

José Carlos Bernal Rivera

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EDUCATION

Universidad Mayor de San Andrés - UMSA, La Paz, Bolivia – diploma program, September 2018

Focus: Higher Education (required for teaching in Bolivian universities)

Harvard Law School, Cambridge, MA, USA - LL.M (Master of Law), May 2014

Focus: Corporate Law

Activities: Harvard Association for Law & Business

Universidad Real de la Cámara Nacional de Comercio, Bolivia - diploma program, May 2013

Focus: International Commercial Arbitration

Universidad Privada Boliviana - UPB, Bolivia - Law degree, December 2010

Focus: Corporate and Commercial Law

Honors: Merits Scholar • *Summa Cum Laude* • Special Degree in Corporate Law.

EXPERIENCE

Aguilar Castillo Love – Bernal & Franco, Santa Cruz, Bolivia

Partner (since January 2022)

- Bernal & Franco is a law firm with offices in Santa Cruz and La Paz, created with a corporate focus, aimed at advising emerging and consolidated companies in managing their business in Bolivia. Since 2022, it has been incorporated into the prestigious firm Aguilar Castillo Love, based in Costa Rica and Guatemala, which has offices in 9 countries in the region.

Banco Ganadero S.A., Santa Cruz, Bolivia

Legal and Corporate Assistant Manager (2021)

- Responsible for the legal advice of the entities of the “Ganadero” Financial Group (GanaValores Stockbrokers, GanaSafi Investment Bank, and “Ganadero” Holding Company).
- Advised “GanaValores Stockbrokers” in structuring and preparing documents for bond issues, bank bonds (subordinated), promissory notes, and bond programs.
- Advised “GanaSafi Investment Bank” in obtaining authorizations before the Bolivian financial services regulator, for the operation of two open-ended and one close-ended investment funds.

Ministry of Foreign Affairs, La Paz, Bolivia

Special Adviser to the Minister (November 2019 to November 2020)

- General advisor in multiple areas, including aspects of international law, international organizations and public policy.

Uría Menéndez, Madrid, Spain

Foreign Associate (March 2016 – September 2016)

- Foreign associate; worked in the project finance department of the firm. Performed several due diligence processes and project finance operations involving Spain and Latin-American companies.

Guevara & Gutiérrez S.C., La Paz, Bolivia

Senior Associate (September 2014 – February 2016, and October 2016 - November 2019) *Associate* (April 2011 - May 2013) *Intern* (September 2010 – March 2011)

- Advised clients on various corporate transactions, including mergers, acquisitions, spin-offs, and corporate restructuring of groups of companies, as leader of legal due diligence processes, and responsible for final legal reports. Responsible for advising on compliance with corporate obligations and corporate governance, for boards of directors, senior management and shareholders of various local companies.
- Participated in complex negotiations of financing contracts, and commercial operation contracts, for local and foreign clients, including EPC, Turnkey, and D&B contracts, and other engineering and supply contracts, for companies operating in cement and construction industries.
- In the arbitration department of the firm, he advised national clients in arbitration procedures before the National Chamber of Commerce and CAINCO, and clients in international arbitrations, both of commercial and investment nature.

TEACHING EXPERIENCE

Universidad Privada Boliviana - UPB, La Paz, Bolivia

- **Adjunct Professor for undergraduate courses** (Since 2014 to present date) Courses: Civil Law II and III (Obligations – Contracts), “Commercial Law III and Corporate Governance. Lectured classes of between 10 and 25 law students; responsible for course content and structure. (Total amount of in class hours to present date – 720 hours)
- **Adjunct Professor for postgraduate courses** (Since 2015 to present date) Courses: “Introduction to Business Law” and “Corporate Governance”. Lectured a class of between 20 and 36 graduated lawyers; responsible for course content and structure. (Total amount of in class hours to present date - 60 hours)

PANNELS AND SEMINARS

Panelist and speaker at academic events on corporate law and arbitration law, including events organized by Junior Chamber International - JCI Andina, the ICC Bolivia Arbitration Commission, the IIC Bolivia Compliance Commission, VYAP Bolivian chapter, the Private University of Santa Cruz de la Sierra – UPSA, Postgraduate Program of UPB Bolivia, and Postgraduate Program of Universidad Mayor de San Andres – UMSA.

ACADEMIC PUBLICATIONS

- “*La Cláusula de Nación Más Favorecida*” en Álvarez J. y Zenkiewicz M, in *El derecho internacional de las inversiones*, Universidad Externado de Colombia. (2021).
- “*Los efectos del capital difuso y concentrado sobre el Gobierno Corporativo*” in the Law Journal of the Faculty of Legal and Social Studies, No 12^o 2020, Universidad Privada de Santa Cruz de la Sierra – UPSA. (2021)
- “*Efectos de la violación a la confidencialidad en el arbitraje*” in *Revista Arbitraje Alumni*, Ed No. 2. (2021)
- “*Post-award Bargaining Power of States: Examples from Bolivia*” in *Kluwer Arbitration Blog*. (2019)
- “*Bolivia’s Step Back in State Arbitration*”, in *Kluwer Arbitration Blog*. (2017)
- “*Life after ICSID: 10th anniversary of Bolivia’s withdrawal from ICSID*” in *Kluwer Arbitration Blog*. (2017)
- “*Can Bolivia state-owned companies submit to international arbitration? Analyzing Bolivia’s intricate legal framework on foreign investment*” in *Investment Treaty News*, magazine published by the International Institute for Sustainable Development IISD. (2017)
- “*The Corporate Governance Review*”, 5th, 6th and 7th editions of the book, *Business Law Review*. Co-author of the Bolivian chapter. (2015, 2016 and 2017)
- “*Mergers & Acquisitions 2017*”, 6th edition (2017), *Global Legal Insights*. Co-author of the Bolivian chapter.
- “*Advertising Law Book*”, *Global Advertising Lawyers Alliance, GALA*. Co-author of the Bolivian chapter. (2015)
- “*Nueva Ley de Conciliación y Arbitraje. ¿Más lejos o más cerca de la ley modelo CNUDMI?*” –academic paper included in the book *Visiones sobre la Conciliación y Arbitraje en el Estado Plurinacional de Bolivia*, La Paz, Bolivia. (2015)

EXTRACURRICULAR ACTIVITIES

- Arbitration, Best Oralist and First Place, National Arbitration Moot Competition – Bolivia (2010).
- Arbitration, Semifinalist, International Commercial Arbitration Moot Competition – Argentina (2011).
- Coach of the Arbitration Team of the Bolivian Catholic University – La Paz (2019 - 2022).

PROFESSIONAL MEMBERSHIPS AND ACKNOWLEDGMENTS

- Licensed to practice law in Bolivia - La Paz Bar Association, since 2011.
- Licensed to practice law in New York - USA. Admitted to the New York State Bar Association, since 2015.
- Acknowledged by “The Leal 500” as a “Next Generation” lawyer in Bolivia, in the fields of Banking & Finance, and Corporate / M&A
- Acknowledged by the “International Financial Law Review, IFLR 1000” as “Rising Star” lawyer in Bolivia.

LANGUAGES

Spanish (native), English (fluent) German (intermediate) Portuguese (intermediate)