

**ANA GERDAU DE BORJA**

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Brazilian and German

Member of the Brazilian and Portuguese Bars, Registered with the Paris Bar (Directive List)

*Cambridge-educated attorney specializing in international arbitration*

**I. EXPERIENCE**

- Cleary Gottlieb Steen & Hamilton, Paris** 2015 - 2017  
*Associate, International Arbitration*
- Acted as Counsel to a State in investment arbitration proceedings conducted under ICSID Rules
  - Provided advice on dispute settlement clauses on investment (re)structuring to take advantage of protections offered by investment treaties
- Wald, a 1st-tier dispute resolution firm (Legal500), São Paulo** 2010 - 2015  
*Associate, International and Domestic Arbitration*
- Acted as Counsel in 16 commercial arbitration proceedings conducted under ICC, ICDR and Brazilian rules such as CAM/CCBC, CIESP/FIESP and BOVESPA. Proceedings included major Brazilian infrastructure projects (in the renewable energy, oil & gas and transportation sectors), and mining projects
  - Helped successfully settle 6 of these proceedings. They included the world's largest meat processing company, one of the largest French mass retailers, a leading Scandinavian energy investor, Brazilian leading oil & gas players, one of the world's largest sports company, and a major Brazilian railway concessionary
- ICC Task Force on the Revision of ADR, Expert and Dispute Board Rules** 2012 - 2014  
*Member*
- Proposed revisions leading to new ICC Mediation, Expert and Dispute Board Rules
- BKBG, founded by Eduardo Damião Gonçalves (now partner at Mattos Filho), São Paulo** 2009 - 2010  
*Associate, International and Domestic Arbitration*
- Acted as Counsel in 4 commercial arbitration proceedings under Brazilian arbitration rules in the construction, energy and real estate sectors
  - Acted as Secretary to 3 arbitral tribunals in proceedings under ICC, CIESP/FIESP and the Engineering Institute's (IE) arbitration rules
  - Helped create dispute board rules of a major Brazilian dispute resolution institution
- WTO Appellate Body Secretariat, Geneva** 2008  
*Intern*
- Prepared memoranda on "*Brazil—Measures Affecting Imports of Retreaded Tyres*"
- ICC International Court of Arbitration Secretariat, Latin American Team, Paris** 2007  
*Intern*
- Helped prepare reports on arbitral awards for ICC Court sessions involving Latin American parties

## II. PROFESSIONAL RANKINGS

- Women in Law Award, Latin America** 2014  
*Granted by Lawyer Monthly to only 14 Brazilian attorneys*
- Legal 500** 2013  
*Band 1 Dispute Resolution: Arbitration (Wald)*
- “[...] Ana Gerdau de Borja [is] highly recommended for arbitration”
- GAR 100 (Global Arbitration Review)** 2013  
*Band 1 Dispute Resolution: Arbitration (Wald)*
- “[...] Ana Gerdau de Borja was appointed a member of the ICC Task Force on the Revision of ADR Rules, Expert Rules and Dispute Board Rules”
- Latin Lawyer 250** 2013
- “[...] Ana Gerdau de Borja [is] also noteworthy [in arbitration]”

## III. EDUCATION

- University of Cambridge (UK)** 2005 - 2010  
*PhD in Law under the supervision of ICJ Judge James Crawford: “European Economic Community Rules and Investment Treaty Arbitration: The EU Experience and its Relevance for the Andean Community”*  
*LLM (International Law)*
- University of Texas at Austin (USA)** 2004  
*Visiting Law Student*
- Federal University of Rio Grande do Sul, Porto Alegre (Brazil)** 2000 - 2005  
*LLB*

## IV. SELECTED PUBLICATIONS

- “The New Brazilian Arbitration Law” [2016] 47 University of Miami Inter-American Law Review 21 (with A Wald)
- “Instalment Contracts and Fundamental Breach in the CISG: A Brazilian Perspective”, in C. Pereira; L. Tripodi (eds), CISG and Latin America. The Hague, Eleven Publishing (2016)
- Investment Protection in Brazil. The Hague, Kluwer (2014) (with D Levy, A Pucci)
- “Brazil as ‘La Belle of the Ball’: The Brazilian Courts’ Pro-Arbitration Stance (2011-2012)” 2013(2) The Paris Journal of International Arbitration 381 3 (with A Wald)

## V. LANGUAGES

- **Portuguese** (native); **English** (fluent); **Spanish** (fluent); **French** (fluent); **Italian** (limited working capacity); **German** (limited working capacity)