

José Antonio Rodríguez Márquez

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Law Degree

National School of Professional Studies of Acatlan. National Autonomous University of Mexico (“UNAM”).
Licenciado en Derecho (1978).

Summa cum Laude and “*Gabino Barreda*” medal (highest honor granted to students by Advisory Board of UNAM).

Postgraduate Studies

- Course of Commercial Transactions at University of Houston, Houston Texas (1982).
- Specialties in Tax Law (1986) and *Amparo* Suit (constitutional procedure) at Universidad Panamericana, Mexico City (1988).
- Course of Legal Assistance at Blackstone School of Law, Dallas Texas (1991).
- Diploma on International Commercial Arbitration at *Escuela Libre de Derecho*, Mexico, D.F. (1994).
- “Chartered Arbitrator” by “The Chartered Institute of Arbitrators”, London (2003).
- Studies in Specialty in Real Estate Valuation at *Universidad del Valle de México*, Mexico City (2005).
- International Mediator of the “International Centre for Dispute Resolution”, International Division of the “American Arbitration Association” (2005).
- Studies in Art Valuation. *Casa Lamm*, Mexico City (2006).

Professional Career

For more than 30 years, transactional attorney in the areas of: real estate, hospitality industry, commercial, infrastructure, private financing, mergers and acquisitions.

- Founding Partner of Bufete Rodríguez Márquez, S.C. (since 1986). Asociado.- Santamarina y Steta, S.C.; Ciudad de México (1979-1984). Visiting Lawyer.- Baker Botts.- Houston, Texas.- 1982.
- Arbitrator or mediator in multicultural international disputes in the areas of: commerce, corporate law, infrastructure and energy.
- Facilitator in the adoption of principles and techniques in the dispute resolution processes in different industries and bussines.
- Member of “Barra Mexicana, Colegio de Abogados, A.C.” and “Asociación Nacional de Abogados de Empresa, Colegio de Abogados, A.C.”
- “Corredor Público 51 of México City”.
- Private Certified Mediator 282 of Mexico City.

- **President** of the Commission of Mediation and Arbitration of the National Confederation of Industrial Chambers of the United Mexican States (**CONCAMIN**).
- **Member** of the “Instituto Mexicano del Arbitraje” (**IMA**).
- **Fellow** of “The College of Commercial Arbitrators” (**CCA**).
- **Panelist** of the “Energy Arbitrators List” (**EAL**).
- **Chartered Arbitrator** of The Chartered Institute of Arbitrators (**CIArb**).
- **“Panel Appointment Certificate”** of the Chartered Institute of Arbitrators (granted to demonstrate publicity that its holders are achieving and maintaining ethical and competent standards of practice in their discipline or disciplines of dispute resolution at the level of qualification held).
- American Arbitration Association (**AAA**).
- International Centre for Dispute Resolution (**ICDR**).
- International Chamber of Commerce (**CCI**).
- **Member** of the Council Board of the Arbitral Center of the Construction Industry, A.C. (**CAIC**).
- International Institute for Conflict Prevention and Resolution (**CPR**).
- Ex-Vicepresident of the Committee of Mediation in the Commission of International Arbitration of the ICC Mexico.
- Coordinator of the Activities of International Tax Arbitration in the Commission of International Arbitration of the ICC Mexico.
- Vicepresident of the Chapter of Mexico City of “Asociación para la Resolución de Conflictos, A.C.” (**ARCO**).
- Member of the Executive Committee of the North American Branch of the Chartered Institute of Arbitrators.

He has served as sole arbitrator, chair, co-arbitrator, in more than 40 international and national arbitrations in Mexico and abroad, in areas such as: commercial, insurance, shareholders disputes, joint ventures, franchises, industrial property, construction, real estate, infrastructure, electricity generating plants, water treatment plants, oil and gas, golf courses, mergers and acquisitions.

Mediation

- **Philosophy in Mediation.**- Mediation is communication building and restoring relationships; avoiding disputes or streamlining the matters in controversy. Mediator should seek creative solutions with a perception of fairness to the parties.
- **Experience in Mediation.**- as mediator and advocate in family business, commercial corporate, construction and infrastructure matters.
- **Experience in Multi-Party Mediation.**- in construction issues where there are different interest seeking the same result.

