



**CECILIA, FLORES RUEDA, FCI Arb**

*Founding and Managing Partner at FloresRueda Abogados*

Date of Birth: 15/09/1975

Nationality: Mexican

Current Position: Founding and Managing Partner at FloresRueda Abogados

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## Professional Experience

**Cecilia Flores Rueda, FCI Arb** handles complex and high-stake international and domestic arbitration cases and represents clients before federal and local courts.

Acts in arbitration as both a party representative and an arbitrator and focuses her practice on issues related to cases involving governmental entities (administrative law), shareholders' disputes, energy, oil and gas, clean energies, infrastructure projects, trusts, construction, joint ventures, lease agreements, transportation and logistics, international sale of goods, distribution, insurance and reinsurance, e-commerce, intellectual property, and commercial transactions in general.

She also represents cross border clients before state and federal courts on a broad spectrum of civil, commercial and administrative matters.

Cecilia's experience both in arbitration and litigation matters enables her to appear before courts in proceedings requesting and enforcing interim measures as well as proceedings seeking the recognition and enforcement of arbitral awards. Her value to clients lies in her ability to frequently draw upon experience in order to formulate creative solutions to complex issues. She advises clients on ethics and compliance matters as well

She has been recognized as one of the best lawyers, in Chambers Latin America, Leaders League and Who's Who Legal, in the International Arbitration and litigation categories. In 2014, Cecilia was awarded with by IACAC, for her outstanding career in arbitration.

Cecilia previously worked for major law firms. Before that she acted as Secretary General for the Mediation and Arbitration Centre of the Mexico City National Chamber of Commerce (CANACO), where she was in charge of the administration of mediation and arbitration proceedings, both domestic and international, under the rules of CANACO, the Commercial Arbitration and Mediation Centre for the Americas (CAMCA) and the Inter-American Arbitration Commission (IACAC). At the same time, as an independent practitioner, Cecilia participated in many arbitration proceedings related to international trade, some of them ad hoc proceedings under the Arbitration Rules of the United Nations Commission on International Trade Law (UNCITRAL).

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## Arbitration Experience

### Energy, Oil and Gas, Mining, and Construction

- Chair of the Arbitral Tribunal under the ICC Arbitration Rules, in a case related to a services agreement for the transportation of gas, applicable rates and filing of *amparos*.
- Leading counsel, representing an international company (French – Spanish owned) in the energy sector, in a dispute arising out of a contract for the generation of electric energy, for a state-owned company, where pass through was applied for pricing.

- Counsel in a dispute regarding the quality and price of the natural gas used to produce electricity in a combined cycle plant (pass through).
- Counsel in a dispute related to a force majeure stop of a thermoelectric plant, due to a technical failure in one of the turbines.
- Counsel in a large, complex dispute, regarding the electrical works in a combined cycle plant, located close to Hermosillo, Sonora.
- Dispute related to subcontractors of El Cajon Dam, involving Mexican and Brazilian investors in the energy industry, in a large infrastructure project in Mexico.
- Coarbitrator in a dispute regarding the validity of an expert opinion under manifest disregard arguments.
- Sole Arbitrator under the ICDR Rules of the International, in a dispute involving US investors for the exploration and exploitation of a gold mine.
- Co-counsel representing claimant, an international consortium (German-Korean investors), in a multi-million Dollar dispute on the renovation of a state-owned oil refinery in Cadereyta, Nuevo Leon (Mexico). This case is considered as one of the largest cases in Latin America regarding an infrastructure project, comprising a wide range of features such as oil and gas, construction, delay and disruption, costs, public bid, pipelines, soil mechanics, commissioning, machinery and equipment, electric, damages quantification, amongst many others. This case was conducted under the ICC Arbitration Rules and bifurcated in responsibility and quantum phases.
- Counsel of an oil enterprise in a dispute related to the compensation for the environmental damages caused by a transnational oil company to a rural community, for the explosion of an oil well operated by a state entity.
- Counsel for defendant in a dispute related to the alleged damages caused by the use of a chemical used to clean an oil pipe, under the Arbitration Rules of the ICC.
- President of the Arbitral Tribunal under the ICDR Arbitration Rules in a dispute for the construction of a highway in the surrounding area of Bogota, Colombia.
- Coarbitrator in a construction dispute of a residential development in Austin, Texas (USA), under the AAA Commercial Arbitration Rules and the Procedures for Large, Complex Commercial Disputes.
- President of the Arbitral Tribunal in a construction dispute in Panama under the Arbitration Rules of CeCAP.
- Sole Arbitrator under the Rules of CANACO in a dispute related to a breach of contract, for the construction of a residential area.
- Counsel representing a construction company in two different arbitration proceedings under the LCIA Rules, in disputes related to costs, delays and disruptions.

