



Jonathan I. Blackman

Senior Counsel, New York

CONTACT INFORMATION

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EDUCATION

Harvard Law School, J.D.
Harvard College, A.B.

PROFESSIONAL MEMBERSHIPS

- Association of the Bar of the City of New York (Former Chair, International Law Committee)
- Executive Committee of the International Law and Practice Section of the New York State Bar Association New York (Former Member)
- American Law Institute, Member

Jonathan I. Blackman's practice focuses on international disputes, including international litigation and arbitration, banking and insurance law.

He has participated in numerous international arbitrations involving both public international law and complex commercial disputes, litigation involving the immunity of foreign states and their agencies under the U.S. Foreign Sovereign Immunities Act, and commercial litigation in a variety of U.S. federal and state courts.

NOTABLE EXPERIENCE

Selected Recent Experience as Arbitration Counsel

- Vale S.A. in a LCIA arbitration resulting in a \$2 billion award in Vale's favor
- Del Monte International in an ad hoc arbitration
- Telecom Italia in an ICC arbitration resulting in the complete dismissal of a \$15 billion claim
- ENRC Marketing AG in an ICC arbitration
- Society for Worldwide Interbank Financial Telecommunications ("SWIFT") in an LCIA arbitration
- Sierra Leone in an ICC proceeding
- Eni North Africa B.V. in an ICC proceeding
- Promgas S.p.A. in an ICC proceeding
- Agrera Investments Ltd. in an AAA arbitration, resulting in an award in its favor on the full amount of its claim plus costs
- Goodyear Tire & Rubber in an ICC proceeding, resulting in the dismissal of substantially all claims against it and a substantial award of costs
- Citigroup Venture Capital International in an ICC proceeding
- OAO Tatneft in an UNCITRAL proceeding under the Russia-Ukraine bilateral investment treaty resulting in a nine-figure award in its favor
- The Russian Federation in an UNCITRAL proceeding under the Italy-Russia bilateral investment treaty, resulting in the dismissal of all claims against it; agreement)
- The Russian Federation in an ad hoc arbitration proceeding resulting in the dismissal of all claims against it
- Kookmin Bank in obtaining an award in its favor on all claims in an ICC proceeding
- OOO Vklad and other Russian investors in obtaining full recovery of their claims in an ICC proceeding
- Finmeccanica S.p.A. in an UNCITRAL proceeding
- YPF S.A. in an AAA proceeding
- The Dominican Republic in an ICC proceeding

Litigator of the Week

Selected on two occasions by *The American Lawyer*

International Arbitration Leading Lawyer

Chambers UK, The Legal 500 UK, The Legal 500 U.S., The Legal 500 Latin America, Latin Lawyer 250: Latin America's Leading Business Law Firms

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Selected Recent Experience as Arbitration Counsel (continued)

- The Republic of Argentina in an ICSID proceeding
- The Bank for International Settlements in arbitrations administered by the Permanent Court of Arbitration in the Hague regarding the mandatory redemption of its shares
- Ricoh Corporation in an ad hoc insurance arbitration
- Albany International in the successful defense of an ICC arbitration involving a dispute over a stock and asset purchase agreement
- Texas Pacific Group and its principal David Bonderman in the successful defense of a London Court of International Arbitration (LCIA) case brought by GET Global Electronic Trade (1999) Ltd., an Israeli company and its principals, over a failed joint venture

Selected Recent Experience as Litigation Counsel

- Republic of Argentina v. NML Capital, 134 S. Ct. 2819 (2014) (scope of discovery under Foreign Sovereign Immunities Act)
- BG plc v. Republic of Argentina, 134 S. Ct. 1198 (2014) (scope of review of arbitral award under bilateral investment treaty)
- Tatneft v. Ukraine, 301 F. Supp. 3d 175 (D.D.C. 2018) (denying motion to dismiss petition to recognize foreign arbitral award against Ukraine)
- Al-Tamimi v. Adelson, 264 F. Supp. 3d 69 (D.D.C. 2017) (obtaining dismissal on political question doctrine grounds of complaint alleging Alien Tort Claims Act and Torture Victims Protection Act violations against U.S. subsidiary of Israeli bank)

- Vantage Deepwater Company et al. v. Petrobras America Inc. et al., 18 cv 2246 (S.D. Tex.) (representing Petroleo Brasileiro S.A. in opposing confirmation proceedings brought in the Southern District of Texas to recognize and confirm an arbitral award for over \$600M issued in Houston, Texas under the auspices of the AAA-ICDR).
- Villaldo v. BNPP Paribas SA, 2016 WL 1720482 (dismissal of RICO claims for lack of standing and proximate cause)
- Rio Tinto PLC v. Vale S.A., 2015 WL 7769534 (S.D.N.Y. 2015) (dismissal of civil RICO claim under statute of limitations and failure to plead RICO “pattern”)
- Hoffman v. L&M Arts, 2014 WL 4375667 (N.D. Tex. 2014) (grant of judgment as a matter of law vacating jury verdict) affirmed, 838 f.3d 568 (5th Cir 2016)
- Bulgartabac Holding AD v. The Republic of Iraq, 451 Fed. Appx. 9 (2d Cir. 2011) (affirming statute of limitations dismissal of claims against Iraq)
- NML Ltd v. Banco Central de la Republica Argentina, 652 F. 3d 172 (2d Cir. 2011) (reversal of attachment of central bank reserves)
- Bank of New York v. Yugoimport, 2011 WL 164901 (S.D.N.Y. 2011) (granting summary judgment on claim to assets of former Yugoslavia state agency under Succession Agreement)
- Aurelius Capital Partners v. Republic of Argentina, 379 Fed. Appx. 74, (2d Cir. 2010) (vacating contempt sanctions)
- Aurelius Capital Partners v. Republic of Argentina, 584 F.3d 120, (2d Cir. 2009) (reversal of attachment of Argentina pension fund assets)

