

## Jorge López Fung

**Associate**

**Miami**

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**Languages spoken**

Spanish | English



### About Jorge

Jorge López Fung, a Peruvian-qualified lawyer and US permanent resident, is an associate in our International Dispute Resolution Practice, based in the Miami office. He has been a senior associate of well-known international arbitration practices and has more than 12 years of experience in dispute resolution. He advises and represents clients in international commercial arbitrations in civil-commercial, energy, construction (including disputes related to FIDIC and NEC contracts), mining, transportation, telecommunications, corporate (disputes related to M&A, joint ventures and shareholders agreements) and contracts with the state, among others. He drafts and implements preventive measures to avoid commercial and investment conflicts. He has vast experience in high- and medium-complexity cases in Latin America, Europe and the US; as well as this, he has participated in more than 40 arbitrations in different seats, such as London, Miami, New York, Santiago and Lima.

Jorge has participated in ad hoc arbitrations under United Nations Commission on International Trade Law (UNCITRAL) rules, as well as in cases before the International Centre for Settlement of Investment Disputes (ICSID), International Chamber of Commerce (ICC), Arbitration Center of the Lima Chamber of Commerce (LCC), Arbitration Center of the American Chamber of Commerce of Peru (AmCham Peru) and Center for Arbitration and Dispute Resolution of the Pontificia Universidad Católica del Perú (CARC PUCP), among others. He also has extensive experience in the examination of witnesses and legal experts (in various areas of law), as well as technical experts (in performance and delays, among others) and economic experts (in valuation of damages and extension of times). In addition, he has experience in emergency arbitration, dispute boards and *ex aequo et bono* arbitration.

Jorge is professor of arbitration and dispute resolution courses at Pontificia Universidad Católica del Perú (PUCP) and Universidad Peruana de Ciencias Aplicadas (UPC). He actively participates in arbitration conferences and has several academic papers published in renowned national journals.

In addition to his LL.M. and J.D. studies, he is a specialist in "International Commercial and Investment Arbitration" at American University Washington College of Law (United States) and Universidad del Pacífico; specialist in "Administrative Law" at UPC, program in which he obtained "First Place"; as well as "Energy Management and Supervision" at PUCP.

His working languages are Spanish and English.

## Experience

- Representing a Peruvian state-owned company in an international arbitration initiated against an oil lot operator, its nonoperating partners, parent companies and financial guarantors. The seat of the arbitration is Miami, and it is administered by the ICC.
- Representing a US company (minority shareholder of a parent company incorporated in the British Virgin Islands) in an arbitration initiated by subsidiaries in the telecommunications infrastructure sector. The seat of the arbitration is Peru, and it is administered by the LCC, and a couple of related arbitrations have been initiated in Guatemala and Honduras.
- Representing a Peruvian energy group in 3 international commercial arbitrations against a Brazilian concessionaire of a power plant (EPC contracts – civil works, hydromechanical and transmission line). The seat of those arbitrations was Peru, and they were administered by the ICC.
- Representing a Chilean state-owned energy company in an international commercial arbitration initiated by a Spanish construction company. The seat of the arbitration is Chile, and it is administered by the ICC.
- Representing a Peruvian energy group in 2 international commercial arbitrations initiated by a Brazilian construction company (PPA and OAM contracts). These arbitrations were administered by the LCC.
- Representing a telecommunications company in an international arbitration against a Chinese company. This arbitration was administered by the LCC.
- Representing a Chilean-owned company in an arbitration initiated by a Peruvian construction company. This arbitration was administered by the LCC.
- Representing a Spanish construction company against a Peruvian real estate company. This arbitration was administered by the LCC. The scope of a construction contract was disputed, including outstanding valuations and compensation for damages.
- Representing a state-owned company in an arbitration initiated by a subcontractor in charge of the construction and startup of a multibuoy terminal for the unloading of diesel. The seat of the arbitration is Peru and it is administered by the LCC.
- Representing a Peruvian state-owned company in an arbitration initiated by a private company in the environmental sector. This arbitration was administered by the LCC.
- Representing a Peruvian state-owned company in an arbitration initiated by a consortium in charge of the supervision of an environmental remediation project. This arbitration was administered by the LCC.
- Representing a Peruvian state-owned company in an arbitration initiated by a construction consortium. This arbitration was administered by the LCC.
- Providing legal advice to a Peruvian state-owned company for drafting memorials in an arbitration process initiated by a private company in the construction sector. This arbitration is administered by the LCC.
- Representing a Chinese capital company in 2 arbitrations initiated against the owner of a construction project and a subcontractor.
- Representing a telecommunications company in 2 arbitrations initiated against its contractor. One was administered by AmCham Peru and the other by the LCC.
- Representing an equestrian association in an arbitration initiated by a construction company. This arbitration was administered by the LCC.
- Representing a former CEO of a fishing company in an arbitration against his former employer. This arbitration was administered by the LCC.

