# Luis A. Bergolla

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### PRESENT ACADEMIC POSITIONS

Stanford Law School, Stanford, CA

Lecturer & Teaching Fellow in the

International Economic Law, Business & Policy LL.M. program

University of Arizona James E. Rogers College of Law, Tucson, AZ *Part-time Professor of Practice in the* B.A. in Law and M.L.S. programs

#### PRESENT PROFESSIONAL PRACTICE

Victoria Associates, Lisbon, Portugal International Arbitration Attorney

Salas y Donaire, Seville, Spain *Of Counsel* 

#### **EDUCATION**

Stanford Law School, Stanford, CA

Candidate for the Doctor of Juridical Science (J.S.D.) Degree, expected June 2022

Adviser: Professor George Fisher

Dissertation: "Dealing with Experts: A Case-Study of a Global Evidentiary Practice" (tentative title)

Activities: Co-Chair for the Stanford Law & Society Sixth Conference for Junior Legal Scholars

Co-Founder and Co-President of the Stanford International Arbitration Association

Stanford Law School, Stanford, CA

Master of the Science of Law (J.S.M.) Degree, June 2018

Adviser: Professor Alan O. Sykes

Thesis: "Taxonomy of Investor-State Arbitration Cases Involving Party-Appointed Quantum

Experts: An Empirical Study of ICSID Awards"

Activities: Stanford Journal of International Law (Member Editor; Submissions Committee)

University of Arizona James E. Rogers College of Law, Tucson, AZ

Juris Doctor (J.D.), May 2015

Adviser: Professor Robert N. Hornick

J.D. Paper: "Independence, Impartiality, and Disclosure: Delimiting the Right to Challenge

International Arbitrators"

University of Georgia School of Law, Athens, GA

Master of Laws (LL.M.), August 2009

Universidad Católica Andrés Bello, Caracas, Venezuela

Abogado, December 2005 — (law degree officially recognized in Spain by examination in 2013)

## **BAR ADMISSION**

District of Columbia
New York
Arizona (inactive)
Spain (inactive)
Venezuela (inactive)
Not admitted in California (admission pending)

## LISTED ARBITRATOR

FINRA - Financial Industry Regulatory Authority CIAM - CANACO, Tijuana, Baja California (Mexico)

## **EXPERIENCE**

Fellow of Justice in Law & Society, Kleros Spring 2019

Visiting Researcher, Georgetown University Law Center, Washington, DC Spring 2017

2017 Spring Honors Program Student, U.S. Securities and Exchange Commission, Washington, D.C. Spring 2017

Law Clerk for the Hon. Cynthia T. Kuhn, Arizona Superior Court, Tucson, AZ Summer 2016

Judicial Extern for the Hon. Brenda M. Whinery, U.S. Bankruptcy Court, Tucson, AZ Spring 2016

Teaching Fellow, University of Arizona College of Law, Tucson, AZ 2015-2016

Intern, ICC International Court of Arbitration Paris, France Spring 2015

International Legal Consultant, OAS Department of International Law, Washington, D.C. 2012-2013

Project Manager and Language Test Developer, Second Language Testing, Inc., Rockville, MD 2008-2012

Law Clerk, Cisneros Group of Companies, Caracas, Venezuela 2003-2005

## **PUBLICATIONS**

Kleros: A Socio-Legal Case Study of Decentralized Justice and Blockchain Arbitration, (forthcoming 2021) (with Karen Seif and Can Eken).

An Academic Response to a "Purely Academic Question": Is the Setting Aside of the Jurisdictional Award in *García Armas and García Gruber v. Venezuela* really inconsequential?, World Arbitration and Mediation Review, (forthcoming 2021).

The Arbitrators' Use of Comparative Law Methodology: A Qualitative Assessment of Selected CAS, ICC, and ICSID Awards, Ius Comparatum 1(2020) 360-398 [International Academy of Comparative Law: aidciacl.org] (with Dorothée Goertz).

More Rights for More People?: The Struggle of Independent Contractors to Arbitrate Employment Claims against International Organizations, Indian Journal of Arbitration Law (2020) (awarded the 2nd Prize in the 4th Gary Born Writing Essay Competition).

Kleros: A Socio-Legal Inquiry Into Decentralized Justice & Blockchain-Based Arbitration Investment and Commercial Arbitration Review (2020) (with Can Eken).

The Venezuela Awards: Arbitral Tribunals Should Not Rule Out Expropriation Risk, Response, 34 Ariz. J. Int'l & Comp. L. 123 (2017).

Update: An Introduction to Venezuelan Governmental Institutions and Primary Legal Sources (2015) (with Antonio Ramírez).

#### LECTURES & OTHER SPEAKING ENGAGEMENTS

"Kleros en el contexto de la contratación mercantil y el acceso a la justicia en Venezuela," online presentation in Kleros, el futuro de la justicia decentralizada, November 2020.

"Kleros: A Socio-Legal Inquiry Into Decentralized Justice & Blockchain-Based Arbitration," presentation in the *Kleros Online Conference, Decentralized Justice: Law in the Age of Memes, Crowds and Blockchain,* November 2020.

