



## Carlos F. Concepción

Chair, Global Arbitration Practice Group

Miami

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[cconcepcion@shb.com](mailto:cconcepcion@shb.com)

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*Direct:* 305.755.8975

*Main:* 305.358.5171

*Fax:* 305.358.7470

### Industries

Banking and Financial Services,  
Design and Construction

### Practices

International,  
Global Arbitration,  
Business Litigation,  
Class Action and Complex Litigation

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Carlos has served as counsel in a wide range of domestic and international litigation and arbitration matters. He concentrates his practice in the areas of financial services, design and construction, telecommunications and transnational disputes involving parties from multiple jurisdictions. He has substantial experience with multilingual and multicultural teams, which provides a strategic advantage in dealing with parties and evidence from different legal systems, especially in Latin America and the Caribbean.

*[Haga clic aquí para descargar la biografía de Carlos en español](#)*

Carlos also represents parties in international arbitrations in a number of industries. He has worked with all the leading arbitration organizations and has conducted proceedings in Spanish and English in which the seat of the arbitration and governing laws has been in multiple countries. He also has experience under the UNCITRAL Rules and the International Bar Association Rules.

He also has served as lead counsel in international corporate investigations and special litigation committees. For example, he led an internal investigation and litigation team representing a special litigation committee in the failure of a major bank in Puerto Rico and a related shareholder derivative action. In addition, Carlos was lead counsel for several Canadian investors in a multidistrict litigation dispute regarding a timeshare resort in the Dominican Republic.

Carlos is cognizant of the differences in cases governed by civil law or common law. For example, parties from a civil law system may have discovery expectations that are quite different from those accustomed to expansive pre-trial discovery.

Carlos is a member of numerous organizations, including the International Chamber of Commerce, the International Institute for Conflict Prevention & Resolution, the International Bar Association, the Federation of Defense & Corporate Counsel and the International Center for Dispute Resolution. He is Board Certified in International Litigation and Arbitration by The Florida Bar. Carlos also is a Fellow of the Chartered Institute of Arbitrators (CI Arb), which is the highest level of arbitration training and experience recognized by that institution.

## **Representative Matters**

### **International Arbitration**

Lead counsel for claimant in a dispute related to violation of various investment treaties between Panama and the United States. The amount in dispute is US\$100 million; proceedings are in Washington, D.C. and Panama.

Lead counsel for petitioner in a dispute between the two controlling shareholders of a multilevel vitamin and herbal supplement company doing business in Latin America, Mexico and the United States. The amount in dispute was US\$500 million; proceedings were in New York City and Mexico City.

Lead counsel for respondent in a dispute between a U.K. company and a Florida company related to media and entertainment services. The amount in dispute was US\$10 million; proceedings were in London and Miami.

Arbitrator for financial statement fraud case between accounting and auditing firm and bankruptcy trustee. The seat of the arbitration was in Los Angeles.

Sole arbitrator for software licensing dispute between Latin American distributor and U.S. company. The amount in dispute was US\$10 million; proceedings in Miami and Costa Rica.

Arbitrator for dispute between Puerto Rico companies regarding media and publishing services. The amount in dispute was US\$16 million; proceedings were in Puerto Rico.

Arbitrator for a dispute between telecommunications companies in Spain and El Salvador. The amount in dispute was US\$50 million; proceedings were in El Salvador and Miami.

Lead counsel for petitioner in dispute involving financing of durable medical equipment products in Latin America. The amount in dispute was US\$30 million; proceedings were in Miami and Puerto Rico.

Arbitrator for management services dispute among various parties in the hospitality and tourism industry in the Dominican Republic. The amount in dispute was US\$25 million; proceedings were in Miami and the Dominican Republic.

Counsel for respondent in dispute between Florida distributor and Beijing manufacturer of die-cast products. The amount in dispute was US\$14 million; proceedings were in London and Miami.

### **Cross-Border Commercial Litigation**

Lead counsel for a group of Canadian developers and investors in timeshare resorts in the Dominican Republic, along with their lawyers in that country. Proceedings were in an MDL in the U.S. District Court for the Southern District of Florida, and in Utah (involving the Securities and Exchange Commission), Toronto and the Dominican Republic. The plaintiffs alleged RICO and related fraud theories against the investors and their attorneys.

Represented the Special Litigation Committee of the board of directors of a bank in the District Court for Puerto Rico, with related proceedings in the Southern District of Florida. The case arose out of a derivative action against the bank and its holding company. With the assistance of auditors and retained experts, we conducted a comprehensive investigation of the bank's lending policies that exonerated the board and its directors.

Represented a Central American government agency in the investigation of claims arising from the sale and settlement of various viatical insurance policies client invested and managed funds for its retired military officers. Proceedings were in the Southern District of Florida and local courts in Central America.

Represented a family in Honduras in claims against American Express Bank arising out of the Bernie Madoff scandal. Proceedings were in the Southern District of Florida and the Southern District of New York, with a related arbitration proceeding that was dismissed on our motion.