- Representing a consortium of Colombian capital in an arbitration initiated against the owner of a construction project. This arbitration was administered by CARC PUCP.
- Representing a US capital company in an arbitration initiated against former owners of a mining concession in Peru. This arbitration was administered by the LCC.
- Representing a US company in an arbitration initiated against several fruit producers and exporters. This arbitration was administered by the LCC.
- Representing a construction company in an arbitration initiated against a subcontractor. This arbitration was administered by the LCC.
- Representing a concessionaire for the construction of parking lots in an arbitration initiated by a subcontractor. This arbitration was administered by the LCC.

## Credentials

### Education

- Queen Mary, University of London, Master of Laws (LL.M.), comparative and international dispute resolution, *distinction*, 2020
- Universidad Peruana de Ciencias Aplicadas, Juris Doctor, 2014

### Admissions

- Peru, 2014

### Memberships & Affiliations

- Professor, Arbitration (2022 to date) and Conciliation and Negotiation Seminar (2022) undergraduate courses, UPC
- Professor, National and International Arbitration (2021) undergraduate course, PUCP
- Arbitrator, LCC
- Arbitrator, AmCham Peru
- Arbitrator, CARC PUCP
- Arbitrator, Center for Arbitration and Dispute Resolution – Ankawa Internacional (CARD-AI)
- Founder, member of the board of directors and former president, Arbitraje Alumni
- Member, Lima Bar Association, 2014 to date
- Founder, member of the board of directors and former president, Lima Very Young Arbitration Practitioners (LVYAP)

## Recognitions

- Highly recommended for his practice as senior associate in Arbitration, Dispute Resolution and Administrative Litigation, Leaders League 2023
- “Senior associate with an international practice that has also been emerging little by little” in dispute resolution, *The Legal 500* 2021
- Winner of the Latam 2019-2020 scholarship, Goodenough College 2019
- Recognized as UPC pride for various academic activities abroad, UPC 2019
- Recognized for his outstanding work as coach of the UPC team for International Arbitration Competitions, Congreso de la República del Perú 2017

- “Very capable” and “strategist” in dispute resolution, *The Legal 500* 2017

## Expertise

### Services

- International Dispute Resolution

## Publications

- Author, “Is the Problem the Lack of Solution or that the Arbitrators Are Reluctant to Apply it? Towards a Correct Use of Document Production in International Commercial Arbitration,” *CEA Journal and Kluwer Arbitration*, Issue No. 41-2020, July 2021.
- Author, “How Useful Are Stabilisation Clauses in International Energy Arbitration Nowadays?” *CEA Journal and Kluwer Arbitration*, Issue No. 39-2020, December 2020.
- Author, “Producción de Documentos en el Arbitraje Internacional: Entre la Confusión y la Eficiencia,” *Prometheo*, virtual platform of the civil association CDA of the PUCP, October 2020.
- Co-author, “Denunciating ICSID Convention: A Step Towards Legal Uncertainty,” *Arbitraje Alumni*, Issue No. 1-2020, September 2020.
- Author, “Overcoming the debate IBA Rules vs Prague Rules: The Merits of a Joint Formula and the Need for Effective Sanctions to the Parties’ Misconduct in Arbitration,” *VYA Blog*, April 2020.
- Author, “¿Tsunami de Documentos o Sequía de Información? Posiciones a Favor y en Contra de la Producción de Documentos como Regla Estándar en el Arbitraje Comercial Internacional,” *CEA Journal and Kluwer Arbitration*, Issue No. 35-2019, May 2019.
- Author, “El Registro de Valores Mobiliarios Anotados en Cuenta: El Arbitraje como ‘Hermano Menor’ del Poder Judicial,” *Enfoque de Derecho*, June 2017.
- Co-author, “A Propósito de la Buena Fe en el Derecho y en los Debates Académicos: Sobre el MDE,” *Ius 360*, March 2017.
- Co-author, “¿Qué no es un Memorando de Entendimiento en el Perú?” *Ius 360*, March 2017.
- Author, “Innovaciones Contractuales: El Memorando de Entendimiento,” *Ius Et Veritas Indexed Law Journal*, Issue No. 52, July 2016.

## About our firm

One of the world’s strongest integrated law firms, providing insight at the point where law, business and government meet. We deliver commercially focused business solutions by combining our legal, lobbying and political capabilities and invaluable connections on the ground to a diverse mix of clients, from long-established leading corporations to emerging businesses, startup visionaries and sovereign nations. More than 1,500 lawyers in over 40 offices across four continents provide unrivaled access to expertise.