

CESAR PEREIRA C.Arb FCiarb

Lawyer, arbitrator, *legal expert* and consultant with extensive experience in infrastructure projects, regulated sectors, civil construction, administrative contracts, public-private partnerships and business disputes. Main partner of Justen, Pereira, Oliveira & Talamini (São Paulo), responsible for the Infrastructure and Arbitration and Mediation departments. Chartered Arbitrator and Fellow of the Chartered Institute of Arbitrators (CI Arb) and President of CI Arb Brazil Branch (2019-2022). Fellow of the Public Procurement Research Group of the University of Nottingham.

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Specialization

Infrastructure Projects - Civil Construction - National and International Contracts - Arbitration - Regulated Sectors Tenders - Business Law - International Sale of Goods - Administrative Contracts - CPP/PPP - Contracts in the Defense Area.

Recognition

Individual recognition by ***Chambers and Partners 2021*** in the area of Dispute Resolution (Arbitration) and by ***Leaders League 2022*** in the areas of Projects and Infrastructure, Lawyer in Arbitration and Arbitrator.

Collective recognition for the practice of Justen, Pereira, Oliveira & Talamini in the areas of Projects and Infrastructure, Public Law and Dispute Resolution (Arbitration) by ***Legal 500 2022*** and ***Leaders ' League 2022*** .

Education

2022 | Visiting Scholar (*Visiting Scholar*), International Government Procurement | George Washington University, United States

2016 | Visiting Scholar (*Visiting Scholar*), International Government Procurement | University of Nottingham, UK

2016 | Visiting Scholar (*Visiting Scholar*), International Government Procurement | European University Institute , Italy

2013 • 2014 | Visiting Scholar (*Visiting Scholar*), International Arbitration | Columbia University, USA

1999 • 2005 | Doctorate in State Law | PUC/SP, Brazil

1993 • 1998 | Master in State Law | PUC/SP, Brazil

1985 • 1991 | Graduation in Law | UFPR, Brazil

DOCUMENTS, STUDIES AND BOOK CHAPTERS

More than a hundred papers in the areas of public law, business law and arbitration, published in Spanish, Portuguese and English.

CONFERENCES AND SEMINARS

Dozens of events, seminars and courses given in Brazil, Mexico, Peru, Colombia, Uruguay, Argentina, the United States, Switzerland, Portugal, Vietnam, China, the United Arab Emirates, the United Kingdom and other countries, and in virtual environments, in the areas of infrastructure projects, international contracts and arbitration.

Main Published Books

SCHWENZER, I.; COSTA E SILVA, P.; PEREIRA, CAG (Org .)
CISG, Brazil and Portugal. Almedina. 2022.

PEREIRA, CAG; SCHWIND, R.W. (Org .)
Direito Portuário Brasileiro . 3rd ed. Forum. 2019. [Brazilian Port Law]

WALD, A.; JUSTEN FILHO, M.; PEREIRA, CAG (Org .)
Administrative Law na Actualidade - Estudos em homenagem ao hely centenary _ lopes
Meirelles (1917-2017). Malheiros . 2017.

JUSTEN FILHO, M.; PEREIRA, CAG; ROST, M.A. (Org .)
Brazil Infrastructure Law . Eleven International . 2016.
[Infrastructure Law in Brazil]

SCHWENZER, I.; PEREIRA, CAG; TRIPODI, L. (Org .)
CISG and Latin America . Eleven International . 2016.

JUSTEN FILHO, M., PEREIRA, CAG (Org .)
The Differentiated Regime of Public Contracts (RDC). 3rd ed. Forum. 2014.

SCHWENZER, I., GREBLER, E., FRADERA, V, PEREIRA, CAG (Org .)
Comments to CISG. RT-Thomson Reuters. 2014.

PEREIRA, CAG, TALAMINI, E. (Org .)
Arbitration and Public Power. Saraiva. 2010.

PEREIRA, CAG
Usuários de Serviços Públicos. 28 ed. Saraiva. 2008.

PEREIRA, CAG
Elisao Taxation and Administrative Function . dialectic .
2001.

Arbitration Experience

Acting as presiding arbitrator or arbitrator in national and international arbitration proceedings (ICDR, ICC, CAM-CCBC, CAMARB, FGV, CAMFIEP and ARBITAC, among others) on issues of infrastructure projects related to *oil & gas*, urban infrastructure, civil construction, concessions, PPPs , corporate disputes, M&A, commercial contracts and international contracts, among others.

Acting as *legal Expert* on Brazilian law in arbitration proceedings under ICC and LCIA rules.

Chartered Arbitrator and *Fellow* of the Chartered Institute of Arbitrators (FCI Arb) since 2013, member of the CI Arb *approved Faculty list (AFL)* [*List of CI Arb Approved Professors*], President of CI Arb Brazil Branch (2019-2022) and Director of CI Arb Brazil Branch (2022-2024).

