

Thomas N. Pieper

Counsel
Munich

Biography

Civil and common law-trained, Thomas Pieper helps clients navigate the murky waters of complex international disputes (arbitration, litigation, mediation), contract drafting (clauses, settlements), and regulatory matters (FCPA-related investigations, due diligence). His focus is on energy (oil, gas, renewables), financial institutions, and automotive & mobility.

Thomas has represented foreign and domestic corporates and sovereigns before German, Mexican, and U.S. courts. His dual qualification allows Thomas to understand the cultural and legal differences between the various legal systems and, combined with his language skills, to communicate with clients in their native tongue. He has spent significant time during his professional and academic careers in Latin America and Spain. Acknowledging that many a dispute starts with a badly worded contract, he assists clients in drafting proper dispute resolution clauses.

Thomas has arbitrated *ad hoc* and under the rules of all major organizations, including the International Chamber of Commerce (ICC), the International Centre for Dispute Resolution (ICDR), and the Permanent Court of Arbitration (PCA). A variety of laws and regulations applied, from the UNCITRAL rules to Bilateral Investment Treaties (BITs). His work includes enforcement, vacatur, and § 1782 proceedings.

Thomas has specific experience regarding the energy and construction sectors, including oil & gas and project disputes relating to engineering, procurement,



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Languages

German
English
Spanish
French

Practices

International Arbitration

Investigations, White Collar, and
Fraud

Litigation Services

Securities and Public Company
Advisory

Corporate Governance and Public
Company Representation

Latin America Regional Practice

and construction (EPC), build, own, operate, transfer (BOOT), and interconnection and transmission line contracts, as well as rate, price, and tariff disputes.

Thomas is a frequent lecturer and published author. He is the former Chair of the International Section of the New York State Bar Association (NYSBA). *Chambers* (Latin America) said he "*continues to impress sources*" and cited his "*particular knowledge of the Spanish and Mexican legal systems.*" He's also listed in *Legal 500*, and *Expert Guides* ranks him as a "*Rising Star.*"

Representative experience

Represent the national oil company of a European country against a U.S. investor in multi-billion dollar arbitration regarding the relinquishment of oil and gas fields.

Represent various clients in vacatur proceedings before German courts of appeals.

Represent European utility v. state-owned company from Central America; award confirmed.

Represent German and Peruvian entities regarding nationalization by Bolivia.

Represent Jamaican oil & gas company in disputes over fuel supplies to power barges.

Represent a Brazilian metals trading company against a buyer and its former JV partner (ICDR, New York, Brazilian/New York law).

Represent separate Saudi Arabian entities in two arbitrations with a Latin American OCTG supplier.

Represent investment fund in debentures restructuring dispute (ICC, São Paulo, Bermuda law); related litigation in Brazil, Bermuda, Uruguay, and US.

Represent Dubai-based entity in dispute involving development of a port (originally filed as ICSID claim), Dubai.

Represent a foreign sovereign and an instrumentality in U.S. enforcement proceedings relating to an international arbitral award.

Industries

Energy and Natural Resources

Financial Institutions

Automotive

Areas of focus

Bribery and Corruption

Education and admissions

Education

LL.M., New York University School of Law

M.A., LMU Munich (Ludwig-Maximilians-Universität München), School of Political Science, with honors

J.D., LMU Munich (Ludwig-Maximilians-Universität München), School of Law, with honors

Memberships

Former Chair, New York State Bar Association (NYSBA), Int'l Section

Bar admissions and qualifications

Germany

New York

Court admissions

U.S. Court of Appeals, Second Circuit

U.S. Court of Federal Claims

Represent Peruvian operator of power transmission line in tax refund dispute with government of Peru.

Advised U.S. real estate investment trust on regulatory/compliance matters regarding German real estate portfolio valued at US\$800m.

Represent a European gas company in an arbitration involving gas pricing disputes and force majeure issues.

Representing a U.S. insurance company against a Mexican sponsor/concessionaire of a toll road securitization.

Advise U.S. subsidiary of Swiss-based instrumentation and process automation company on compliance issues.

Represent Argentine fund vs. Spanish bank re Internet-related venture award upheld despite "manifest disregard" claim.

Represent Malaysian company against U.S.-based oil & gas company in a dispute involving a joint venture in Qatar.

Represent South American pharmaceutical against U.S. company in dispute about product licensing and distribution in Latin America.

Represent top tennis player before Court of Arbitration for Sport in appeal against sanctions for alleged doping violations.

Advise German winding-up agency on regulatory matters.

Represent natural gas company in billion-dollar dispute regarding deliver-or-pay, force majeure issues (ICDR, New York, law of two LatAm countries).

U.S. Court of International Trade

U.S. District Court, Eastern District of New York

U.S. District Court, Southern District of New York

U.S. Supreme Court

Germany

Awards and rankings

- Dispute Resolution: Arbitration (including international arbitration), *Legal 500 EMEA*, 2019
- Dispute Resolution: Arbitration (including international arbitration), Germany, Recommended, *Legal 500 EMEA*, 2019-2020

Latest thinking and events

■ News

- German Constitutional Court rejects complaints against federal states' climate protection laws

■ Press Releases

- Hogan Lovells secures historic win for Georgia before international arbitration tribunal

■ Published Works

- The Impact of U.S. Litigation *International Commercial Arbitration in New York, Second Edition, Edited by James H. Carter and John Fellas*

■ Published Works

- Hague Convention on Choice of Court Agreements Adds Option For Drafting of Dispute Resolution Clauses *Inside Counsel*

■ Published Works

- Mexico Chapter *The Anti-Bribery and Anti-Corruption Review*

■ Published Works

- The New Mexican Class Actions Law - And What German Companies Active In The US Should Know About It *GACC Legal & Tax Newsletter*