



### Harout J. Samra

Associate

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#### Miami

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Harout J. Samra – a Board Certified Specialist in International Law – focuses his practice on international dispute resolution and arbitration matters, including international civil litigation in US courts.

Harout has represented clients from both the public and private sectors, including foreign governments, public officials and clients from a variety of industries. He has experience in international arbitrations administered under the International Chamber of Commerce (ICC), International Centre for Dispute Resolution (ICDR), United Nations Commission on International Trade Law (UNCITRAL), China International Economic and Trade Arbitration Commission (CIETAC), Bogota Chamber of Commerce, Madrid Court of Arbitration and International Centre for Settlement of Investment Disputes (ICSID) arbitration rules.

Harout currently serves as a member of the Florida Supreme Court Judicial Nominating Commission, by appointment of Governor Ron Desantis. He previously served, by appointment of Governor Rick Scott, as a member of the Florida Third District Court of Appeal Judicial Nominating Commission, and was elected as Chair of the Commission from 2018-2019.

#### RELATED SERVICES

- Litigation, Arbitration and Investigations
- International Arbitration

#### LANGUAGES SPOKEN

Armenian English  
Spanish

#### LANGUAGES SPOKEN

- Armenian
- English
- Spanish

#### EXPERIENCE

#### REPRESENTATIVE MATTERS

##### International Investment Arbitration

- Represented a Barbadian investor in an ICSID arbitration against the Bolivarian Republic of Venezuela pursuant to the Barbados-Venezuela Bilateral Investment Treaty arising from the expropriation of automotive sector investments
- Represented a Barbadian investor in an ICSID arbitration against the Bolivarian Republic of Venezuela pursuant to the

Barbados-Venezuela Bilateral Investment Treaty arising from the expropriation of hospitality sector investments

- Represented a Spanish investor in an ICSID arbitration against the Bolivarian Republic of Venezuela pursuant to the Spain-Venezuela Bilateral Investment Treaty arising from the expropriation of financial sector investments

#### **International Commercial Arbitration**

- Represented a U.S. manufacturer of medical devices in a CIETAC arbitration against a distributor based in China involving claims of breach of contract and misappropriation of intellectual property
- Represented a government agency of a Central American state in an ICC arbitration against a global construction company arising from disputed ownership interests in power generation facilities and related construction defects
- Represented an Asia-based global construction company in an *ad hoc* arbitration under the UNCITRAL Rules involving the construction of a power plant in Latin America
- Represented a US defense contractor in an *ad hoc* arbitration under the UNCITRAL Rules against a South American sovereign arising from breach of contract and related claims
- Represented an Ecuador-based investment conglomerate in ICDR arbitration and post-award enforcement challenge in a dispute arising from a challenged stock purchase agreement
- Represented a Venezuelan construction firm in a ICC arbitration arising from breach of contract against an Asia-based engineering firm

#### **Commercial and International Litigation**

- Represented the owner of energy facilities in the Caribbean in a shareholder dispute in litigation involving breach of contract claims before the Connecticut courts and supervised related proceedings in the British Virgin Islands
- Represented a consortium of non-US insurers in coverage action involving parallel proceedings in the UK arising from a dispute concerning allegedly defective cruise ship engines
- Represented an Ecuador-based airline before New York state courts in contract dispute arising from lease of multiple aircraft from US-based aircraft sub-lessors
- Advised a Central American government following the suspension of loan payments by an international financial institution
- Represented an industry-leading aircraft engines and spares support company in a breach of contract dispute with an international airline
- Represented an international shipping conglomerate in a pre-action 28 USC § 1782 proceedings to solicit discovery in aid of prospective foreign proceedings in France

## **CREDENTIALS**

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### **Admissions**

- Florida
- New York

### **Prior Experience**

Harout previously served as a law clerk in the Antitrust Division of the US Department of Justice (Transportation, Energy and Agriculture Section) and in the US Attorney's Office for the Southern District of Florida, Economic and Environmental Crimes Section.

### **Recognitions**

- Harout is a Board Certified Specialist in International Law. Less than 7 percent of eligible Florida Bar members are board certified, with fewer than 100 certified in International Law. Certification is The Florida Bar's highest level of evaluation of professional competency and experience.
- Harout was recognized as an "Up and Comer" for International Law in the 2016 edition of Florida Trend's Florida Legal Elite,

which recognizes attorneys under 40 years old who are "respected by their peers for excellence in law" and "represent the future of the legal profession in Florida."

