



AVA J BORRASSO C.Arb

Borrasso Arbitration & DR

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INTERNATIONAL PRACTICE SUMMARY:

Ava Borrasso C.Arb serves as an independent arbitrator. She is a Chartered Arbitrator and Fellow of the Chartered Institute of Arbitrators. She is on the panels of the Chartered Institute Presidential Panel, the International Centre for Dispute Resolution, American Arbitration Association's commercial and complex commercial panels, BVI International Arbitration Centre, Court of Arbitration for Art, ICC listed and LCIA member. She has served as sole, emergency, chair and panel arbitrator in multiple international and domestic arbitration proceedings. She is on the Executive Committee of the Chartered Institute of Arbitrators North America Branch where she serves as Vice Chair of Membership and a member of its Board of Directors. Her work in arbitration has been recognized by *Who's Who Legal*, *Best Lawyers in America*, *Best Law Firms* and *Legal500* Latin America. She often presents and publishes on a variety of international arbitration and litigation issues.

She has more than thirty years of practice with substantial partner-level experience representing parties in a wide variety of complex commercial disputes before arbitral institutions, state and federal courts, at trial and on appeal. Before establishing the firm in 2015, she was a partner with a prominent international litigation and arbitration boutique for nearly a decade. She has represented parties as counsel in complex commercial arbitrations before the ICDR, AAA and ICC, among others. Her experience involves disputes concerning international distribution and trade agreements, financial services agreements, fraud and corruption, business torts, construction and real property disputes. She is experienced in coordinating and managing multi-jurisdictional disputes across venues, both nationally and internationally.

Representative Arbitration Matters:

- Emergency Arbitrator in dispute pending before ICDR involving distribution and franchise agreements between US, Malaysian and Taiwanese parties.
- Emergency Arbitrator in international trade dispute between Swiss and Ecuadorian companies.
- Arbitrator in financial services dispute before ICDR between Panamanian and French parties.

- Emergency Arbitrator in international dispute involving distribution agreements.
- Emergency Arbitrator in international dispute involving internet agreement.
- Panel Arbitrator in international sports agreement dispute.
- Arbitrator in multiple (>25) international and domestic commercial arbitrations.
- Represented Fortune 500 multinational medical equipment manufacturer & affiliates in international arbitration proceeding in prosecution and defense of over \$50 million in contract and related disputes involving a Brazilian distributor seated in Miami.
- Co-counsel in multiple international arbitrations representing Latin American investors against a European-headquartered bank seated in Miami.
- Represented multinational in dispute involving the purchase of power generators against a Vietnamese company with claims exceeding \$50 million in international arbitration proceedings seated in New York.
- Represented South American company in international arbitration proceeding pursuant to ICC rules to recover under Contracts for International Sale of Goods (CISG).
- Represented subcontractor in AAA arbitration pursuant to Construction Industry Arbitration Rules involving luxury retail store build-out & obtained prevailing party fees and costs.

Representative international litigation matters:

- Represented Latin American investors in commercial dispute and obtained judgments affirmed on appeal.
- Represented multiple foreign investors in multimillion dollar commercial disputes in settled before trial.
- Represented national Caribbean government in successfully defeating the assertion of the Fifth Amendment Privilege by certain defendants in international litigation and successfully defended Orders on appeal. Pursued claims of fraud, corruption and conspiracy against former public officials, government contractors & individuals resulting in recovering several million dollars and prevailing on multiple predicate jurisdictional challenges.
- Represented a European investment fund seeking to recover assets in multi-jurisdictional state and federal court proceedings, including prevailing on a motion to transfer federal court proceeding and upholding a forum selection clause.

- Co-counsel for an investment fund and related companies defending contract claims seeking up to \$500 million in an expedited proceeding in New York state court that was successfully dismissed.