- **Rules of “Centro de Arbitraje de Mexico” (CAM).**- Place of Arbitration: Mexico City.- Mexican laws.- dispute from a construction and exploitation agreement for infrastructure works, between a municipal entity and a Mexican private company, for an amount of seven figures in US dollars.- **Sole Arbitrator.**
- **Ad hoc Arbitration.**- Place of Arbitration: Mexico City.- Mexican laws.- controversy from a breach of contract, subject to the Law of Acquisitions, Leases and Services of the Public Sector, between a federal entity and a Mexican private company, for an amount of five figures in US dollars.- **Sole Arbitrator.**
- **Ad hoc Arbitration.**- Place of Arbitration: Mexico City.- Mexican laws.- dispute from a distribution agreement, between a Swedish company and a Mexican corporation, for an amount of eight figures in US dollars.- **Co-counsel of the foreign company.**
- **CAMCA Rules (Commercial Arbitration and Mediation Centre for the Americas).**- Place of Arbitration: Mexico City.- New York and Mexican laws.- controversy from a stock purchase agreement between Mexican companies affiliates of foreign companies, for an amount of six figures in dollars of the US.- **Co-arbitrator.**
- **Rules of the International Chamber of Commerce.**- Place of Arbitration: Mexico City.- Mexican laws.- dispute from a breach of contract related to a public bidding for the construction of electric transmission lines abroad, between Mexican companies affiliates of foreign companies, for an amount of seven figures in US dollars.- **Co-counsel.**
- **Rules of the International Chamber of Commerce.**- Place of Arbitration: Mexico City.- Mexican laws.- controversy from breach of contracts for the construction and administration of facilities of a commercial mall within the facilities of a public transportation system (railroad), between an affiliate of a foreign company and a Mexican corporation, for an amount of eight figures in dollars of the US.- **Co-arbitrator.**
- **Rules of the International Chamber of Commerce.**- Place of Arbitration: Mexico City.- Mexican laws.- dispute from breach of contracts for the generation and sale of electricity, where a declarative award was requested and granted, with important economic ramifications for this industrial sector, between a Mexican company affiliate of a foreign company, and a federal public entity.- **Co-arbitrator.**
- **ICDR Rules (International Centre for Dispute Resolution a Division of the AAA).**- Place of Arbitration: Mexico City.- Mexican laws.- controversy from the breach of a final consented award on case of the tourist sector, with aspects of property, development of land, and usufructs, between a Mexican company, and a company affiliate of a foreign corporation, for an amount of eight figures in dollars of the US.- **Sole arbitrator.**
- **Rules of the International Chamber of Commerce.**- Place of Arbitration: Mexico City.- Mexican laws.- dispute from the breach of contract for the rendering of services in the electric sector, between a Mexican company affiliate of a foreign company and a federal public entity, for an amount of six figures in US dollars.- **Co-arbitrator.**
- **Rules of the International Chamber of Commerce.**- Place of Arbitration: Miami, Florida.- Brazilian laws.- dispute from a joint venture for a housing development in Brazil, between an American company and a Brazilian corporation, for an amount of eight figures in US dollars.- **Chair.**
- **Rules of “Centro de Arbitraje de México” (CAM).**- Place of arbitration: Mexico City.- Mexican Laws.- dispute on insurance claims deriving from the destruction of railways because of a hurricane, for an amount of eight figures in US dollars.- **Chair.**

Tutor, mentor, facilitator, professor:

- International tutor of the “Chartered Institute of Arbitrators”.
- Mentor for the Course in International Fiscal Law in the Certificate Program for Managers: Harvard-Impuestum.
- Professor for the Certificate Program in Commercial Arbitration at the Center of Arbitration of Mexico, Barra Mexicana Colegio de Abogados, and Instituto Tecnológico de Monterrey, Campus Santa Fe.
- Professor of “International Tax Arbitration”, in the Diploma of International Commercial Arbitration of Escuela Libre de Derecho and International Chamber of Commerce - Mexico.
- Facilitator in “Practical Cases” at the diploma Course of International Commercial Arbitration of Escuela Libre de Derecho and International Chamber of Commerce – Mexico.
- Professor of course on “Commercial Arbitration” and “Mediation” as part of the Specialty Business Law at the Universidad Panamericana.

He has been a professor at:

- Universidad Autónoma de México.
- Instituto Tecnológico de México.
- Universidad Panamericana.
- Escuela Libre de Derecho.
- Instituto Tecnológico de Monterrey, Campus Santa Fe.
- Cámara de Comercio Internacional.
- Universidad en Estudios de Posgrado en Derecho.
- Instituto de Especialización para Ejecutivos.

Recent Publications and in progress

- “Mediation or Arbitration”?- CONCAMIN in process of publication.
- “Participation of In-House Counsel in the Reduction of Costs and Time in Arbitration”.- DOFISCAL.- “Abogado Corporativo” Magazine.
- “Constitutional Considerations on the Arbitral Procedure in Arbitral Commercial Matters”.- Revista Latinoamericana de Mediación y Arbitraje.
- “Mediation and Arbitration living together to resolve disputes”. DOFISCAL.- “Abogado Corporativo” Magazine .- co-author and translator with Steven K. Andersen.
- “The whys of Commercial Arbitration”. “Euro Business Magazine”.
- “Arbitration and Administrative Rescission”.- in progress.
- “Mexico and Arbitration in the Trans – Pacific Partnership”.- in progress.
- “Arbitral Clauses in Round 1 of Energy Agreements and the Arbitral Legislation in the Netherlands”.- in progress.
- “Farm-out Agreements in the Energy Reform in Mexico”.- in progress.

Mexico City, May 10, 2017.