

SHEARMAN & STERLING LLP

50

US\$75 billion

6

7

19(8)

No. of pending cases

Value of all claims

No. of appearances in
Who's Who

No. of treaty cases

No. of arbitration
appointments (No.
as chair or sole)

A partner at Shearman & Sterling once described his difficulty in getting a Tylney Hall ticket to a *GAR* journalist. Because of the number of interested partners, he said, and the 'one ticket per firm' rule that the organisers impose, he "can go maybe once every five years".

Shearman & Sterling is as deep in talent as arbitration groups come and a practice against which others measure themselves.

The group was founded 1987 by Emmanuel Gaillard, who is still its chair. According to its own figures, it has worked on more than 250 arbitrations.

Gaillard is a defining figure in the field, in the mould of Jan Paulsson. During research for the most recent edition of *The International Who's Who of Commercial Arbitration*, he was described as "the biggest name in Europe if not the world". Like Paulsson, Gaillard owes his reputation to a combination of academic output, his record of wins and the frequency that he is asked to sit as an arbitrator. Any firm with aspirations for its international arbitration team to be regarded as top tier must be able to go toe-to-toe with Gaillard, either at a client pitch or on a case. And not many have the individuals who can. Emerging as a name, Gaillard has also founded one of the biggest networking organisations, the International Arbitration Institute, which he also continues to chair.

A number of the group's younger lawyers

have now emerged as names in their own right. In Paris, Philippe Pinsolle, Yas Banifatemi and Fernando Mantillo-Serrano now appear in the rankings, including ours. Pinsolle is by many accounts a leader in his generation in Paris – possibly *the* leader. He was included in *GAR*'s '45 Under 45' survey. Banifatemi is "experienced and excellent", and "very hard working". She also combines practice with a substantial speaking schedule and was recently ranked in *GAR*'s all-female top-30 survey. Mantillo-Serrano's credentials include consulting for the government of Spain on its arbitration law. "He's very good on Latin American cases" and "brings in a lot of Spanish work".

Beyond Paris, Richard Kreindler in Frankfurt is one of Germany's best-known arbitration advocates. He's notable as well for the amount he publishes. (Gaillard publishes a lot too). John Savage in Singapore is "the best in Asia", we've been told. In Paris, Todd Wetmore has a good reputation, and so does Henry Weisburg. David Reed in London is also often the lead counsel on cases.

The group makes a substantial contribution to the wider arbitration community. The Paris office now offers open days for students who are entering one of the various annual arbitration-related moots. The firm is also the long-established sponsor of the Philip C. Jessup Cup in Washington, the longest-running public

international law moot. Between them, by next year, the group's members will also have found time to complete 75 publishing projects in less than two years.

Gaillard describes these as "real" articles, "not the superficial ones that are more about spreading your name around". Some of the titles – *Aspects philosophiques de l'arbitrage international* and *The Characterisation of International Arbitral Awards as International Judicial Decisions* – would bear him out.

It is probably no accident, then, that the team turns up on so many cases where something novel or hitherto unseen occurs. For example, the team brought five of the first seven 'arbitral referee' cases at the ICC (a special mechanism akin to emergency relief); it was also the first firm to invoke article 17 of the Energy Charter Treaty on behalf of a claimant (*Plama Consortium v Republic of Bulgaria*); and its client in *SGS v Islamic Republic of Pakistan* was the first to base a request for investment arbitration on an umbrella clause. The team has earned itself a reputation for being unusually creative and fearsome as an opponent.

Gaillard says the writing certainly infuses the work: "It is an academic field. If you don't reflect on things, you don't see the new avenue. I am a professor who happens to practice. But being academic – frankly that is entirely necessary in a field such as this one. We are appearing in front of arbitrators who are leading professors".

SCHÖNHERR RECHTSANWÄLTE

Schönherr is a division-one litigation firm in Austria that has long had a profile for arbitration. It recently said goodbye to the individual who had done much to create that brand (see entry for Torglerr Rechtsanwälte). Partner Gerold

Zeiler, however, remains, which means the firm continues to have a cutting edge. Zeiler works as counsel and sits an arbitrator. He is at present representing Romania in an arbitration at ICSID. Zeiler also edits the *Austrian Arbitration*

Yearbook, and has been one of the forces behind the creation of an annual Vienna Arbitration Day. These will begin next year.

SERGIO BERMUDES LAW FIRM

Sergio Bermudes regularly appears at the top of surveys for dispute resolution in Brazil. Less well known is its expertise in arbitration.

The firm was founded in 1969 as a litigation boutique, which has since grown to 74 lawyers working across a spectrum of areas. Court work and advocacy remain at the core of its reputation and the firm is still occasionally referred to as a

litigation boutique. Its disputes team is praised for its professional approach, and toughness.

Sergio Bermudes is described as "distinguished" with "experience that is hard to match". He has worked on international arbitration regularly for 20 years, particularly under ICC rules, and that often feature large sums. In one of his cases US\$200 million was at stake.

Partner Fabiano Robalinho Cavalcanti is also seen as ahead of the local curve in experience. He is dual-qualified in New York and Brazil. After completing an LLM at Harvard he spent a year on the foreign associate programme at Debevoise & Plimpton. He now teaches private international law at the Getúlio Vargas foundation. Cavalcanti joined the firm in 1995.