EDUCATION, TRAINING, ADMISSIONS & INSTITUTIONS:

2022	Court of Arbitration for Art, Panel Arbitrator
2022	CIArb's Presidential Panel of Arbitrators
2022	Chartered Arbitrator, Chartered Institute of Arbitrators
2022	BVI International Arbitration Centre, Panel Arbitrator
2017	Fellow, Chartered Institute of Arbitrators, International Arbitration
2017	International Dispute Resolution Centre, Panel Arbitrator
2016	American Arbitration Association, Commercial & Complex Commercial Panel Arbitrator
1994	Florida Bar
1990	Illinois Bar (inactive status)
1990	Loyola University of Chicago School of Law, J.D. Law Review
1984	Saint Mary's College, B.A. Study abroad Rome, Italy 1981-82

REPRESENTATIVE PUBLICATIONS:

- *Reversing Course: The Eleventh Circuit Holds Domestic Vacatur Statute Applies to International Arbitration Awards in Primary Jurisdiction Cases*, Lexology, Apr. 27, 2023
- *What Now? Preliminary Thoughts on Obtaining Evidence in the U.S. under Section 7 of the Federal Arbitration Act in the Aftermath of ZF Automotive*, Young Arbitration Review, Jan 2023 | Ed. 45
- *Puppies & Kittens and Developments in International Arbitration; Interview of Lucy Greenwood & Michael McIlwrath by Ava Borrasso FCIArb*, Volume 28, No. 2, ABA Dispute Resolution Magazine, April 2022

- *Recent Developments in Third Party Funding Disclosures: A Concrete Move Towards Greater Transparency in Commercial Arbitration*, Lexology, Feb. 2021 & ABA Section of Dispute Resolution's Arbitration Committee Newsletter (Vol. 6, Ed. 1).
- *One Size Does Not Fit All: US Circuit Court Declines To Apply Domestic FAA Vacatur Clause to International Award*, Kluwer Arbitration Blog, Oct 16, 2020
- *Third-Party Funding: Relationships, Relevance and Recent U.S. Court Analysis*, ABA Dispute Resolution Magazine, Sep 2020
- *Champerty Re-emerges: an Overview of Recent US Circuit Court Rulings on Third-Party Funding*, IBA, International Litigation Newsletter, May 2020
- *The Intersection of Corruption in International Arbitration and Discovery Pursuant to 28 USC § 1782*, Kluwer Arbitration Blog, July 18, 2019
- *Public Policy Defense Rarely Bars Arbitral Award Enforcement*, Law360, Jan 30, 2019
- *Overview of US Court Treatment of Interim Measures in Support of International Arbitration*, Young Arbitration Review, Oct 2018 | Ed. 31
- *Recent US Court of Appeals Rulings on Interim Relief Pending International Arbitration Proceedings*, IBA Arbitration Committee, Oct 2018
- *Overview of Recent Developments in Section 1782 of Title 28 of the United States Code*, IBA, International Litigation News, May 2018
- *U.S. District Courts Rule Consent Awards Fall Within New York Convention*, Kluwer Arbitration Blog, April 6, 2018
- *International Arbitration Will Keep Thriving Despite Trump Agenda*, Law360, Jan. 2018
- *Seeing "Reason" in Arbitration Awards*, ABA Dispute Resolution Magazine, Volume 23, Issue 4, Summer 2017
- *Significant Developments in International Litigation By Way of 28 USC § 1782*, Young Arbitration Review, Spring 2017
- *The Eleventh Circuit Affirms Extraterritorial Discovery to Assist International Proceedings and Production of Documents Held by Affiliates Abroad*, Florida Bar ILQ, Winter 2017
- *Privilege and International Implications Against the Backdrop of the Panama Papers*, American Bar Association, *Business Law Today*, July 2016

REPRESENTATIVE SPEAKING ENGAGEMENTS:

- *Women in ADR: Reflections on Unique Experiences, Perspectives, and Challenges*, Chartered Institute of Arbitrators, North America Branch, Webinar, March 15, 2023
- *Alternative Dispute Resolution 2022: A Year in Review*, Ongoing Learning Webinar, Chartered Institute of Arbitrators, Feb. 28, 2023
- *Evolution of Dispute Resolution*, Federal Bar Ass'n (Virtual), Dec. 2021
- Interview, CIArb, *Women in ADR Campaign*, March 2021
- *8 Innovative Arbitration Trends: A New Practice and Ethical Landscape*, ABA Dispute Resolution Spring Conference (Virtual), May 2020
- *Corruption in Arbitration and the Arbitral Tribunal's Limits*, CAM-CCBC Sao Paulo Arbitration Week, Brazil, Oct 21, 2019
- *Welcome to Miami or Welcome to São Paulo? YAR 2.0*, Lisbon, Oct 10, 2019
- *Emergency Measures of Protection & Interim Measures*, AAA/ICDR Roundtable, Miami, May 10, 2019
- Int'l Roundtable on Arbitration & Corruption, New York, March 8, 2019
- *Corruption in Int'l Arbitration*, ICDR Arbitration Track, iLaw Florida Bar, Miami, Feb. 22, 2019
- *International Distributorship, Franchise & Trade Agreements: From Key Deal Terms to Dispute Resolution Mechanisms in Civil & Common Law Jurisdictions*; ABA Section of International Law Annual Meeting, New York, Speaker, April 20, 2018
- *So You Have An Arbitration Award - Now What (Enforcement through Litigation)?* ABA Section of International Law Annual Meeting, New York, Moderator, April 19, 2018
- *Extraterritorial Application of 28 USC 1782 to Obtain Documents from Affiliates Abroad*, IFTTA North American Annual Meeting Conference, Ft. Lauderdale, Speaker, March 10, 2017
- *International Business Expansion from the United States*, iLaw Florida Bar ILS Global Forum on International Law, Miami, Moderator & Speaker, February 17, 2017
- *Expanding Abroad from the United States – What You Don't Know May Hurt Your Business*, ABA Business Law Spring Meeting, Montreal, Speaker, April 8, 2016

- *The Rise of Complex Cross-Border Litigation: Global Trends and Challenges Facing International Practitioners*, ABA Section of International Law 2016 Americas Forum, Miami, Moderator, February 29, 2016
- *Chevron/Ecuador Litigation: Lessons Learned; At the Forefront: An Insider's Perspective on Environmental Enforcement & Litigation*; ABA Section of Litigation's Environmental Litigation Committee; Washington DC; Speaker; July 2014 (International Aspects and 28 USC §1782 Discovery in Aid of Foreign Proceedings)
- *Current Trends In Arbitration*, International Law Section, Florida Bar Annual Meeting, Orlando, Moderator & Program Co-Chair, June, 2012

PROFESSIONAL RECOGNITIONS:

- *Best Lawyers*, 2019-2023
 - International Arbitration Commercial & Commercial Litigation
- *Best Law Firms*, 2020-2023
 - International Arbitration & Commercial Litigation
- *Who's Who Legal*, Arbitration,
 - Florida 2020
- Recommended by *Legal 500 Latin America*;
 - International Arbitration 2015, 2014
- Selected, *Legal Elite*, Florida Trend:
 - International, 2016 & Commercial Litigation, 2015
- Selected, *Super Lawyer*:
 - International 2016-2023; Business Litigation, 2015

MEMBERSHIPS & ASSOCIATIONS:

Chartered Institute of Arbitrators

- Executive Committee, Vice Chair Membership, CI Arb North America Branch, 2020-current
- CI Arb's North America Branch Board of Directors, 2019-current

ABA Dispute Resolution Section

- Editorial Board Member *Dispute Resolution Magazine*, 2020-current

Arbitral Women, Member

American Bar Association Section of International Law, Member

Florida Bar, International Law Section

- Steering Committee for iLaw 2017
- Committee Chair, Meetings 2010-12