



Steven A. Hammond

Partner

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Areas of Concentration

Steven A. Hammond specializes in international arbitration and litigation, advising and defending multinational and state enterprises in connection with a broad range of commercial activity. He co-chairs the firm's International Practice from its head office in New York. Mr. Hammond has appeared as arbitrator or counsel in numerous ICC, UNCITRAL, IACAC and AAA/ICDR international commercial arbitrations, including proceedings conducted in English, Spanish and French, and has been recognized in such publications as *Chambers Global*, *Chambers USA*, *Euromoney's Guides to the Best of the Best* (International Litigation), *Commercial Arbitration*, and *Litigation*; *The International Who's Who of Commercial Arbitration*; *The International Who's Who of Business Lawyers* (Commercial Litigation); and *Benchmark Litigation Guide*. In ranking him in the first tier of U.S.-based international arbitrators, recent editions of *Chambers USA* offered the following commentaries: "Steven Hammond is 'quite simply a superb lawyer,' and according to one globally renowned arbitrator, he 'once performed one of the single greatest cross-examinations I have ever seen.' A 'talented multilinguist,' interviewees agree that he is an 'absolutely top-class arbitrator.' [A]ccording to observers, he has a 'low-key, thoroughly effective' approach. As counsel he will 'spend as much time as it takes to get things absolutely right.' Clients admire his 'willingness to do the legwork himself rather than delegate to associates.' [C]lients 'never cease to be amazed' by the firm's international practice co-chair. Serving as both counsel and arbitrator, 'he has the experience to manage all aspects of major disputes.' "

Mr. Hammond is an honors graduate of Bowdoin College and Maine Law School, and received his LL.M., *magna cum laude*, in International and Comparative Law from the Free University of Brussels. He is a President d'Honneur of the Union Internationale des Avocats, and a recipient of the Medalla de la Federaci3n Interamericana de Abogados.

Professional Activities

Practice Areas

Arbitration & Alternative Dispute
Resolution
International
Latin America
Litigation

Education Information

Free University of Brussels, LL.M.,
1979, *magna cum laude*
Maine Law School, J.D., 1977, *cum
laude*
Bowdoin College, A.B., 1974, *cum
laude*

Bar Admissions

District of Columbia, 1979
New York, 1980

Language Expertise

French
Spanish

Steven A. Hammond

Partner

2

- Union Internationale des Avocats: President (1998-99); President d'Honneur (2000); NGO Delegate to the United Nations (1995-)
- Judicial Conference of the United States Court of Appeals for the Second Circuit: Executive Secretary, Planning Committee (1992-99)
- International Bar Association: Committees on International Litigation and Arbitration
- The Association of the Bar of the City of New York: Council on International Affairs; International Commercial Dispute Resolution Committee; Task Force on International Legal Services (Chairman)
- American Bar Association: Section on International Law and Practice

Awards and Professional Recognitions

- Fellow, College of Commercial Arbitrators
- *Chambers Global*
- *Chambers USA* (International Arbitration: Band 1)
- *The Legal 500*
- Euromoney's Legal Guide to *The Best of the Best (Litigation)*
- Expert Guides: *The Best of the Best USA (Commercial Arbitration)*
- International Commercial Litigation's *Guide to Leading International Business Law Firms*
- *The International Who's Who of Business Lawyers*
- Euromoney's *Guides to the World's Leading Litigation Lawyers*
- Euromoney's *Guides to the World's Leading Experts in Commercial Arbitration*
- *The International Who's Who of Commercial Arbitration*
- Benchmark Litigation, *The Guide to America's Leading Litigation Firms and Attorneys*
- President d'Honneur, Union Internationale des Avocats
- Medalla de la Federación Interamericano de Abogados

Highlighted Matters

Selected Arbitration Experience

International Chamber of Commerce:

