



Kate Cervantes-Knox

Senior Counsel

kate.cervantes.knox@dlapiper.com

London

T: +44 (0)20 7796 6910

F: +44 (0)20 7796 6916

M: +44 (0)7971 142 576

Kate Cervantes-Knox is a solicitor advocate with over 20 years of experience representing clients in commercial arbitrations and investment treaty disputes across a range of sectors, with a focus on energy and infrastructure disputes.

She has been recognised as a Thought Leader by Who's Who Legal: Arbitration 2022, and by the Legal 500 and Chambers for her expertise in the fields of commercial arbitration, investor state arbitration and public international law.

During her career Kate has conducted arbitrations subject to many different systems of law, and under various different arbitral rules (including the LCIA, ICC, ICSID, UNCITRAL and LMAA). Kate also sits as arbitrator, and is a Fellow of the Chartered Institute of Arbitrators. She is currently President of the LCIA European Users' Council, a Director of the Board of the LCIA and a member of the ICC Arbitration and ADR Commission.

Kate has lived and worked in Spain and Latin America, and is a fluent Spanish speaker. Kate is a Visiting Professor at the University of Law, London.

LANGUAGES SPOKEN

- English
- Spanish

- International Arbitration
- Litigation, Arbitration and Investigations
- Regulatory and Government Affairs
- Cross-Border Litigation

- Energy and Natural Resources
- Industrials
- Technology

English Spanish

INVESTMENT TREATY ARBITRATION

- Representing an Azerbaijani investor in the telecommunications sector in an Eastern European country in relation to a dispute concerning adverse regulatory measures which constitute expropriation and unfair and inequitable treatment.
- Successfully represented the Republic of Kenya in the defence of ICSID proceedings brought by an investor active in the mining sector. This claim is thought to be the highest value and most strategically important investment treaty claim Kenya has ever faced. (*Cortec Mining Kenya Limited, Cortec (Pty) Limited and Stirling Capital Limited v. Republic of Kenya* (ICSID Case No. ARB/15/29)).

- Represented the Government of Georgia in ICSID arbitration claims valued at \$700 million brought under two bilateral investment treaties and under the Energy Charter Treaty relating to alleged investments in construction of oil and gas pipeline infrastructure and development of oil and gas facilities (*Ioannis Kardassopoulos v Georgia* (ICSID Case No. ARB/05/18); *Ron Fuchs v Georgia* (ICSID Case No. ARB/07/15)).
- Represented the Government of India in an investment treaty arbitration arising out of the construction and operation of a power station at Dabhol near Mumbai. Shareholders in the power company brought claims valued at \$6.5 billion pursuant to a bilateral investment treaty between India and Mauritius, alleging that acts of the Government of India constituted expropriation and inequitable and unlawful conduct, in violation of the treaty.

COMMERCIAL ARBITRATION

- Represented a Saudi Arabian-owned oil and gas group in two related ICC arbitration proceedings for loss of profit claims of USD 450m against a major state-owned oil company and a Central Asian state, for the wrongful abandonment of a joint venture and termination of a Production Sharing Agreement for the exploration and development of a gas field in Central Asia.
- Represented an African state defending claims of USD225 million brought by two US entities in arbitration proceedings under the UNCITRAL Rules arising from an improperly procured infrastructure project.
- Represented a South-East European Government in its defence of a €250 million ICC arbitration dispute concerning a multi-billion Euro project to design and construct more than 70 kilometres of commuter railway, including a new tunnel and all associated infrastructure (including over 40 new railway stations).
- Represented a global oil company in ICC proceedings in relation to an oil pipeline project in a war-torn Middle Eastern state.
- Represented a Spanish solar energy business in a LCIA arbitration in London with a Spanish manufacturer of solar energy panels. Successfully settled the claim with all claims against our client being withdrawn at no cost to our client.
- Represented a Korean ship builder in two related LCIA arbitrations in London against three Nigerian companies arising from a \$300m project in Nigeria for the engineering, procurement, construction and commissioning for a greenfield floating production storage and offloading vessel (FPSO).
- Represented a major US technology company in an UNCITRAL Rules arbitration in London with a US mobile software company arising from the unlicensed use of its intellectual property.