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Selected Recent Experience as Litigation Counsel (continued)

- Capital Ventures International v. Republic of Argentina, 280 Fed. Appx. 14 (2d Cir. 2008) (affirmance of denial of attachment)
- EDF Int'l S.A. v. YPF S.A., 2008 WL 5045915 (D. Del. Nov. 20, 2008) (denial of confirmation of arbitral award due to suspension of award in primary jurisdiction in an AAA proceeding involving natural gas deliveries)
- EM Ltd. v. Republic of Argentina, 473 F.3d 463 (2d Cir. 2007) (affirming vacatur of attempted attachment of central bank reserves)
- Agrocomplect, AD v. Republic of Iraq, 524 F. Supp. 2d 16 (D.D.C. 2007) (dismissing claims against Republic of Iraq for lack of jurisdiction under FSIA), *aff'd*, 2008 U.S. App. LEXIS 23637 (D.C. Cir. Nov. 14, 2008)
- Rubin v. Pixelplus, 2007 U.S. Dist. LEXIS 17671 (E.D.N.Y. Mar. 13, 2007) (denying remand of "pure" Securities Act class action removed to federal court under SLUSA)
- Banco Nacional de México, S.A. v. Société Générale, 820 N.Y.S.2d 588 (1st Dep't 2006) (holding that Mexican injunction against payment on letter of credit should not be granted comity as a defense to confirming bank's claim for reimbursement for payment on conforming demand)
- Greylock Global Opportunity Master Fund Ltd. v. Province of Mendoza, 2006 WL 140576 (2d Cir. Jan. 18, 2006) (affirming summary judgment on claims challenging "exit consent" amendments to sovereign debt indenture)
- In re Microsoft Corp., 428 F. Supp. 2d 188 (S.D.N.Y. 2006) (granting motion to quash U.S. subpoenas seeking discovery of communications with European Commission in connection with ongoing European competition proceeding)
- Rabbi Jacob Joseph Sch. v. Province of Mendoza, 425 F.3d 207 (2d Cir. 2005) (dismissal of appeal against Province of Mendoza)
- EM Ltd. v. Republic of Argentina, 131 Fed. Appx. 745 (2d Cir. 2005) (affirming vacatur of attachments of bonds tendered in Argentina's \$60 billion debt restructuring)
- Williams v. Morgan Stanley Capital Group (In re Olympic Natural Gas Co.), 294 F.3d 737 (5th Cir. 2002) (upholding broad reading of forward contract provisions of Bankruptcy Code)
- Retty Fin., Inc. v. Morgan Stanley Dean Witter & Co., 293 A.D.2d 341 (1st Dep't 2002) (dismissal of claims based on limitation of liability provision in broker dealer customer agreement)
- Cruz v. United States, 219 F. Supp. 1027 (N.D. Cal. 2002) (dismissal of United Mexican States on grounds of sovereign immunity)
- First Eagle SoGen Funds, Inc. v. Bank for Int'l Settlements, 252 F.3d 604 (2d Cir. 2001) (denial of TRO against mandatory share redemption by international financial organization)
- 767 Third Ave. Assocs. v. Consulate Gen. of the Socialist Fed. Republic of Yugoslavia, 218 F.3d 152 (2d Cir. 2000) (state succession issues)
- Park v. Kredietbank N.V., 271 A.D.2d 360 (1st Dep't 2000) (forum non conveniens dismissal of claims against bank issuing letter of credit)

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Thought Leadership

- "Provisional Measures in Cross-Border Cases," International Litigation Strategies and Practice, 2d Edition
- "Class Action Arbitration Opinions Focus on Party Autonomy," NYLJ (August 19, 2013)
- "Tackling Class Action Waivers in Arbitration Clauses," NYLJ (June 11, 2012)
- Evidence in International Arbitration: Practical and Tactical Considerations," Quaderni dell'Arbitrato 1 (2011)
- Jonathan I. Blackman & Rahul Mukhi, "The Evolution of Modern Sovereign Debt Litigation: Vultures, Alter Egos, and Other Legal Fauna," Law and Contemporary Problems, Volume 73, Number 4, Fall 2010, 47
- A chapter of the American Arbitration Association Handbook on International Arbitration and ADR (2d Edition), entitled "Respecting Awards Annulled at the Seat of Arbitration: The Road From Chromalloy to TermoRio"
- United States Court Of Appeals, Sixth Circuit, 1990
- United States District Court, Eastern District Of Michigan, 1987
- United States Court Of Appeals, Second Circuit, 1981
- United States Court Of International Trade, 1980
- United States District Court, Southern District Of New York, 1980
- United States District Court, Eastern District Of New York, 1978
- New York, First Department, 1978

Bar Admissions

- United States Court Of Appeals, Ninth Circuit, 2013
- United States Court Of Appeals, District Of Columbia Circuit, 2006
- United States District Court, Southern District Of Texas, 1996
- United States Court Of Appeals, Fifth Circuit, 1994
- United States Court Of Appeals, Tenth Circuit, 1993
- United States Supreme Court, 1992