### **Corporate, Joint Ventures, Company Acquisitions, Shareholders' Disputes and Trusts**

- Counsel in a shareholders' dispute involving an international joint-venture with Italian investment, for the production of soft drinks (sodas) in Mexico. The arbitration proceedings were conducted under the ICC Arbitration Rules and involved financing and shareholders' issues.
- Counsel in a family shareholder's dispute, over the ownership of various gas stations.
- President of the Arbitral Tribunal under the CAM Arbitration Rules, in a dispute involving an investment for the acquisition of a company in the food industry (meat and dairy products). The dispute included distribution, antitrust and economic competition issues, quantification of damages, appraisals, and companies' value assessment.
- Co-arbitrator under the ICC Arbitration Rules, in a large shareholders' dispute regarding the representations and warranties made when selling part of a company's shares. Amongst others, the dispute involved tax liabilities, maritime and dock area issues.
- Counsel in a case under the Arbitration Rules of CAMCA, in a dispute involving the representations and warranties for the acquisition by a large international company of the shares of a Mexican industrial consortium.
- President of the Arbitral Tribunal in consolidated arbitrations, under the Arbitration Rules of CeCAP. The dispute between family members, involved a estate, trust and the valuation of rubber companies established in Guatemala.

#### **Real State and Lease Agreements**

- Sole Arbitrator under the CAM Arbitration Rules, over a lease agreement of an industrial facility in an industrial park in Queretaro (Mexico).
- Sole Arbitrator in a non-administered proceeding (ad hoc), applying the UNCITRAL Arbitration Rules, related to the leasing of various business premises.

#### **Distribution, Sale of Goods and Franchise**

- President of the Arbitral Tribunal, under the CANACO Arbitration Rules, over a dispute related to the production and distribution of security matches.
- Counsel representing an international fruit trader based in Hamburg (Germany) against a Mexican intermediary, in a dispute related to a sales agreement.
- Leading counsel representing claimant in a cross-border dispute arising out of the distribution of a famed juice drink in the USA, applying the United Nations Convention on Contracts for the International Sale of Goods (Vienna Convention).
- Counsel representing European based manufacturer of pharmaceutical and surgical products, in an arbitration under the ICC Arbitration rules.
- President of the Arbitral Tribunal appointed by a Federal Mexican Court under the Mexican Arbitration Law, in an ad hoc proceeding related to the termination of an agreement for the distribution of mining machinery and equipment.
- Co-arbitrator under CANACO Arbitration Rules, in two different cases involving the commercial distribution of beer in the states of Nuevo Leon and Coahuila, Mexico.

- Represented claimants, international companies on the software industry, in a dispute arising out of a sales agreement.
- Represented claimant, a large international company based in Mexico, in a dispute related to the sale of a paper and cardboard.

### **Telecommunications and Broadcasting**

- Co-counsel representing a large telecommunications enterprise against a US company, based in New York, under the AAA Commercial Arbitration Rules. The dispute related to the connection of phone calls and data services.
- Counsel in a large complex dispute between two broadcasting companies, for the breach of the agreement under which the radio news shows were daily produced.

### **Transportation**

- Counsel representing a large international truck, bus, engine and engine appliances manufacturer, in a wide range of disputes in the transportation business and sustainable transport solutions.
- Co-arbitrator under the CAM Arbitration Rules, in a dispute related to companies in the railway industry, involving concession rights and passenger transportation services.
- Counsel for a logistic company in a series of disputes related to the conditions for the internment of trucks and busses in the United States and Canada.
- Represented claimant in a cross-border dispute related to the sale of trucks, applying the Vienna Convention.

### **Insurance and Reinsurance**

- Leading counsel in an ad hoc proceeding, in a dispute for the damages caused to an industrial facility in Baja California (Mexico), involving insurance and reinsurance issues and geological studies.
- Sole Arbitrator under CANACO Arbitration Rules in a reinsurance dispute.
- Sole Arbitrator appointed by a local court in a high-stake international insurance dispute related to damages reserves.

### **Banking and Finance**

- Co-arbitrator under CANACO arbitration Rules, in a dispute related to the sale of a credit portfolio, involving international investors and finance companies.
- Sole arbitrator in an ad hoc arbitration, regarding a dispute involving US investors in a credit operation to finance producers of bee honey in Mexico. The case involved credit and agricultural and beekeeping issues.

## Tourism, Hospitality and Leisure

- Sole arbitrator under CANACO Arbitration Rules, in a dispute involving an international leisure company and a luxury transportation company.
- Represented defendant, a French travel agency, in a claim related to touristic services by a Mexican company.
- Counsel in a dispute related to the administration of an international luxury hotel chain.