President of CAMFIEP between 2011 and 2017.

Member of the lists of arbitrators of CAM-B3 (2021), CAM-CCBC (2019), CIESP-FIESP (2018), CMAA (2018), CINDES/FINDES (2018), CAF-Federasul (2021), CMAA (2021), CAMES (2018), CAMESC (2017), CAESP (2017), CBMA (2017), CAMEDIARB (2016),

HKIAC (2014), CAMARB (2014), ARBITAC (2014), ICDR (2014) , CAC-Lisboa (2014) and CAMFIEP (2006), among other institutions.

Visiting Scholar Scholar in international arbitration at Columbia University (2013).

Coordinator of the Arbitration and Public Administration Study Group of the CBar - Brazilian Arbitration Committee since 2015 and of the Arbitration Commission of the Brazilian Institute of Administrative Law - IBDA since 2020.

He acted as a speaker at several conferences in Latin America such as the Conferences on International Arbitration and the UN Convention on Contracts for the International Sale of Goods (**Guadalajara, 2016, 2017 and 2019**), the Commercial Arbitration and Public Administration Seminar in Argentina (**Buenos Aires, 2018**); the II Ibero-American Congress of International Business Law, organized by UNCITRAL, the Government of Colombia and the Externado de Colombia University (**Bogotá, 2015**); the IV International Seminar on International Trade, Investment and Arbitration (**Montevideo, 2022**); the III International Arbitration Symposium, organized by the Arbitration Center of the Chamber of Commerce of Lima and Universidad el Pacífico, Arbitration and public construction contracts (**Lima, 2014**); the V Latin American Arbitration Conference - CLA 2013, organized by the Center for Law, Economics and Politics Studies (CEDEP) and the Faculty of Law of the University of Buenos Aires (**Buenos Aires, 2013**) the International Mediation and Arbitration Webinar organized by CAM Santiago and the Permanent Court of Arbitration (**Santiago, 2021**); the Seminar "The CI Arb guides on arbitration" by Universidad San Francisco de Quito (**Quito, 2021**); the "Corruption and Arbitration" Seminar organized by the Andrés Bello University Law School (**Santiago, 2019**); and the Arbitration Seminar with the State in Infrastructure Contracts in Latin America: Comparative Experiences. Organized by CAMESC, CMA-CNAP, IPA, LIA and CAC-CCB (**Latam , 2022**).

Acting as a lawyer in international arbitrations (ICDR, CCI) and in various arbitration proceedings before the main Brazilian institutions, involving, among others, the following matters:

- Supply contract between an Austrian company and a German company, under the ICC rules in Paris, with emergency arbitration;
- Dispute between a construction company and a toll road concessionaire;
- Dispute between an energy company and a commercial company arising from a breach of energy contracts due to covid ;
- Controversy over the concession contract for aqueduct and sewage services;
- Economic-financial balance in a public works contract (the Compagás case);
- Defense of the owner in an EPC contract for a hydroelectric power plant (Itiquira v. Inepar case);
- Dispute over a contract for logistic support and transportation of construction material
- Infrastructure conflict between a Brazilian and a French company for the construction of a nuclear power plant;
- Conflict of urban infrastructure and international sale of goods between a Brazilian company and a company from the United Arab Emirates;
- Dispute between Chinese and Brazilian companies over oil and gas equipment transportation services
- Conflict in the contract for the supply and assembly of equipment for the refinery;
- Dispute derived from a public contract related to the design and construction of highways;
- Controversy derived from a public contract to renew the sewage system and build the infrastructure of a decontamination terminal in a river basin of a large Latin American city.
- Conflict in the EPC contract for the construction of a small hydroelectric plant (PCH);

- Dispute related to a large IT contract between an IT company and a financial institution
- Conflict between the builder in view of the process of the owner of the work under contract that refers to the construction of sections of highway granted;
- Conflict in a work contract with international financing, with challenge of improper termination and application of penalties by the owner of the work.
- Defense of a Brazilian executive against a Chinese company in an arbitration held in Shanghai, in Mandarin;
- Compensation related to breach of declarations in M&A;
- Consultative action in litigation related to the purchase and sale of a company in the health area;
- Conflict in the procedure to collect compensation in M&A for complementary liabilities;
- Conflict of mixed economy company in corporate litigation in SPE;
- Conflict of a mixed economy company regarding the interpretation of the shareholders' agreement.

Information

Cesar Augusto Guimarães Pereira

Date of Birth: 08.28.1967 (Niterói RJ/Brazil)

Nationality and citizenship: Brazilian and Italian

Addresses

SÃO PAULO (main) • R. Joaquim Floriano, 413, cj . 111 | 04.534-011 | São Paulo/SP

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