- Chairman in proceedings involving alleged breach of an agreement to jointly acquire a controlling interest in a major South American food processing and distribution company.
- Chairman in dispute arising out of agreement to supply flight simulator.
- Chairman in proceedings involving alleged misrepresentations in connection with transnational purchase and sale of high technology business.
- Chairman in London proceedings arising out of alleged wrongful denial of coverage under policy for trade disruption insurance underwritten by various Lloyd's syndicates.
- Party-nominated arbitrator in proceeding brought by international investment funds and government-owned investment company relating to their \$200 million investment in Asian infrastructure projects.
- Party-nominated arbitrator in proceeding relating to claims for alleged non-performance of an EPC contract for construction of a fertilizer facility in South America.
- Party-nominated arbitrator in proceeding for rescission of stock purchase agreement between European buyer and Latin American seller of shares in waste treatment facility.
- Party-nominated arbitrator in dispute involving 100-year North American licensing agreement.
- Party-nominated arbitrator in dispute arising out of multi-jurisdictional joint venture, shareholders, and other agreements in the beverage industry.
- Party-nominated arbitrator in post-acquisition dispute involving operation of industrial synthetic fiber facilities in Mexico, including merits hearing conducted in Spanish and English.
- Sole arbitrator in bilingual (Spanish-English) arbitration between South American manufacturer and Mexican distributor relating to alleged breach of Transfer of Technology Agreement.
- Sole arbitrator in dispute arising from termination of Polish licensing agreement.
- Counsel to global services company in connection with fast-track arbitration commenced under continental accession agreement.
- Counsel to ministry of energy for European government in proceeding involving claims in excess of \$460 million for alleged breach of power concession agreement.
- Counsel to state-owned petroleum company in connection with

Steven A. Hammond

Partner

4

alleged breach of agreement to construct an underground natural gas storage facility.

- Counsel to U.S. mining company in arbitration arising out of European refining contract.
- Counsel to India's largest company in tripartite arbitration between sovereign, Japanese automobile manufacturer, and their jointly owned manufacturing venture relating to interpretation of shareholders' agreement.
- Counsel to European equipment manufacturer in dispute arising out of sale and installation of pulp production equipment in Latin America.
- Counsel to Brazilian mining conglomerate in connection with disputes arising under supply contracts
- Counsel to Turkish bank in connection with claims arising out of contract to supply electricity generation equipment.
- Counsel in action to enforce in the U.S. a Swiss arbitral award rendered against state-owned Italian shipbuilder.

American Arbitration Association:

- Party-nominated arbitrator in dispute involving international trade credit insurance.
- Counsel to European internet company in connection with claims for alleged breach of multinational e-commerce joint venture.
- Counsel to Japanese supplier in license dispute with its U.S. distributor where arbitration commenced in the U.S. was jointly administered by the American Arbitration Association and the Japan Commercial Arbitration Association.
- Counsel to Japanese manufacturer in numerous arbitrations with U.S. regional distributors.
- Counsel to Japanese manufacturer of processing equipment in claim by its U.S. licensee for breach of license agreement.
- Sole arbitrator in domestic arbitration involving alleged breach of purchase and sale agreements.

Other:

- Court-appointed arbitrator in bilingual (Spanish-English) ad hoc international arbitration conducted under IACAC Rules involving in excess of \$200 million in claims for alleged breach of sovereign contract for repair of naval vessels.
- Chairman in ad hoc international arbitration conducted under

UNCITRAL Rules arising out of alleged breach of indemnity agreement incident to the purchase of a Latin American telecommunications enterprise.

- Party-appointed arbitrator in ad hoc international arbitration conducted under UNCITRAL Rules in coverage dispute relating to Latin American political risk insurance.
- Chairman in ad hoc proceeding arising out of agreement for the purchase and sale of assets of software company.
- Enforcement of Russian Chamber of Commerce arbitral award against American joint venturer.
- Counsel to Saudi retail company in connection with arbitrable claims for rescission of \$35 million contract for the purchase of a private jet.

Selected Transnational Litigation Experience

- Defense of international classification society in federal action brought by European state for claims in excess of one billion dollars arising out of sinking of oil tanker.
- Counsel to European construction company in connection with criminal antitrust investigation involving allegations of bid rigging in North America.
- Counsel to European consulting company in defense of World Bank debarment proceedings.
- Counsel to Latin American central bank in breach of contract action brought by concessionaires of national highway project.
- Defense of Turkish joint venture company in connection with breach of contract claims dismissed under doctrine of forum non conveniens.
- Counsel to African central bank in defense of multiple actions involving alleged wrongful seizure of sovereign assets.
- Defense of multinational oil company in RICO action commenced by its former sovereign joint venturer in connection with alleged sensitive payments.
- Defense of European inspection company in connection with lawsuit arising out of U.S. installation of a Taiwanese sugar mill.
- Defense of international money transfer agent in connection with monopolization claims and counterclaims for unfair competition and theft of trade secrets.
- Defense of trademark infringement claims involving design trademarks brought against Japanese manufacturer of musical instruments.

