnerships

- We believe in strong local partnerships and have great relationships with local lawyers and regional bar associations. We will work collaboratively with local firms.

We believe in sharing know-how via sector and industry groups

- We will share deep sector specific know-how gathered from years of work across industries and offices with the clients and firms we work with.

We will promote engagement

- We will engage with new and emerging issues in the region and provide a platform for solutions-driven debate. Our new webinar series, Spotlight on the Caribbean, is designed to provide a platform for Caribbean engagement.

Training and development

- We believe in building capacity in the Region. We will provide training sessions for Caribbean lawyers in areas where we have the requisite know-how. We will also be initiating exchanges and open days to promote capacity building.

London



Akima Paul Lambert

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Born and raised in Grenada, Akima Paul Lambert has a long history of work in the Caribbean, acting on behalf of corporates, large institutions and governments. She focuses on high-stakes commercial litigation and arbitration in the context of large, multijurisdictional disputes. She is dual-qualified in the UK and in the U.S.

Practices

Banking and Finance
Litigation Commercial
Litigation Insolvency
Litigation Corporate

Languages

English



Ben Sulaiman

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Ben heads Hogan Lovells' global Oil, Gas & LNG group and is part of the firm's Tier 1 (2021 Legal 500 UK) Energy & Infrastructure team in London. He is a go-to expert for oil and gas matters and operates both in the UK and internationally on projects, transactions and regulatory matters in the sector and in particular, in emerging markets including the Caribbean.

Practices

Energy Regulatory
Infrastructure, Energy,
Resources, and Project

Languages

English



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Arun Velusami is a highly regarded partner in the firm's Infrastructure, Energy, Resources and Projects team. Arun has advised governments, developers and lenders in emerging markets, including in the Caribbean on a wide variety of energy projects.

Practices

Banking and Finance

Languages

English

London



Florian Agnel

Partner, London

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Florian Agnel is a partner in the London office of Hogan Lovells, and is a member of our Infrastructure, Energy, Resources and Projects team. He advises clients on infrastructure and renewable energy investments and structuring work including acquisitions, disposals and refinancing of infrastructure and renewable energy investments, fund establishment and co-investments. He has recent experience in the Caribbean and Latin America.

Practices

Infrastructure, Energy, Resources, and Projects

Languages

English, Italian, French, Portuguese, Spanish

Miami



Maria Eugenia Ramirez

Partner, Miami
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Born and raised in Puerto Rico, Maria Eugenia Ramirez is passionate about international law. In 2002, she joined Hogan Lovells to establish an international arbitration practice. Since then, she has represented some of the firm's most significant clients with respect to contract, construction and telecommunications disputes, and handles international arbitration matters in both English and Spanish in most international fora.

Practices

Alternative Dispute Resolution Construction and Engineering Construction, Engineering, and Projects

Languages

English, Spanish



Daniel E. González

Partner, Miami
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Dan is a leading trial lawyer in Miami. He dedicates his full-time practice to international commercial litigation and arbitration, representing clients and sovereigns in "bet-the-company" cases in the United States, Canada, Latin America and the Caribbean.

Practices

Banking and Finance Litigation Commercial Litigation Corporate and Securities Litigation Energy Disputes

Languages

English, Spanish



Richard C. Lorenzo

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Richard C. Lorenzo is Regional Managing Partner for the Americas and is focused on achieving the firm's strategy in the region. Richard focuses on international commercial litigation and arbitration for foreign and domestic clients with interests throughout the United States, Latin America and Europe. Using creative and nuanced strategies, Richard resolves his clients' complex cross-border disputes which are often precedent-setting.

Practices

Public International Law Sovereigns: International Arbitration Sovereigns: Asset Recovery

Languages

English, Portuguese, Spanish

Miami



Jorge Diaz-Silveira

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Jorge Diaz-Silveira is the Managing Partner of the Hogan Lovells Miami office and Practice Area Leader (Americas) of the Infrastructure, Energy, Resources and Projects Group. For more than 30 years, Jorge Diaz-Silveira has been working with clients to successfully construct, finance, develop, purchase and sell an array of projects and businesses in a variety of industries, including real estate, electricity, agriculture, food services, transportation, water and oil and gas.

Practices

Construction and Engineering, Infrastructure/Energy M&A and Joint Ventures

Languages

English, Spanish

New York



Ollie Armas

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Ollie Armas is Global Head of the International Arbitration practice group and on the leadership team of the firm's Global Enforcement Team for judgment enforcement and asset tracing/recovery. He is sought out by clients around the world to resolve their most complex and delicate matters in domestic and foreign litigation and before international arbitration tribunals. He has been instructed on a number of matters for Caribbean clients.

