



CECILIA CARRARA

Present Position:	Partner
Practice Areas:	Arbitration Corporate
Office:	Rome, Italy
Date of Birth:	September 19, 1975
Languages:	Italian, English, German, French and Spanish
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Expertise:

Cecilia Carrara has a significant experience in the field of national and international, commercial and investment arbitration proceedings, both institutional and *ad hoc*, acting both as counsel and as arbitrator, and is further active more generally in the field of international commercial litigation.

Cecilia Carrara also focuses on mergers & acquisitions, extraordinary corporate transactions and commercial contracts. She is responsible of the Legance *German desk*, with a specific focus on German speaking countries and on East Europe.

She is *pro bono* partner at Legance coordinating the corporate social activities of the Firm.

Cecilia Carrara is a member of the ICC International Court of Arbitration, of the ICC Commission and of the ICC Task Force on Emergency Arbitrator Proceedings for Italy. She is co-founder of Arbit (the Italian forum of arbitration practitioners), co-chair of the arbitration working group of ASLA (the Association of Italian Law Firms), and member of the Council of AIA (*Associazione Italiana per l'Arbitrato*). She is also a member of IBA (International Bar Association), LCIA (London Court of International Arbitration), DIS (Deutsche Institution für Schiedsgerichtsbarkeit) and ArbitralWomen.

Cecilia has been nominated by Who's Who Legal: Litigation 2014 and 2015 as one of the world's leading practitioners in this field.

Cecilia has been indicated in Who's Who Legal: Arbitration 2015 and 2016 as being among the world's leading commercial arbitration experts.

Cecilia has been indicated in Who's Who Legal: Arbitration 2017 as being among the world's leading arbitration specialists and in Who's Who Legal: Arbitration – Future Leaders.

Cecilia was identified by Global Arbitration Review and Who's Who Legal 2018 as one of the world's leading commercial arbitration experts.

Professional Experience:

2011:	Partner, Legance – Avvocati Associati, Rome, Italy
2009 – 2010:	Senior Counsel, Legance – Avvocati Associati, Rome, Italy
2006 – 2016:	Professor of comparative corporate law, “LUISS – Guido Carli” University, Rome, Italy

1997 – 2009: Partner, Studio Legale Macchi di Cellere Gangemi, Rome, Italy
2000: Visiting lawyer, Hengeler Mueller, Berlin, Germany

Education:

2000: Admitted to the Italian Bar
1999: LL.M., Comparative and International Private Law, Humboldt Universität, Berlin, Germany
2005: Ph.D., Comparative and International Private Law, Humboldt Universität, Berlin, Germany
1997: Law Degree, *summa cum laude*, “LUISS - Guido Carli” University, Rome, Italy

Publications:

She is the author and co-author of numerous articles and commentaries including:

- “*Italian Supreme Court decides important issues regarding international arbitration agreement*”, Practical Law, 2017;
- “*Recusal of arbitrator cannot be appealed (Italian Court of Cassation)*”, Practical Law, 2017;
- “*Partial award on jurisdiction or preliminary issues not immediately challengeable before Italian courts (Italian court of cassation)*”, Practical Law, 2016;
- “*Italian courts tend to uphold arbitral awards, study concludes*”, Practical Law, 2016;
- “*Getting the Deal Through: Arbitration 2016*” / “*Italy*”, Law Business Research 2016;
- “*L’arbitrato per attrarre investimenti in Italia*” - La Voce, 21.07.2015;
- “*L’arbitrato societario allarga i confini*” - Il Sole 24 Ore, 20.09.2015;
- “*Getting the Deal Through: Arbitration 2015*” / “*Italy*”, Law Business Research 2015;
- “*Giurisdizione italiana in materia fallimentare ed effetti del fallimento dichiarato all’estero, Trattato delle procedure concorsuali*” (*The jurisdiction of the Italian courts in insolvency matters and the effects of insolvency proceedings opened abroad*), Ghia et al., Utet, 2010;
- “*La nuova disciplina della mediazione delle controversie civili e commerciali, Commentario al Dlgs. 4 marzo 2010, n. 28*” / *Commentary on Articles 6 and 7 (The new rules on mediation in civil and commercial matters)*, a cura di Bandini/Soldati, ISDACI, Giuffrè 2010;
- “*COMI – Forum shopping and why timing is crucial*”, Eurofenix, Summer 2008, 20;
- “*Regole di condotta per i colloqui di selezione degli arbitri*” (*Rules of conduct for interviewing prospective arbitrators*), Rivista dell’Arbitrato, 2008, 117;
- “*Lo stato di insolvenza nel diritto fallimentare americano, in Stato di Crisi e stato di insolvenza*” (*The concept of insolvency under US insolvency law*), G. Terranova, G. Giappichelli Editore, 2007;
- “*The Parmalat Case*”, RabelsZ, giugno/luglio 2006;
- “*Interessenkonflikte bei Interessenwahrungsverträgen – Eine rechtsvergleichende Untersuchung nach italienischem und deutschem Recht und unter Berücksichtigung des Common Law*” (*Conflicts of interest in agency relationships - A comparative study between Italy, Germany and common law legal systems*), Berliner Wissenschaftsverlag, 2005;
- “*Il conflitto di interessi nell’arbitrato commerciale*” (*Conflicts of interests in commercial arbitration*), Diritto e Pratica delle Società, 23.05.2005;
- “*I principi europei di diritto fallimentare: un recente progetto accademico per l’individuazione di principi comuni europei sul fallimento*” (*The European principles of insolvency law: a recent academic project for the development of common European principles on insolvency*), Riv. dir. fallim. e delle società commerciali, n. 3-4 /2004;
- “*Critical Analysis of the New Italian Rules on Arbitration in Corporate Matters*”, International arbitration law review, n. 7/2004;

