



## Projects, Energy and Infrastructure

DLA Piper's Projects, Energy and Infrastructure team has a track record of successfully delivering first-rate legal services in all segments of the infrastructure and energy industries. We advise on energy law, infrastructure finance, transport matters and more.

Our lawyers understand the commercial, strategic, technical, geographical and political factors that shape and impact these industries, as well as the business issues and risks inherent when working in these sectors. Our market leading presence also allows us first-hand access to contacts, sponsors and key decision makers worldwide.

### CAPABILITES

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The group represents sponsors, contractors, multilateral institutions, corporations, developers, equity investors, financial institutions, governments, utilities and regulatory bodies in the procurement, development, financing, acquisition, construction and operation of a wide range of complex infrastructure and energy projects on nearly every continent.

These projects include:

- Power generation from natural gas, coal, petroleum and, renewables
- Pipelines
- Drilling platforms
- Transmission networks
- Mining facilities
- Defence and security projects
- Waste projects and resource recovery facilities
- Telecommunications networks
- Vessels
- Ports
- Airports
- Highways, toll roads and bridges
- Transportation systems including airports, heavy rail, light rail and bus

### KEY CONTACTS

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- Environment, Health and Safety
- International Corporate Reorganizations
- Finance
  
- Energy and Natural Resources
- Infrastructure, Construction and Transport

- Water supply and waste water systems
- Accommodation and healthcare facilities
- Sports, tourism and entertainment facilities

## INSIGHTS

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### Publications

#### **New wave of US sanctions on Russia targets services, broadcasting, banking, and US exports**

16 May 2022

##### **GLOBAL SANCTIONS ALERT**

The US government continues to announce new measures.

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#### **Mexican Congress rejects electricity constitutional reform and approves bill to regulate lithium**

20 April 2022

An outline of the House of Representatives' decision regarding the Electricity Reform and Mining Reform, as well as its possible implications.

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#### **Latest sanctions block Russia's largest banks, cyber actors and more; Biden's executive order prohibits investments in Russia by US persons**

8 April 2022

##### **GLOBAL SANCTIONS ALERT**

Two of Russia's largest banks, Sberbank and Alfa-Bank, which had previously been subject to narrower restrictions, have now been blocked.

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#### **Mexican Supreme Court dismisses Unconstitutionality Action against Electricity Industry Law reform**

8 April 2022

Key developments and implications

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#### **Driving change: The decarbonisation of European transport**

1 April 2022

Our new study, in association with Acuris Studios, surveyed 100 senior executives of organisations based in Europe that have invested in European decarbonisation projects and/or technologies related to aviation, rail or shipping in the past 24 months.

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## **Economic drivers in Latin America: Key industry sectors and the rise of ESG**

1 April 2022

Overshadowed by the pandemic, Latin America's GDP growth results closed 2020 at nearly – 8%, while global GDP growth results closed at – 5%. The growth forecast for 2021 is at 4.1%, relying on the vaccination efforts across Latin America countries to combat COVID-19, as well as the many relief packages launched by the world's biggest economies to help emerging economies.

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## **Green Hydrogen in Chile: A Contribution to the Global Energy Transition**

1 April 2022

Nowadays we see governments around the world adopting decarbonization policies to transition their economies away from high-emission electricity generation and polluting manufacturing/production of goods and services.

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## **Projects Global Insight Issue 5, 2022**

1 April 2022

### **PROJECTS GLOBAL INSIGHT**

Welcome to the new issue of the Project Global Insights 2022. In some areas of the globe we are now seeing a gradual loosening of restrictions triggered by the COVID-19 pandemic, and stakeholders and governments across the world continue to focus on transport, infrastructure and clean energy investments to boost economic activities.

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## **The Biden Plan: The most awaited infrastructure plan for the US**

1 April 2022

The need for an adequate infrastructure program for the US is well known. This program has taken several presidencies to see the light of day, but it finally took the form of a concrete and ambitious plan presented by the Biden Administration in March 2021 known as the American Jobs Plan.