Practices

Corporate and Securities Litigation
Commercial Litigation
International Arbitration
Investigations, White Collar, and Fraud

Languages

English, Spanish, Portuguese



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Emil Arca is a partner in the firm's global Capital Markets leadership team. He represents underwriters, placement agents, issuers, investors, lenders, borrowers and insurers in debt capital markets, banking, and restructuring transactions in the United States and around the world, with a particular focus on novel transactions in emerging markets including the Caribbean.

Practices

Capital Markets
Commercial Complex Contracting
Financial Services Infrastructure, Energy, Resources, and Projects

Languages

English, Spanish



Gonzalo Rodriguez-Matos

Senior Counsel, New York

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A civil and common law-trained, trilingual lawyer, Gonzalo Rodriguez-Matos keeps clients top-of-mind when handling their toughest legal challenges. He provides strategic advice tailored to his clients' individual needs to help them, from risk mitigation and prevention through to dispute resolution and enforcement.

Practices

International Arbitration
Complex Contracting
Energy Disputes
Infrastructure, Energy, Resources, and Projects

Languages

English, Spanish, French

New York



David Dunn

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A seasoned trial lawyer for more than 40 years, David Dunn has tried cases, conducted arbitrations and argued appeals before federal and state appellate courts. Clients including financial institutions, telecommunications and media enterprises turn to David to handle complex litigation matters as well as to negotiate complex transactions, proactively limiting potential contentious disputes that may arise from them.

Practices

Litigation Services
Antitrust and
Competition
Technology Litigation
Insolvency Litigation
Sovereigns

Languages

English

Paris



Bruno Cantier

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Bruno was born in Martinique and focuses on project finance and PPP, with a particular emphasis on infrastructure, energy, and transport. Bruno assists sponsors, lenders and public authorities on the project aspects of concessions and PPPs, and in particular on the drafting and negotiation of concession and PFI agreements, and of their construction and O&M subcontracts.

Practices

Administrative and
Public Law
Government Contracts
Infrastructure, Energy,
Resources and Projects
Public Procurement
Sovereigns

Languages

English, French, Creole



Katia Merlini

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Katia is also a national of Martinique. Passionate about both law and finance from the early stages of her education, Katia is a Partner within the International Debt Capital Markets team focusing on derivatives, structured debt issuances and synthetic securitisation transactions. She acts for financial institutions as well as corporates, whether they are based in France or elsewhere in Europe and the world.

Practices

Capital Markets
Financial Services
Insurance
Investment Funds
Pensions

Languages

English, French,

São Paulo



Isabel Costa Carvalho

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Isabel Costa Carvalho understands how business and markets work, and is recognized as a leading multidisciplinary lawyer in Brazil with broad experience across various practice areas, including international capital markets, corporate governance, compliance and investigations and privacy.

Practices

Investigations, White Collar, and Fraud, Mergers and Acquisitions, Corporate Governance, Crisis Leadership Team, Privacy and Cybersecurity, Capital Markets, Securities and Public Company Advisory, Sovereigns, Latin America Regional Practice

Languages

English, Portuguese, Spanish

Washington, D.C.



Ivan Zapien

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Ivan Zapien is well known in every facet of the government-relations community in Washington, D.C.. From politics and Capitol Hill to corporate America, Ivan is well respected on both sides of the aisle. Ivan is a bilingual lawyer, executive, advocate and leader with international and domestic experience in government affairs management and campaigns. He advises clients on diverse strategies, capitalizing on the opportunities of the current environment, while minimizing risk.

Practices

Government Relations and
Public Affairs,
Sovereigns

Languages

English, Spanish

Madrid



Graciela Llana

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Heading our Private Equity practice in Spain, Graciela is renowned in private equity and M&A transactions. She has a solid track record in advising both financial investors on domestic and cross-border transactions as well as Spanish and international companies on M&A transactions. Her specific areas of experience include sectors such as Financial Services, Consumer, Health Care and Energy. She has advised a wide variety of international funds and private equity houses and fully understands the private equity market, which enables her to provide comprehensive and innovative solutions to clients' transaction requirements.

Practices

Commercial,
Mergers and Acquisitions,
Private Equity

Languages

English, Spanish

Mexico City



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Juan Francisco Torres Landa excelled in civil, commercial and corporate areas throughout his career. He also helps clients with the financing of projects and acquisitions, foreign investments, foreign trade, arbitration, migration, environmental matters, economic competition, mining, taxation of non-residents and telecommunications. He is head of our Latin America regional practice.

Practices

Corporate & Finance, Mergers & Acquisitions, Arbitration, Mining, Environment, Tax, Telecommunications

Languages

English, French, Spanish



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Hugo Hernández-Ojeda is a leader in the Labor and Employment, Pension and Social Security practice in the Mexico City office. He focuses on labor and employment, pensions, investigations and social security law.

Practices

Employment, Pensions, Latin America Regional Practice

Languages

Spanish, English