- Defense of multi-district antitrust class action involving alleged price fixing by conference of foreign shipping lines.

Highlighted Publications

- *Spoilation in International Arbitration: Is it Time to Reconsider the 'Dirty Wars' of the International Arbitral Process?*, 3(1) DISP. RESOL. INT'L 5 (2009)
- *Making the Case in International Arbitration: A Common Law Orientation to the Marshalling and Presentation of Evidence*, 16 REVISTA DE ARBITRAGEM E MEDIAÇÃO 171 (2008)
- "Arbitrators' Rights: A Functional Analysis," American University Seminar on BIT arbitration under the ICSID Rules (Washington, D.C. 2006)
- "Cross-Cultural Aspects of International Arbitration" in *Arbitration: An Islamic and International View*, Seminar of the Union Internationale des Avocats (Jeddah 2003)
- "The United States 'Open Door' Policy Allowing Discovery in Aid of Foreign Proceedings Under 28 U.S.C. §1782," 75th Anniversary Congress of the Union Internationale des Avocats (Sydney 2002)
- "Arbitrators' Refusal to Hear Evidence: When is Too Much Not Enough?", International Bar Association (Cancun 2001)
- *The Art of the Missed Opportunity—How U.S. Courts Declined to Assist Private Arbitral Tribunals under the U.S. Law Authorizing Discovery in Aid of Foreign and International Proceedings*, 17 J. INT'L ARB. 131 (2000)
- "Good Times for Cyber-Crimes?: Fraud and Defamation on the Internet," 44th Congress of the Union Internationale des Avocats (Buenos Aires 2000)
- "Should the U.S. Class Action Mechanism be Exported or Quarantined?", International Bar Association Committee on International Litigation (Amsterdam 2000)
- "Ethics in International Arbitration," seminar organized by the American Corporate Counsel Association (New York 2000)
- "Issues in Transnational Litigation: Service of Process, Foreign Discovery and Enforcement of Foreign Judgments and Arbitral Awards," International Bar Association Section on Business Law (Barcelona 1999)
- "La Industria de Pleitos en Estados Unidos: ¿Epoca de Reforma o de Regresión?", conference organized by the Universidad Complutense (El Escorial, Spain 1999)
- "The Legal Profession and the Reform of the Judiciary: The U.S. Experience," Ordem dos Advogados do Brasil Annual Meeting (Rio de Janeiro 1999)

Steven A. Hammond

Partner

7

- “Les Mutations Economique et la Diversification de l’Arbitrage,” conference organized by the Centre de Conciliation et d’Arbitrage de Tunis (Tunis 1999)
- “Liability of Internet Service Providers: The U.S. Perspective,” seminar organized by the Union Internationale des Avocats (Munich 1998)
- “The Doctrine of Veil Piercing and the Foreign Corporate Parent,” seminar organized by the American Corporate Counsel Association (New York 1997)
- “Alternative Dispute Resolution in International Joint Ventures,” seminar organized by the Union Internationale des Avocats (Bombay 1996)
- “Recovery of Pure Economic Loss—U.S. Common Law in Commercial Perspective,” 38th Congress of the Union Internationale des Avocats (Marrakech 1994)
- “The Recognition and Enforcement of Foreign Court Judgments under U.S. Law: An Outline of Basic Principles,” 35th Congress of the Union Internationale des Avocats (Mexico City 1991)
- Contributing Editor, *International Litigation News*, newsletter of the Committee on International Litigation of the International Bar Association (1991-96)
- “Commentary on Judicial Interpretations of the Hague Service and Evidence Conventions in the United States,” 34th Congress of the Union Internationale des Avocats (Strasbourg 1990)
- With Charles Platto, *United States Pretrial Procedures in PRE-TRIAL AND PRE-HEARING PROCEDURES WORLDWIDE 226* (Graham & Trotman 1990)