- Harout was named a recipient of the 2015 MavPac Future 40 Award, which recognizes professionals from diverse backgrounds – including politics, business, law and entrepreneurship – deemed by their peers to be current and future leaders.
- Harout was appointed by Governor Rick Scott to serve on the Florida Third District Court of Appeal Judicial Nominating Commission for a term beginning in 2014 and ending in 2018.
- Harout has been selected for inclusion in the 2012-2020 editions of Florida Super Lawyers Rising Stars, published by Thomson Reuters, a distinction honoring the top up-and-coming lawyers, defined as 40 years of age and younger or in the practice of law for less than 10 years.

## Education

- J.D., University of Miami School of Law  
*magna cum laude*
- M.B.A., Finance, University of Miami
- B.A., Economics, University of Miami  
*cum laude*

## Courts

- United States Court of Appeals for the Eleventh Circuit
- United States District Court for the Northern District of Florida
- United States District Court for the Southern District of Florida

## Memberships

- American Bar Association
  - Section of Litigation, International Litigation and Dispute Resolution Committee, Co-Chair, 2018 - Present
  - Section of Litigation, Alternative Dispute Resolution Committee, Co-Chair, 2015 - 2018
  - Section of Dispute Resolution, Arbitration Committee, Co-Chair, 2018 - Present
  - Member, Young Lawyer Leadership Program, 2011 - 2013
  - Section of International Law
- University of Miami School of Law Alumni Association
  - VP, Alumni Engagement and Communications, 2018 - Present
  - VP, Chair of Student Affairs, 2016 - 2017
  - Chair, Young Alumni Committee (YAC), 2015 - 2016
- Federalist Society
  - Miami Lawyers Chapter, Board Member 5
  - International & National Security Law Practice Group, Executive Committee Member
- LCIA Young International Arbitration Group, North American Regional Representative, 2013 - 2019
- Young ICCA, Newsletter Committee
- Club Español del Arbitraje, Florida Chapter, Secretary and Board Member, 2011 - 2012
- Future of Arbitration Miami, Board Member
- American Society of International Law
- Miami International Arbitration Society
- ICDR Young and International
- ICC Young Arbitrators Forum

- Young Professionals in Foreign Policy

## INSIGHTS

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### Publications

#### Second Circuit prohibits § 1782 discovery in international commercial arbitration

27 July 2020

The decision cements a circuit split on the issue and counters a recent trend by US circuit courts allowing such discovery.

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#### US Court of Appeals permits § 1782 discovery in private arbitration

22 April 2020

The decision may indicate a significant new trend.

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#### US courts affirm expansive discovery under 28 U.S.C. § 1782

29 SEP 2015

There is increasingly clear consensus among US courts giving § 1782 expansive reach.

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#### US Court of Appeals permits § 1782 discovery in international commercial arbitration

19 Sep 2012

The United States Court of Appeals for the Eleventh Circuit recently issued a decision that may have a significant impact on the taking of evidence in international arbitration.

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- Co-author, "The US Supreme Court Addresses Key Arbitration Issues during 2012-2013 Term," *LCIA YIAG E-Newsletter*, August 2013
- Author, "Teaching Arbitration in Tanzania," *From the Field: New Perimeter Blog*, June 20, 2013
- Author, "Kiobel v. Royal Dutch Petroleum: Closing the Door on Foreign Torts?," *International Litigation Quarterly* (American Bar Association), Volume 29, Issue 1, Spring 2013
- Co-author, "The Role of Precedent in Defining Res Judicata in Investor–State Arbitration," *Northwestern Journal of International Law & Business*, Vol. 32 (2012)
- Co-author, "Recent Developments Affecting Corporate Counsel," *Tort Trial and Insurance Practice Law Journal*, Volume 48:1, Fall 2012
- Author, "Circuit Court Allows Discovery in International Arbitration," *International Litigation Quarterly*, (American Bar Association), Volume 28, Issue 2, Summer 2012
- Co-Author, Chapter on Litigation and Dispute Resolution in the United States, *The International Comparative Legal Guide to Litigation & Dispute Resolution*, 2012
- Author, "Breaking into International Arbitration: A Primer," *Young Advocates*, Volume 2, Issue 1, Winter 2012
- Co-Author, Chapter on Litigation and Arbitration in the United States, *The International Comparative Legal Guide to Litigation*