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## **'Boomerang' decommissioning liabilities for the oil & gas industry in Australia**

1 April 2022

Since ExxonMobil drilled Australia's first offshore well in 1965, Australia's oil & gas industry has developed, grown and matured, supporting Australia's energy security and generating significant economic growth.

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## **Proposed EU corporate sustainability due diligence directive: what US companies need to know**

31 March 2022

If adopted, the proposed directive could have significant implications not only for EU enterprises but also for US and other non-EU companies conducting business within the EU.

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## **New wave of US sanctions targets Russian Duma, additional elites, defense entities; BIS extends export controls to more than 100 Russian aircraft**

29 March 2022

### **GLOBAL SANCTIONS ALERT**

The latest sanctions affect all members of the Duma, Russian elites, bank executives and board members, and Russian defense firms, and BIS has extended export controls to certain Russian aircraft.

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### **ISDA proposes Form of Amendment for nickel market disruption fallbacks: understanding the options**

28 March 2022

Those who use nickel for their commodity reference price may find the Form of Amendment useful to avoid calculation uncertainty.

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### **Through the lens of Chile: Four trends motivating the energy sector in 2022**

28 March 2022

[\*\*PANORAMA\*\*](#)

The planning process may prove complicated for the energy sector as it strives to integrate trends that are rapidly transforming the industry.

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### **Using big data and AI to track ESG criteria: The LatAm experience**

14 March 2022

[\*\*PANORAMA\*\*](#)

Today's investors need a comprehensive view of the potential material ESG issues facing their portfolio companies in order to meet regulatory requirements.

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### **US sanctions Russian energy sector while allowing various energy-related activities to continue**

9 March 2022

[\*\*GLOBAL SANCTIONS ALERT\*\*](#)

Today's actions further restrict commercial activity and increase risks of sanctions violations by well-intentioned companies.

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### **US continues to escalate sanctions against Russia and Belarus**

4 March 2022

[\*\*GLOBAL SANCTIONS ALERT\*\*](#)

White House announces new sanctions while putting in place extensive new export control measures against Russia and Belarus; DOJ announces Task Force KleptoCapture; OFAC closes some loopholes.

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### **Looking to verify your energy project to generate carbon credits? Understanding two popular verification registries**

18 February 2022

A summary of VERRA and Gold Standard.

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### **Canada develops GHG offset regulations**

8 February 2022

The System will work in tandem with existing provincial and territorial systems to develop a consistent suite of requirements for transferability and fungibility of GHG offset credits across Canada.

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### **Six commodities predictions for 2022**

2 December 2021

The worldwide turmoil of 2020 is, in many ways, still with us, but the good news is that alongside the struggles, the commodities realm is seeing an immense number of opportunities. Here, we take a fast look at the six areas we think the commodities sector should be watching in the year to come.

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### **Mexican president waives authorizations, permits and license requirements for government public works**

23 November 2021

The decree declares that infrastructure projects are a matter of public interest and national security, as well as a strategic priority for national development.

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### **New developments in the Mexican energy sector generate uncertainty**

17 November 2021

A discussion of relevant measures, criticisms and comments.

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### **Five issues to watch for at COP26 in Glasgow**

12 October 2021

Hopes had already been high for COP26 even before the pandemic paused it. The pent-up potential has only heightened those expectations.

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### **New antidumping and countervailing duty petition: Oil country tubular goods from Argentina, Mexico, the Republic of Korea, and Russia – consequences for industry and downstream consumers**

8 October 2021

US AD and CVD investigations can result in the imposition of substantial duties in addition to already applicable duties and tariffs.

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### **President of Mexico files constitutional reform bill on electricity**

7 October 2021

The result may include serious consequences for private investors in the energy sector in Mexico.

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### **Brazil: Bioenergy in the ESG context**

22 July 2021

A look at Brazil's evolving approach to the sustainable use of environmental resources.

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## Episode 5: What should we expect from COP26?

6 July 2021

### THE CLIMATE TRANSITION PODCAST

In this episode, we're joined by Ambassador P. Michael McKinley as we look ahead to COP26 and the best that businesses can hope for. Will this mark a step change in the energy transition? Are we putting too much faith in politicians to lead on that transition? How much can businesses lead and, if so, how much will COP26 help them?

