

Partner, London

International Litigation and Arbitration



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#### **Education**

Legal Practice Course, The College of

Law, 2010 (with distinction)

Graduate Diploma in Law, The College of Law, 2009 (with distinction)

B.A. (Hons), University of Oxford, 2008

#### **Bar Admissions**

England & Wales

#### **Languages**

English

French

Portuguese

Spanish

Samuel Pape's practice focuses on international dispute resolution. He represents multinational corporations, financial institutions, private equity firms and sovereigns in high-stakes international commercial and investment treaty arbitrations, as well as in complex cross-border litigation before the English courts and in overseas jurisdictions.

Clients regularly turn to Mr. Pape for his strategic approach and advocacy in disputes spanning diverse sectors, such as energy, mining, banking, technology and aviation. With over 15 years of experience, Mr. Pape has acted as counsel in more than 50 international arbitrations under a broad range of governing laws and institutional rules, including in ICC, LCIA, HKIAC and *ad hoc* proceedings. He has also served as tribunal secretary in ICC arbitrations. His practice encompasses financial, corporate and shareholder disputes, as well as class actions for both claimants and defendants.

Mr. Pape is recognized by industry publications for his extensive experience in international disputes. His work on Latin American matters was highlighted by *The Legal 500 Latin America*, which described him as having "a fine record in the region." He was also named a Next Generation Partner by *The Legal 500 UK*, where a client described him as "a star — a pleasure to work with, cool under pressure, and with perfect command of all aspects of a case." In addition, Mr. Pape was named a Future Leader in Arbitration by *Lexology Index* (formerly *Who's Who Legal*).

Mr. Pape's representations prior to joining Skadden include:

#### **Commercial Arbitration**

- a pharmaceutical company in an ICC arbitration against its licensee in Asia arising out of the termination of a license for a drug worth more than \$10 billion
- a syndicate of banks in an LCIA arbitration enforcing equity support and completion guarantees in a complex Islamic project financing transaction in the renewable energy sector
- a New York hedge fund in two London-seated LCIA arbitrations arising out of litigation funding agreements
- a supplier of aircraft engine components in an ICC arbitration against an aircraft engine manufacturer
- a technology company in an ICC arbitration against a key supplier concerning a tortious conspiracy and the nonconformity of products with contractual specification
- the purchaser of an aircraft in an ICC arbitration concerning the termination of an aircraft purchase agreement and related litigation in the U.S.
- a multinational group of companies in an ICC arbitration arising out of the termination of a concession agreement with a national government
- a leading mining company in a high-value shareholder rights and environmental dispute arising from projects in Brazil
- a state-owned oil company in defending a \$1 billion HKIAC arbitration concerning alleged events of default under a loan agreement
- a major oil company in an *ad hoc* arbitration against another major oil company arising out of a long-term transportation and processing contract

# Samuel M. Pape

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## Investment Treaty Arbitration

- the Republic of Colombia in defeating three ICSID arbitrations under the Canada-Colombia Free Trade Agreement relating to mining prohibitions adopted to protect fragile ecosystems and biodiversity in the Andes
- the Republic of Colombia in an ICSID arbitration brought by a mining company under the Canada-Colombia Free Trade Agreement relating to the alleged failure to protect gold mining projects from artisanal and small-scale mining activities
- Mason Capital in its successful investment treaty claim against the Republic of Korea following the exposure of corruption involving political and business leaders
- a U.K. property development group in an ICSID arbitration against the Republic of Mauritius
- a sovereign party in a PCA-administered investor/state dispute concerning a bank rescue program
- Mobile TeleSystems in its \$2.5 billion ICSID arbitration against Uzbekistan, including successfully defending an Article 45(6) application

## Litigation

- Royal Dutch Shell Plc and Shell Petroleum Development Company of Nigeria in their defence of transnational human rights and environmental class actions before the English courts
- acting as settlement counsel on the claimant side in the largest environmental class action before the English courts
- a minority shareholder in multibillion-dollar unfair prejudice petitions against the majority shareholder of a multinational joint venture in the real estate and energy sectors
- a syndicate of banks in proceedings relating to the enforcement of an LCIA arbitration award
- Mason Capital in set-aside proceedings before the Singapore International Commercial Court
- Daewoo Motors in a challenge to an ICC arbitration award brought by General Motors arising from the acquisition of Daewoo's automotive business

Mr. Pape is an active member of the international arbitration community. He serves on the ICC U.K. subcommittee on artificial intelligence and previously served as a U.K. representative for the ICC Young Arbitration & ADR Forum. Mr. Pape also sits on the editorial board of the *European Investment Law and Arbitration Review* and is a frequent speaker and author on topics related to international arbitration. He maintains an active *pro bono* practice and is a trustee of the Free Representation Unit, a London-based legal charity.