## Events

## Previous

### Latin America International Arbitration Webinar Series 2020-2021

30 September 2020 | 11:00 am Eastern  
Webinar

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- Moderator, "Third Party Funding in International Arbitration: Thorny Issues for Arbitration Practitioners and Their Clients," Hispanic National Bar Association Corporate Counsel Conference (Miami, Florida), March 2017
- Speaker, "Arbitraje, Derecho y Justicia," ICC Young Arbitrators Forum (Mexico City), February 2017
- Moderator, "Utilizing Technology in the Courtroom & Boardroom," Dade County Bar Association Bench and Bar Conference (Miami, Florida), February 2017
- Speaker, "The Power to Change One's Mind: Can it Apply in International Arbitration?," ICC Young Arbitrators Forum (Miami, Florida), June 2016
- Moderator, "Winning in International Arbitration: Effective Advocacy from the Experts," American Bar Association Section of Litigation Annual Conference (Chicago, Illinois), April 2016
- Speaker, "Expected Impact of the Trans-Pacific Partnership on Investor-State Dispute Settlement," ABA Section of Litigation Sound Advice Podcast, March 2016
- Speaker, "Arbitral Secretaries: Functions and Limits," Brazilian Arbitration Committee (CBar) XIV International Arbitration Congress (Foz do Iguazu, Brazil), September 2015
- Moderator, "Turning the Arbitral Award into Cash," Dade County Bar Association Bench and Bar Conference, February 2015
- Moderator, "Developing and Growing Business in Latin America & Abroad," Dade County Bar Association Bench and Bar Conference, February 2014
- Speaker, "Challenges of Entering the Field of International Arbitration," ABA Section of Litigation Sound Advice Podcast, November 2013
- Guest Speaker, "Law, Science and Technology," Florida International University School of Law (discussed international arbitration and intellectual property), October 21, 2013
- Moderator, "Early Career Tips from the Experts: Breaking into International Arbitration," London Court of International Arbitration Young International Arbitration Group Workshop (Boston, Massachusetts), October 5, 2013
- Guest Speaker, "The Justice Hour," WWNN 1470 AM Talk (discussed international arbitration during one hour radio call-in program), July 23, 2013
- Moderator, "International Arbitration & International Law," 2013 Dade County Bar Association Bench & Bar Conference (Miami, Florida), February 2013
- Moderator, "Depositions Abroad in US Litigation," American Bar Association Roundtable Presentation, January 2013
- Moderator, "So, This is Your First International Arbitration," 2012 American Bar Association Annual Meeting (Chicago, Illinois), August 2012

## NEWS

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### DLA Piper's Harout J. Samra reappointed to Florida Supreme Court Judicial Nominating Commission

7 July 2020

Harout J. Samra was reappointed by Florida Governor Ron DeSantis to serve on the Florida Supreme Court Judicial Nominating

Commission for a four-year term ending July 1, 2024.

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## MEDIA MENTIONS

- "Court Compels Arbitration Based on Email Exchange Between Counsel," American Bar Association, June 8, 2017
- "Link rot is degrading legal research and case cites," *ABA Journal*, December 1, 2013
- "Ralls v. Obama: How Many Lost," *Caijing Magazine* (published in Chinese in the People's Republic of China), October 21, 2013
- "Young International Arbitration Group announces regional reps," *Global Arbitration Review*, May 22, 2013

## PRO BONO

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- Represented the American Bar Association in the filing of an Amicus Brief before the United States Supreme Court addressing legal ethics and the role of prosecutors in *Juan Smith v. Burl Cain, Warden* (Louisiana) (Case No. 10-8145)
- Represented the American Bar Association in the filing of an Amicus Brief before the United States Supreme Court addressing ineffective assistance of counsel in *Luis Mariano Martinez v. Charles L. Ryan, Director, Arizona Department of Corrections* (Arizona) (Case No. 10-1001)