DLA Piper · What should we expect from COP26?

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## The DLA Piper Project Simulator – one year on

2 July 2021

Over the past year, we have delivered The DLA Piper Project Simulator to many of our construction, engineering and infrastructure clients, over a virtual platform, and client feedback has been overwhelmingly positive.

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## Reforms in the energy legal framework in Mexico and challenge mechanisms

4 June 2021

The Energy Counter-Reform includes variations which aim to restore the monopoly power of CFE and Pemex.

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## The role of external construction counsel

14 May 2021

A common reaction to hearing that someone is a “construction lawyer” is the assumption that this must be a very narrow and focused role. In this article written for the *Construction Law Letter*, Howard Krupat shows that often the opposite is true, and that the responsibilities of a construction lawyer are as varied as the range of projects within the construction industry and even the lifecycle of a particular project.

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## The Russia sanctions and their impacts on commodities companies: Action steps for companies engaged in transactions with Russian gas and energy companies

11 May 2021

Implications of key provisions in President Biden's Executive Order.

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## US government announces sweeping sanctions against Russia

16 April 2021

### GLOBAL SANCTIONS ALERT

The newly imposed sanctions represent a significant escalation and addition to the sanctions architecture put in place by the Obama and Trump Administrations.

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## **CFTC's new Climate Risk Unit: Another tool in the Biden Administration's "whole of government" campaign against climate change**

23 March 2021

With this move, the US joins governments across the globe in recognizing the vital role derivatives markets will play in developing new solutions to address climate and sustainability challenges.

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## **Public-private partnerships for infrastructure investment: a global perspective**

18 March 2021

In a new global report, produced in partnership with Global Infrastructure Investor Association (GIIA), DLA Piper assesses the case for PPPs, backed by multijurisdictional analysis from our projects and infrastructure lawyers around the world as well as insight from leading infrastructure investors who are fellow members of the GIIA.

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## **Reform to the Electric Industry Law: a new risk for energy projects in Mexico**

10 March 2021

Foreign investors involved in energy projects in Mexico may wish to consider their rights and potential remedies under applicable investment treaties.

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## **Imminence does not mean haste**

4 March 2020

### **EU SUSTAINABLE FINANCE**

Sustainability and ESG stewardship are at the forefront of investment managers' and investment funds' agendas under the combined pressure of investors and as a result of several important pieces of regulation becoming live. SFDR is one of them. It will become applicable in phases, the first deadline being as early as 10 March 2021.

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## **The Biden Administration's impact on oil and gas**

18 February 2021

These actions will add an additional layer of regulations for oil and gas operations.

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## **Extension of USD LIBOR – ICE Benchmark Administration Consultation**

12 January 2021

On 30 November 2020, the ICE Benchmark Administration (IBA) which compiles and oversees LIBOR, announced that it will hold a consultation on its intention to extend most US Dollar LIBOR (USD LIBOR) tenors until 30 June 2023.

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## **Boardroom Brexit: What the deal means for transport**

31 December 2020

## BOARDROOM BREXIT

There will be continued market access rights for UK and EU road haulage operators, while under the TCA, UK and EU air carriers will continue to enjoy flyover rights and operating rights on routes between the UK and EU. However, UK carriers will not be able to operate cabotage routes in the EU (and vice versa)

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## Oil and gas operations in Latin America

3 December 2020

Addressing key operational and commercial challenges that are unique to Latin America.

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## 5G Contracts: Features and challenges of the new Colombian infrastructure programs

30 November 2020

Historically, relied on as an anti-cyclic economic boost, infrastructure development has found a renewed role in reactivating the Colombian economy recently affected by the COVID-19 pandemic. The Colombian government's launch of the 5G concession program sets forth an opportunity to reactivate the Colombian economy.

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## Brazil's new basic sanitation legal framework

30 November 2020

In July 2020, Brazil's New Sanitation Legal Framework was approved. It aims at the universalization of sanitation and water supply in Brazil by 2033 by attracting investment of USD128 billion. The new regulatory framework is expected to transform the nation's water and sanitation sector, creating a business environment with more competition and legal certainty, and fostering domestic and foreign private investment in the sector.

