

# Holland & Knight



## Brian A. Briz

PARTNER

Brian.Briz@hklaw.com

Miami

305.789.7723

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### PRACTICES

Litigation and Dispute Resolution | International Arbitration and Litigation | Securities Litigation | Latin America Practice | Broker-Dealer Regulation and Compliance | Financial Services Litigation

**Brian A. Briz** is a litigation attorney in Holland & Knight's Miami office, focusing primarily in the areas of international, cross-border and commercial litigation and arbitration, with a particular emphasis on disputes involving Latin America. He has broad experience representing domestic and foreign clients in complex, commercial disputes in federal and state courts and in arbitration proceedings under the auspices of the International Chamber of Commerce (ICC), the International Centre for Dispute Resolution (ICDR), the American Arbitration Association (AAA), the International Centre for Settlement of Investment Disputes (ICSID), China International Economic and Trade Arbitration Commission (CIETAC), and in ad hoc arbitration proceedings under the UNCITRAL Arbitration Rules.

Mr. Briz also has experience defending banks, broker-dealers and registered representatives in numerous securities litigation and arbitration disputes in federal and state courts as well as before FINRA Dispute Resolution. He has also defended several domestic and foreign clients in copyright, trademark, trade secret and non-compete disputes, and represented various media outlets in media and First Amendment disputes in federal and state courts.

## Representative Experience

### International Disputes

- Representing a global banking and financial services firm in a dispute concerning negotiable instruments issued by a Central American central bank
- Represented a Latin American state in an ICSID arbitration proceeding brought by a mining corporation for alleged treaty violations under the Dominican Republic -Central America - United States Free Trade Agreement (CAFTA-DR)
- Represented the seller of a South American company in an ICC arbitration proceeding against a European company regarding an M&A dispute involving alleged breaches of representations and warranties
- Represented an international energy advisory and trading firm in a multibillion-dollar fraud and antitrust dispute brought by a litigation trust established for the purported benefit of Venezuela's state-owned oil and natural gas company
- Represented an international food commodities trader in a breach of contract dispute against an agency of a foreign state brought under the Foreign Sovereign Immunities Act (FSIA)
- Defended an Asian agrochemical company in an ICDR arbitration proceeding regarding an earn-out and purchase price dispute arising from the acquisition of a Latin American company

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- Defended a European bank in a putative class action brought by Latin American investors who had invested in a Madoff feeder fund
- Represented a Latin American distributor in an ICC arbitration proceeding against an Asian manufacturer of orthopedic implants and instruments arising from alleged breaches of various joint venture agreements
- Represented a Spanish travel and cruise company in federal court and in a related ICDR arbitration proceeding regarding a dispute arising from a share purchase agreement for the acquisition of a South American company
- Defended a European manufacturer of cargo-handling machinery in an agency agreement dispute with a Latin American distributor
- Represented a Latin American telecommunications equipment provider in a CIETAC arbitration proceeding regarding an agency agreement dispute with a Chinese telecommunications company

## **Fraud and Business Tort Claims**

- Representing an international operator and franchisor of quick service restaurants against misappropriation of idea and fraud claims
- Represented an international supplier of steel pipes and steel pipe fittings in a federal court proceeding against various individuals brought under the Racketeer Influenced and Corrupt Organizations Act (RICO) for alleged misappropriation of company funds through a phony invoice scheme
- Defended a major investment bank and several of its directors in a securities fraud suit brought by a failed start-up company
- Defended leading securities firms and their registered representatives in numerous arbitrations involving claims for securities violations, fraud, negligence, churning, unsuitability and unauthorized trading

## **Copyright, Trademark and Trade Secret Actions**

- Defended a global beverage company in a copyright infringement suit over lyrics used in an international marketing and advertising campaign
- Defended a travel-related marketing company in a federal jury trial in a trademark infringement action brought by a competitor
- Defended a haircare products company in a trademark infringement suit brought by a competitor arising from marks used in connection with multiple haircare products
- Represented several companies in actions to enforce or challenge non-compete and non-solicitation agreements and in disputes involving the theft or misappropriation of trade secrets

## **Credentials**

### **Education**

- Georgetown University Law Center, J.D.
- University of Miami, BBA, *cum laude*

### **Bar Admissions/Licenses**

- District of Columbia
- Florida

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## Court Admissions

- All State Courts in Florida
- U.S. District Court for the Southern District of Florida
- U.S. Court of Appeals for the Eleventh Circuit

## Memberships

- International Institute for Conflict Prevention and Resolution (CPR), Y-ADR Steering Committee Member
- American Bar Association, Member of Litigation and International Law Sections
- The Beacon Council - Young Leaders Taskforce, 2008-2009
- Cuban American Bar Association
- The Florida Bar, Member of Business and International Law Sections
- Greater Miami Chamber of Commerce - Leadership Miami, 2011-2012

## Honors & Awards

- *The Best Lawyers in America* guide, International Arbitration - Commercial, 2021
- Florida Legal Elite, *Florida Trend* magazine, International Law, 2019, 2020
- Holland & Knight Pro Bono All-Star, 2020
- *The Legal 500 Latin America*, International Arbitration, 2016-2019
- Rising Star, *Florida Super Lawyers* magazine, 2009, 2011, 2013-2018

## Spoken Languages

English

Spanish

## Publications

- The Protocol on Cybersecurity in International Arbitration: Ignore At Your Own Risk, Co-Author, *Arbitraje y Nuevas Tecnologías, La Editorial Jurídica THÉMIS*, April 12, 2021
- Is Your COVID Business Interruption Claim Arbitrable?, *Daily Business Review*, October 20, 2020
- Which Law Is Supreme? The Interplay Between the New York Convention and The McCarran-Ferguson Act, *University of Miami Law Review*, June 23, 2020
- ICCA 2014. Have We Made Progress? What Remains To Be Done?, *Kluwer Arbitration Blog*, April 13, 2014
- ICCA 2014. What Do Users Really Think About Document Exchanges And Interim Measures?, *Kluwer Arbitration Blog*, April 13, 2014
- The Conflicted World Of Arbitrator Conflicts, *Daily Business Review*, October 2, 2013
- A Traveler's Guide to Arbitration, Co-Author, *Association of Caribbean Corporate Counsel*, Winter 2013

## Speaking Engagements

- International Arbitration in Latin America, Panelist, Georgetown Law, October 19, 2018

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- An In-House Counsel Panel – Discussion on Their Approach to an International Arbitration, Moderator, iLaw2018 The ILS Global Forum on International Law, February 16, 2018
- International Arbitration Versus Litigation and Emerging Trends in International Arbitration, CPR: International Institute for Conflict Prevention & Resolution Y-ADR Program, February 15, 2018
- 5th Annual Caribbean & Latin American Summit, Protecting Attorney Client Privilege Across Borders, Association of Caribbean Corporate Counsel, November 16-17, 2017
- HNBA 8th Annual Corporate Counsel Conference, Third Party Funding in International Arbitration: Thorny Issues for Arbitration Practitioners and Their Clients, March 30-April 2, 2017
- Conferencia Latinoamericana de Arbitraje, Moderator, Poderes Implícitos de los Árbitros, June 20-21, 2016