## Intellectual property

- Counsel in an arbitration case under the ICC Arbitration Rules, in a dispute related to international companies in the automobile industry, involving intellectual property rights.

## Professional Services Agreements

- Sole arbitrator in an ad hoc case under the UNCITRAL for a damages claim (reimbursement of fees).

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## Education Background

Cecilia graduated from the Universidad Panamericana (México) with honors. At such University she also completed postgraduate studies on international commercial law. She obtained her Masters Degree with honors, at the Instituto Tecnológico de Estudios Superiores de Monterrey.

Cecilia has a diploma course in arbitration by the Instituto Tecnológico Autónomo de México and by the Centro Internacional de Arbitraje, Mediación y Negociación (CIAMEN) and the *Chartered Institute of Arbitrators* (CI Arb). She also has a diploma course in Energy by the Instituto de Investigaciones Jurídicas of the Universidad Nacional Autónoma de México.

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## Expertise

Cecilia has broad expertise as both party representative and arbitrator. She focuses her practice on issues related to cases involving governmental entities (administrative law), shareholders' disputes, energy, oil and gas, clean energies, infrastructure projects, trusts, construction, joint ventures, lease agreements, transportation and logistics, international sale of goods, distribution, insurance and reinsurance, e-commerce, intellectual property, and commercial transactions in general.

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## Practice Location/ Jurisdiction

Cecilia is admitted to practice in Mexico.

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## Working Languages

Spanish (native), and English (proficient)

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## Other Relevant Experience

### Selected publications:

- ITA Reporter, publishing at **Kluwer Arbitration** ([www.kluwerarbitration.com](http://www.kluwerarbitration.com)), relevant cases of the Mexican jurisdiction.
- ***Diccionario Enciclopédico de Arbitraje Comercial***, editor, Themis, 2010.  
This work, first of its kind, comprehensively develops up to 150 topics on commercial arbitration, by more than 30 renowned authors, coordinated and edited by Cecilia.
- ***Comentario al Reglamento de Arbitraje UNCITRAL 2010***, co-author, Legis, 2011.  
The editors of this work are: Pilar Perales Viscasillas and Ignacio Torterola, who coordinated practitioners participating in the UNCITRAL Working Group II, writing on the legislative history of the new UNCITRAL Arbitration Rules.
- ***Documentos Básicos sobre Arbitraje y Solución de Controversias***, compiladora, Themis, 2013.  
In this work, Cecilia compiles the basic documents related to international arbitration, including major conventions, rules of procedure and guidelines.

### Lectures and Teaching Appointments:

- Professor at the Universidad La Salle, Business Master Degree. Negotiation, Mediation and Arbitration course.
- Professor at the International Chamber of Commerce (ICC) Arbitration Diploma Courses in Mexico City, Monterrey, Guadalajara and Queretaro.
- Cecilia is frequently invited to speak before universities and institutions such as ICC, ICDR, ITA, CAM and CANACO.

### Memberships:

- Barra Mexicana Colegio de Abogados (BMA).
  - Admitted in 1999.
  - Former member of the Board of Directors.
  - Former Coordinator the Arbitration Committee.
- Institute for International Arbitration (ITA).
  - Board of Directors, Co-Chair of the Networking Committee.
  - Reporter for Kluwer Arbitration [www.kluwerarbitration.com](http://www.kluwerarbitration.com).
  - Former Co-Chair of the Young Arbitrators' Initiative.
- International Council for Commercial Arbitration (ICCA).
- Panel Member of the International Centre for Dispute Resolution (ICDR).
- Arbitration Commission of the International Chamber of Commerce (ICC).
  - World's Arbitration Commission.
  - Grupo Latinoamericano de Arbitraje.
  - Former President, ICC Young Arbitrator's Forum (YAF) in Mexico.
  - Former Coordinator, Regional Coordinating Committee, ICC YAF Latin American Chapter.

- Former Director of the Mediation and Arbitration Commission of the Mexico City National Chamber of Commerce (CANACO).
- Mexican Delegate before the UNCITRAL Arbitration and Conciliation Working Group.
- USMCA Advisory Committee on Private Commercial Disputes of the (31.22 Committee).
- Club Español del Arbitraje (CEA).
- Instituto Mexicano del Arbitraje (IMA).
- Asociación Latinoamericana de Arbitraje (ALARB).
- ArbitralWomen.
- International Association of Defense Counsel (IADC).
- Institute for Energy Law (IEL).
- Rocky Mountain Mineral Law Foundation.