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## Cost plus fee contracts in the era of COVID-19

30 November 2020

COVID-19 has changed the certainty of many areas in the economic spectrum. For construction contracts it has affected its most important variables: cost and time. In this context, cost plus fee contracts can be used as a way to prevent, mitigate and backstop distressed infrastructure projects, since they permit the parties to undertake projects that involve substantial uncertainties.

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## PFI and PPP in the UK – is it time to talk about handback?

30 November 2020

The most recent standard form contracts and guidance in the UK for PPPs and similar forms of contract recognize the importance of prescribing detailed handback requirements and making provision for lead-in processes to be followed when a project approaches the end of its term.

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## Projects Global Insight Issue 4, 2020

30 November 2020

### PROJECTS GLOBAL INSIGHT

In what is undoubtedly one of the most testing periods for the infrastructure and construction industry, key stakeholders continue to

focus on delivering resilient, adaptable and fit-for-purpose assets and services in extremely challenging conditions.

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## Corporate PPAs in New Zealand

27 November 2020

PPAs have become very popular around the world and they are starting to fit in within the New Zealand market. Businesses from various sectors are entering into these agreements, which can be an essential component of their energy strategies. So, what are PPAs exactly, what is their relevance in New Zealand and what advantages do they present to electricity users?

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## Assessing ESG factors in the energy sector

27 October 2020

### ESG HANDBOOKS AND GUIDES

A reference tool for energy companies as they discuss and refine their ESG programs.

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## Americas Arbitration Roundup

26 October 2020

In this first edition of *Americas Arbitration Roundup*, our thought leaders across the region provide updates on recent key developments in international arbitration in the Americas.

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## DLA Piper Collaborative Contracting and Procurement Paper 2020

22 October 2020

The construction industry has suffered for ages from contracts and procurement processes that crudely allocate various risks resulting in misaligned incentives and consequent disputation.

It was from a desire to overcome this misalignment of interests that 'collaborative contracting' was born.

Read more in our paper.

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## The energy transition and renewable energy in Chile: Top points for foreign investors

8 October 2020

Chile has been actively addressing the energy transition for more than a decade, building a legal foundation that is attracting investment in renewable energy projects.

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## Three ESG steps to keep your project bankable in 2021

17 September 2020

Version four of the Equator principles will take effect on 1 October 2020, and it introduces three new requirements to the international environmental and social baseline for project finance.

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## **Distributed generation: A rising energy market in Chile**

16 September 2020

This growing market has features that make it attractive for investors in uncertain times.

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## **New measures threaten investments in the Mexican energy sector**

14 July 2020

Details on the impact of these developments.

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## **The Energy Transition: The impact of Covid-19 and moving to a net-zero economy**

26 May 2020

On 19 March 2020, Adrian Del Maestro, global research director with PwC Strategy&, presented to DLA Piper's International Energy and Natural Resources sector lawyers on the immediate impact of COVID-19 and challenges of moving to a net zero economy.

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## **Mexican renewable energy projects affected by new measures**

19 May 2020

Foreign investors in wind and solar electricity generation facilities in Mexico may wish to consider their rights and potential remedies under applicable investment instruments.

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## **Proyectos de energías renovables en México afectados por nuevas medidas**

19 May 2020

El 29 de abril de 2020 el Centro Nacional de Control de Energía (el "CENACE") emitió el "Acuerdo para garantizar la eficiencia, Calidad, Confiabilidad, Continuidad y seguridad del Sistema Eléctrico Nacional, con motivo del reconocimiento de la epidemia de la enfermedad causada por el virus SARS-CoV2 (COVID-19)" (el "Acuerdo CENACE").

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## **Tax incentives in Puerto Rico: a quick introduction**

13 JUN 2017

Puerto Rico offers a spectrum of economic incentives aiming to promote many key industries. This handbook offers a quick look at ten of the most significant of these incentives.