Represented an educational institution in a breach of contract action against the State of Florida that arose out of the institution's purchase of a building adjacent to its Miami campus. Proceedings were in state court, the Florida Third District Court of Appeals and the U.S. Court of Appeals for the Eleventh Circuit.

For many years, has represented the Professional Liability Unit of the Federal Deposit Insurance Corporation (FDIC) in the investigation and subsequent litigation against various officers, directors and outside accounting firms in connection with the failure of many savings and loans and national banks. All proceedings were in various U.S. District Courts pursuant to the FDIC's receivership powers under the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA).

### **Presentations**

*International Arbitration: New Business Models and Income Streams Beyond the Billable Hour*, Shook Legal Trends Group, September 26, 2019.

*Construction and Infrastructure: Compliance and Communities*, Latin Lawyer - GAR Live 3rd Annual Arbitration Summit, Miami, Florida, April 30, 2019.

*Resolving Arts Disputes: Solutions for Stakeholders*, Art Law Symposium 2018, Miami Beach, Florida, December 4, 2018.

*The GAR Live Inquisition*, 7th Annual GAR (Global Arbitration Review) Live, New York City, September 26, 2018.

*2018 Cross Border EU/US Challenges, Approaches & Resolution Strategies*, FDCC European Regional Meeting, London, April 10, 2018.

ABA International Law Fall Conference (speaker on international arbitration in Cuba), Miami, Florida, October 2017.

ICC/CEA (moderator and panelist regarding civil and common law traditions in international arbitration), Bogotá, Colombia, August 2017.

ICC Annual Bogotá Conference (speaker on damages models in international construction arbitration), Bogotá, Colombia, March 2017.

CPR Annual Meeting (speaker on international arbitration in the Caribbean), Miami, Florida, March 2017.

Florida Bar International Law Section (annual conference presenter), Miami, Florida. February 2017.

International Center for Dispute Resolution (speaker on domestication of foreign arbitral awards), New York City, January 19, 2017.

4th Annual Caribbean Corporate Counsel Summit 2016, Miami, Florida. September 9, 2016.

## **Publications**

*Third-Party Funding: ¿Un mecanismo en crecimiento en Latinoamérica?* LexLatin, April 26, 2017.

*Combating Corruption and Fraud from an International Arbitration Perspective (Arbitraje: Revista de Arbitraje Comercial y de Inversiones)*, ISSN 1888-5373, Vol. 9, No. 2, at 369, 2016.

*Evolution of the ATA and Third-Party Liability for Terrorist Acts*, In-House Defense Quarterly, Winter 2017.

*The New ICC Expedited Procedure Rules: A New Experiment*, December 2016.

*Miami International Commercial Arbitration Court: Another Reason Why Miami is Becoming the Preferred Seat for Latin American Arbitrations*, March 2016.

*International Arbitration: The ADR Technique of Choice by International Business* (FDCC Annual Meeting), July 29, 2011.

## **Media**

Expedited Arbitration Popularity to Grow, With Some Caveats, *Law360*, September 26, 2019.

GE Case Asks High Court to Clarify Int'l Biz Uncertainty, *Law360*, July 3, 2019.

Attorneys Prepare to File Lawsuits on Behalf of Cuban-Americans Whose Property Was Confiscated by Castro, *Daily Business Review*, March 6, 2019.

SHB tiene nuevo líder global de la práctica de arbitraje, *LexLatin*, November 13, 2018.

Shook Lands New Global Arbitration Leader, *Daily Business Review*, October 26, 2018.

Shook Gains Practice Head From Jones Day, *Global Arbitration Review*, October 23, 2018.

Judge Pauses Dialysis Clinic Row For Arbitrators To Weigh In, *Law360*, May 10, 2017.

Conversatorio de la Institucionalidad y Justicia, con Servio Tulio Castaños, vicepresidente ejecutivo FINJUS, January 22, 2015.

## **Bar Admissions**

- Florida
- Texas
- U.S. District Court, Middle District of Florida
- U.S. District Court, Northern District of Florida
- U.S. District Court, Southern District of Florida
- U.S. Court of Appeals, Eleventh Circuit
- U.S. Supreme Court

## **Languages**

- Spanish

## **Education**

- J.D., with high honors, University of Florida. 1982  
Order of the Coif
- B.A., *magna cum laude*, Florida State University, 1979 (English)  
Phi Beta Kappa

## **Awards**

- Top Attorney, *South Florida Legal Guide* (2015-2017)
- *The Best Lawyers in America*, International Arbitration – Commercial (2016-Present)
- *Commercial Arbitration Expert Guide* (2015)
- Legal Elite, *Florida Trend* (2012)

## **Memberships**

- International Chamber of Commerce
- International Institute for Conflict Prevention & Resolution
- International Center for Dispute Resolution
- Federation of Defense & Corporate Counsel
- International Bar Association
- Million Dollar Advocates Forum
- Fellow, Chartered Institute of Arbitrators

- Miami International Arbitration Society  
Chair (2019 Term)
- International Arbitration Editorial Board, *Law360* (2019, 2020)

## **Community Involvement**

- Board of Trustees of the University of Florida Law School Association, Member

## **Certifications**

- Board Certified in International Litigation and Arbitration—The Florida Bar