CREDENTIALS

Professional Qualifications

- Solicitor-Advocate in England and Wales

Prior Experience

- Kate is a Visiting Professor at the University of Law, London (appointed in January 2016)

Recognitions

- "Kate Cervantes-Knox is a standout partner with deep knowledge of arbitral procedure and the ability to get into the meat of the case quickly and efficiently." (*Legal 500*, 2022, International Arbitration)
- "Kate Cervantes-Knox is highlighted for her extensive expertise in the oil and gas sector and demonstrates notable strength in Africa and the Americas. She is highly adept at acting for a range of parties in complex disputes such as UNCITRAL and ICSID arbitrations. She is very switched-on and very good at actually monitoring the arguments in terms of presenting a case and separating out what matters versus what does not." (*Chambers and Partners*, 2022, International Arbitration, UK)
- "Kate Cervantes-Knox is a top class litigator with considerable arbitration experience as litigator, arbitrator and lecturer. She runs her hard-working team with efficiency and charm. A delight to work with and terrific team player." (*Legal 500*, 2021, International Arbitration)
- "Kate Cervantes-Knox... is adept at defending states in bet-the-company commercial and ICSID arbitrations. She has a great deal of experience in arbitration cases and has very good client-handling skills. She combines a real willingness to fight the client's corner with the ability to assess critically. She has a good sense of what will work tactically before the tribunal as well." (*Chambers and*

Partners, 2021, International Arbitration)

- "Kate Cervantes-Knox is excellent at running international arbitration involving large teams of lawyers based in different countries. A first-rate lawyer with a problem-solving disposition." (*Legal 500*, 2020, International Arbitration)
- "Kate Cervantes-Knox has vast experience representing clients in the oil and gas sector in commercial arbitrations. The impressive multi-jurisdictional scope of her practice includes notable strength in Latin American mandates." (*Chambers and Partners*, 2020, International Arbitration)
- "London partner Kate Cervantes-Knox has also received strong praise as somebody that a .. client "was grateful to have on side". "She is extremely responsive to client concerns and priorities." (GAR 100 - 8th edition)
- Kate Cervantes-Knox is "a capable lawyer with considerable advocacy skills, who is impossible to intimidate and who really knows how to manage a big case and the team of people needed to run it." (*Legal 500*, 2019, International Arbitration)
- "Kate Cervantes-Knox has significant investment treaty experience, representing both states and investors in international arbitrations pursuant to bilateral and multilateral investment treaties." (*Legal 500*, 2019, Public International Law)
- Clients comment: "She [Kate Cervantes-Knox] knows the rules of arbitration inside out and has a great sense of how to navigate incredibly complex legal disputes." (*Chambers UK*, International Arbitration, 2017)

Education

- Somerville College, Oxford, BA Experimental Psychology (1st class)
- Nottingham Law School, Common Practice Examination (Distinction)
- College of Law, London, Legal Practice Course (Distinction)
- Solicitors' Higher Courts (All Proceedings) Qualification

INSIGHTS

Publications

Disclosure dos and don'ts – ICSID Tribunal's reminder to parties of document production principles

13 December 2021

This article outlines the dos and don'ts of document production issued in a recent procedural order from the ICSID Tribunal.

The ICC's 2020 Dispute Resolution Statistics

22 September 2021

The International Chamber of Commerce has recently published its annual Dispute Resolution Statistics for 2020. This article offers a summary of the key takeaways despite challenges posed by COVID-19.

The LCIA 2020 Annual Casework Report

21 June 2021

The LCIA published its annual casework report for 2020, the report showed that during the COVID-19 pandemic the LCIA has continued to thrive, with more disputes being referred to the LCIA in 2020 than in any previous year. We have summarised below some of the key trends which emerge from the Report.

Arbitrator's Duty of Disclosure and Apparent Bias - "Justice must be seen to be done"

1 December 2020

In its much awaited judgment in *Halliburton v Chubb*, the English Supreme Court has considered issues which go to the core of the perceived fairness and integrity of international arbitration proceedings. The issues are of such importance that five different entities intervened in the proceedings, including the LCIA, ICC and the Chartered Institute of Arbitrators.

Current trends in investor state disputes in the telecommunications sector

9 November 2020

The telecommunications sector is one of the fastest growing sectors globally, and has played a critical role during the on-going Covid-19 pandemic in keeping the world interconnected. The high levels of activity in this sector have given rise to a corresponding increase in telecoms-related #disputes, including under investment treaties.

Events

- ZIALE Law School, Lusaka, Zambia: Lecturing on international arbitration (February 2016)
- International Arbitration: A lawyers' jamboree or a linchpin of justice?, London, 12 Mar 2015
- LCIA North American Users' Council Symposium, Washington D.C., Co-chair of session on "Orders, Awards and Enforcement" (February 2015)
- Lecture at Korea University at its Investor-State Dispute Settlement Conference on the subject of Fair and Equitable Treatment jurisprudence in investment treaty arbitration (August 2013).
- International arbitration (including investment treaty arbitration) training for government lawyers in Dar Es Salaam, Tanzania (May 2013)
- Lecture on investment treaty arbitration at the "Trade Promotion and Protection of Foreign Investments" seminar organized by TOPAZ in cooperation with Konrad-Adenauer-Stiftung, Ministry of Finance of the Czech Republic and DLA Piper Prague LLP (March 2013)

NEWS

DLA Piper's Kate Cervantes-Knox appointed to LCIA Board

4 October 2021

DLA Piper Litigation and Regulatory partner Kate Cervantes-Knox has been appointed as Director to the Board of the London Court of International Arbitration (LCIA).