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## **Electrify Africa Act is now law**

2 MARCH 2016

The law demonstrates broad bipartisan support for a comprehensive US policy aiming to facilitate private financing and PPP structures as tools to develop power projects in sub-Saharan Africa, which should provide opportunities for investors, sponsors and lenders to advance their projects.

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## Slavery in the supply chain: new corporate reporting obligations for companies

9 DEC 2015

### HEALTH, SAFETY AND ENVIRONMENTAL MATTERS SERIES

The UK's Modern Slavery Act 2015 is in force, imposing on companies new reporting requirements and new enforcement powers, including the creation of an Independent Anti-Slavery Commissioner.

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## Historic reform in Mexico clears the way for foreign investment in energy sector: 5 key aspects

19 DEC 2013

A clear roadmap for the regulation of hydrocarbons

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## The EU looks at fracking: regulations taking shape

21 NOV 2013

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## A new test for the *Pacto por México*: energy reform – key points for energy companies

12 SEP 2013

Opening the petrochemical industry to private investment

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## US commits \$7B to ambitious Power Africa initiative

2 JUL 2013

A new initiative aiming to double access to power in sub-Saharan Africa

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## New York Assembly passes two-year fracking moratorium, while Illinois moves forward

11 MAR 2013

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## Events

### Previous

#### Accessing global capital markets

31 March 2022

Webinar

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## Embracing Digital Evolution

15 September 2021  
Webinar

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## IPEM 2021

8-9 September 2021  
IPEM 2022  
Paris

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## Infrastructure projects in Brazil: Opportunities and challenges for investors

14 April 2021 | 10:00 - 11:30 ET  
Webinar

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## NEWS

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### DLA Piper tops inspiratia 2021 renewable energy rankings

29 March 2022

DLA Piper has been ranked as the number one law firm for advising on completed renewable energy deals in 2021. The ranking is compiled by inspiratia, a provider of real-time energy industry analysis and news.

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### Diego Peña named new partner of DLA Piper Chile

3 January 2022

DLA Piper announced today that Diego Peña, who has served as a senior associate in the regulatory and energy and natural resources practices of DLA Piper Chile since 2015, has been named a partner of the firm.

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### DLA Piper lawyers, practices and sectors ranked in latest edition of *The Legal 500 Latin America*

25 October 2021

DLA Piper today announced that the firm received 46 individual lawyer rankings and 68 firm rankings in *The Legal 500 Latin America* 2022 guide.

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### Campos Mello Advogados bolsters team with new partners in oil and gas, maritime, environmental, litigation and arbitration

18 October 2021

DLA Piper announced today that five new partners have joined Campos Mello Advogados (CMA), in cooperation with DLA Piper. The expansion strengthens its capabilities in oil and gas, maritime, litigation and arbitration, with a particular focus on environmental and

sustainability initiatives. This significant lateral group expansion represents the latest step in CMA's alignment with DLA Piper and its relationship firms throughout the region and in Canada.

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### **DLA Piper recognized in *Latin Lawyer 250* directory**

13 October 2021

DLA Piper is pleased to announce that it has been recognized by *Latin Lawyer* in the 2021 edition of the publication's annual *Latin Lawyer 250* directory, which identifies the leading business law firms in Latin America.

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### **DLA Piper lawyers and practices ranked in *Chambers Latin America 2022***

30 August 2021

DLA Piper today announced that the firm received 38 individual lawyer rankings and 15 firm rankings in the *Chambers Latin America 2022* guide.

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### **Lucas Arboleda joins DLA Piper Martinez Beltran as director of Energy and Natural Resources practice**

29 April 2021

DLA Piper announced today that Lucas Arboleda has joined DLA Piper Martinez Beltran in Colombia as director of the Energy and Natural Resources practice.

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### **DLA Piper advises Iberdrola on AUD893 million takeover**

25 August 2020

Global law firm DLA Piper has advised Spanish utility giant Iberdrola on its AUD893 million takeover of Infigen Energy (ASX:IFN).

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### **Paola Aldana joins DLA Piper Martinez Beltran as head of Infrastructure practice**

18 June 2020

DLA Piper announced today that Paola Aldana has joined DLA Piper Martinez Beltran in Colombia as a partner and head of the Infrastructure practice.

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