- “*Le nuove regole del governo societario negli Stati Uniti e in Europa*” (*The new rules of corporate governance in the U.S.A. and in Europe*), Luiss University Press, Roma, 2004, Co-Autore con V. Panzironi, a cura di E. Ruggiero;
- “*L’onere della prova e i criteri di collegamento con un ordinamento straniero*” (*The burden of proof and the elements of connection with foreign legal systems in international private law*), Il Foro Padano, n. 4/2003;
- “*Il caso Centros Ltd. c. Erhvervs –og Selskabsstyrelsen e il criterio di collegamento internazionalprivatistico della sede effettiva*” (*The case Centros Ltd. c. Erhvervs -og Selskabsstyrelsen and the “real seat” doctrine in the conflict of laws principles*), Riv. dir. fallim. e delle società commerciali, n. 4/2001;
- “*Principles of European Law on Security Rights / Italian Chapter*” – ed. Prof. S. Kortmann (Neijmegen University), Kluwer.

List of major international and investment arbitrations

- Counsel to Ufficio Centrale Italiano – UCI (the National Italian Insurance Bureau) against the Versicherungsverband Österreich - VVO (the National Austrian Insurance Bureau) in arbitration proceedings, in connection with certain insurance indemnities arising out of a cross-border accident. This arbitration was seated in Milan and was governed by the Internal Regulations of the Council of Bureaux (COB), as to the governing law and by the UNCITRAL Arbitration Rules, as to the procedural law.
- Counsel to an Italian multinational group in a complex international arbitration pending before the International Chamber of Commerce (ICC) seated in Paris, in connection with the enforcement and termination of a distribution agreement with a Chinese dealer. The matter is complicated by the existence of parallel litigation in China. (Pending)
- Counsel to TFA (together with the law firm White & Case), the Italian bondholders association representing around 60,000 Italian investors, in the famous ICSID arbitration proceedings pending against the Republic of Argentina, as a consequence of the default of the Argentina’s Republic. This arbitration just settled after many years of litigation.
- Counsel to two Spanish construction companies in arbitration proceedings administered by the Chamber of Arbitration of Milan (CAM) against a number of energy companies, all of which were ultimately governed by a Chinese company controlling a Luxembourg investment fund, initiated in order to ascertain the liability of the energy companies and controlled SPVs for the unlawful termination of a turnkey EPC contract.
- Counsel to an ICC arbitration taking place in Milan against an Italian company due to the alleged breach of a long-term supply agreement; the arbitration also involved several complex IP issues.
- Counsel to an Italian company in an ICC arbitration seated in Milan, in connection with the termination of a supply and distribution agreement with a Kuwait company. The matter is complicated by the existence of parallel litigation in Kuwait.
- Counsel to a German company in an ICC arbitration seated in Milan, concerning the alleged breach of a long term supply agreement and of a JV agreement with an Italian company.
- Counsel to a German company in an international arbitration governed by the Swiss Arbitration Rules and seated in Zurich, claimed by an Italian company and concerning the alleged breach of a SPA for *culpa in contrahendo*.

- Counsel to two companies of a US pharmaceutical group, in an ICC arbitration initiated by two Irish companies belonging to a Swiss pharmaceutical group. The dispute concerns an alleged non-compliance on both sides of the obligations set forth in a license and sale agreement for the production and distribution on the US market of a certain medicine. (Pending)
- Sole Arbitrator in an ICC arbitration regarding a turnkey EPC contract governed by the FIDIC Conditions of Contract for Plant and Design Build (Yellow Book, 1999 ed.) between a Romanian State-owned entity and a Turkish contractor.
- Sole Arbitrator in an ICC arbitration between a German and an Austrian entity regarding the non-performance of several sale agreements governed by Austrian law.
- Arbitrator in an arbitration pending before the Chamber of Arbitration of Milan commenced in relation to the alleged breach of an investment agreement and a shareholders' agreement as well as of connected management agreements between a majority shareholder (investment fund) and a minority shareholder (manager) in relation to the consequences deriving from the exercise of a call option.
- Sole Arbitrator in an ICC arbitration seated in Bucharest concerning an EPC contract governed by FIDIC rules between a Romanian public company and a Turkish contractor.
- Sole Arbitrator in an ICC arbitration seated in Innsbruck between a German entity and an Austrian entity in connection with the non-performance of sale and purchase agreements concerning industrial supplies regulated by the Austrian law.
- Co-arbitrator in a CAM arbitration concerning the breach of an investment contract and of a shareholders agreement, as well as the breach of relevant management agreements between the investment fund and the minority shareholder.
- Co-arbitrator in an arbitration pending before the Chamber of Arbitration of Milan between an Italian multinational beverage company and an agent operating in Africa, in connection with the termination of the agency contract.
- Co-arbitrator in two connected ICC arbitrations seated in Geneva and governed by the UK law, between an Italian group and an Egyptian group. The two arbitrations concluded with awards by consent.
- Co-arbitrator in a LCIA arbitration seated in London, governed by German law, between an Austrian and a Russian company in connection with post M&A and termination of investment contracts. (Pending)
- President of the arbitral tribunal in two connected CAM arbitration in connection with the non-performance of two EPC contracts for the construction of two photovoltaic plants.
- President of the arbitral tribunal in a LCIA arbitration seated in Barcelona, governed by Romanian law, in connection with the non-performance of two "Soft EPC" contracts for the construction of two photovoltaic plants in Romania. (Pending)