"Kleros, un estudio de caso socio-jurídico sobre la justicia descentralizada," online presentation in Un Estado de Derecho, July 2020.

"The Civil Law Tradition and International Legal Education," lecture in Professor Erik Jensen's State-Building and the Rule of Law Seminar, Stanford Law School, November 2019 (with Janka Deli).

"The Arbitrators' Use of Comparative Law Methodology: A Qualitative Assessment of Selected ICSID, ICC and CAS Awards," presentation, Sciences Po, Paris, October 2019 (with Dorothée Goertz).

"Taxonomy of Investor-State Arbitration Cases Involving Party-Appointed Quantum Experts: An Empirical Study of ICSID Awards," colloquium presentation in *Actors in International Investment Law: Beyond Claimants, Respondents and Arbitrators*, University of Paris II (Panthéon-Assas), Paris, September 2019.

"Party-Appointed Quantum Experts: An Empirical Study of ICSID Awards," presentation, Center on International Commercial Arbitration, American University Washington College of Law, April 2018.

"Byrne v. Boadle and Ybarra v. Spanguard and the Doctrine of Res Ipsa Loquitur," lecture, University of Arizona James E. Rogers College of Law, November 2016.

"Rylands v. Fletcher and Strict Liability Arising from Abnormally Dangerous Activities," lecture, University of Arizona James E. Rogers College of Law, December 2015.

"Taller de alto nivel sobre el acceso equitativo a la información pública: aspectos procesales, régimen de apelaciones y responsabilidad civil y penal," panelist, Lima, Peru, May 2013.

# **COMMISSIONS & TASK FORCES**

FIAL - Fundación para la Inteligencia Artificial Legal, Academic Advisor SVAMC - Silicon Valley Arbitration & Mediation Centre, Member of the Task Force on Tech Disputes, Tech Companies, and International Arbitration

## **ADVANCED TRAININGS & CONTINUING EDUCATION**

ICC Costa Rica - Wöss & Partners – Seminario sobre Daños en Arbitraje Internacional, (online) (2021) FINRA – Basic Arbitrator Training program, (online) (2020)

Mediation Boot Camp – Workshop on Mediation & ADR, Stanford Law School (2020)

Arbitration Academy (Comité Français de l'Arbitrage), Paris, France (2014)

#### UNIVERSITY SERVICE

LL.M. Admissions Assistant, IELBP Program, Stanford Law School (2021)

LL.M. Thesis Committee, Pedro Henrique Maciel Fonseca, "Choice Expansion in the Brazilian Electricity Market: An Environmental Prognosis," Stanford Law School (2020)

Research Assistant for Professor Diego Zambrano (Redesigning the Venezuelan Judiciary/The Venezuelan Constitutional Crisis), Fall 2019 – Winter 2020

Summer Research Assistant for Professor George Fisher (Evidence), (2019 –2020)

Teaching Assistant for Professor Robert W. Gordon (Contracts), (Spring 2018)

Research Assistant for Dr. Arye Carmon, Hoover Institution, Stanford University, (2017-18)

Research Assistant in the Stanford Center for Philanthropy and Civil Society, (2017-18)

Co-Adviser, Honors Thesis, Stephanie Skull, "Body Worn Cameras and Privacy Implications in the 21st Century," University of Arizona James E. Rogers College of Law (2016)

# **VOLUNTEER & PRO BONO ENGAGEMENTS**

Attorney, represent Venezuelan immigrants in their applications for *Temporary Protective Status* before the U.S. Citizenship and Immigration Services (2021-ongoing)

Attorney, co-represent a wrongful conviction victim against Argentina in a human rights petition before the Inter-American Commission on Human Rights (2017-ongoing)

Attorney, Represented an individual in an Employment Arbitration against a US-based International Organization under the AAA Employment Arbitration Rules (2018-19)

Volunteer, Al Otro Lado, Pro Se U.S. Immigration (Asylum) Workshop Tijuana, Mexico (2019)

Volunteer arbitrator, American University Washington College of Law LL.M. Arbitration Moot (2018)

Volunteer arbitrator, Vis International Arbitration Moot Competition (2016)

Volunteer arbitrator, Madrid Moot (2016) Pro Bono intern, Pima County Public Defender's Office (2015) Volunteer, Universidad Católica Andrés Bello Legal Aid Clinic (2005)

# **HONORS**

Max Planck Institute Luxembourg, Summer Scholarship Recipient (2021)
France-Stanford Scholarship Recipient (2020-21)
2nd Prize in the 4th Gary Born Writing Essay Competition in International Arbitration (2019)
Gran Mariscal de Ayacucho Fellow, Stanford Center for Latin American Studies, (2019-2020)
Stanford Program in International Studies Student Scholarship (2017-18)
Carl Mason Franklin Award in International Law (2017-18)
Dean's List, University of Arizona James E. Rogers College of Law (2014)
Member, Cátedra de Honor, Universidad Católica Andrés Bello (2001)

# **LANGUAGES**

Spanish (native)
English (fluent)
French (fluent)
Italian (fluent)
Portuguese (intermediate)