



RPC

RPC's Latin American practice

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RPC in Latin America

We have a long history of working with insurers to manage their exposures in Latin America. Together with our Global Access partners we have a dedicated, multi-lingual team who work extensively in the region. Not only do we speak the language of insurance, but we speak the language of Latin America, too.

We have a panel of law firms across Latin America that has developed over many years by natural selection – with high quality people we know, rate and trust. But we can also work with your preferred choice of local lawyers. Experience tells us that having the right team for the job represents value for money and stands the best chance of minimising your indemnity spend.

At the heart of our team, (re)insurance specialist Alex Almaguer helps clients with disputes in both the Latin American and London markets.

Alex has seen both sides of the coin, working for a number of leading law firms and as a claims specialist for a major reinsurer. He understands, first-hand, the commercial drivers of (re)insurers when handling claims. And, with on-the-ground experience in both the London Market and Latin America, Alex delivers commercial advice which matches the complexities and nuances of both.

“Cross-border work is a core strength of RPC’s practice.”

Legal 500

KEY CONTACTS



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MORE INFORMATION

www.rpc.co.uk/latinamerica



Working with the best local lawyers across Latin America.

Over a number of years we have developed strong relationships with top firms across Latin America that we know and trust. This means we can manage costs, the exposure and local relationships by leveraging the flexibility we have to work with the best lawyer for the job, whatever their firm. We'll do all the hard work to ensure a seamless service whilst insurers benefit on the largest and most complex risks from accessing different market leaders depending on class of business or region.

Our team has first-hand experience of working with the following Latin American firms:

Argentina

- Allende & Brea Abogados
- Bullo Abogados
- Lopez Saavedra

Bolivia

- Moreno Baldivieso Abogados

Brazil

- DR&A
- Motta Fernandes Advogados
- RPZ Advogados

Chile

- JJR Jorquiera & Rozas Abogados
- Urzua & Cia Abogados

Colombia

- Brigard Urrutia
- BST Legal
- Galvis Asociados

Costa Rica

- BLP
- Zurcher Odio & Raven

Dominican Republic

- Biaggi Abogados

Ecuador

- Bustamante Fabra
- Larrea y Canessa Abogados
- Robalino Law

El Salvador

- BLP

Guatemala

- BLP
- Carrillo y Asociados

Honduras

- BLP

Mexico

- Colin Vega Fletes
- Medina Abogados
- Ocampo Abogados
- PLIMAT Abogados

Nicaragua

- BLP

Panama

- Sucre Arias Reyes

Peru

- Osterling
- Rodriguez Angobaldo Abogados

Paraguay

- Ferrere

Uruguay

- Ferrere

Venezuela

- Araque Reina Abogados
- Menpa Abogados

Financial institutions/D&O

We advise on claims under policies covering banks, building societies, asset managers, hedge funds, private equity firms and venture capitalists. We also defend insureds, and monitor and control defence strategies in overseas litigation. Where necessary we also monitor and control defence strategies across Latin America.

We have built a reputation over many years for our highly commercial approach to disputes, and have a track record of achieving early and advantageous settlements where appropriate.

As well as delivering excellent legal and commercial advice, we also help our insurance clients maintain strong profitable trading relationships with insureds, supporting them in managing complex situations without damaging those relationships.

EXAMPLES OF WORK

- Advising D&O reinsurers in relation to the 2015 Fundao dam collapse in Brazil
- Advising D&O reinsurers in relation to coverage dispute concerning large scale ATM machine fraud involving Peruvian insured
- Acting in arbitration proceedings concerning avoidance of loss arising from sale of indexed loans in Venezuela
- Advising reinsurers in relation to Bolivian arbitration proceedings, following declinature under BBB (employee fidelity policy)
- ADD – Advising reinsurers in relation to claim under BBB policy issued to Paraguayan insured

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Onshore and offshore energy

Our energy team are well versed in providing advice to insurers on energy related claims across Latin America.

Our energy expertise is amongst the most comprehensive in the market. We advise on claims related to almost every type of energy asset, from ports to power stations, petrochemical facilities to production platforms, and crude oil carriers to nuclear plants.

EXAMPLES OF WORK

- Managing a complex, multi-million dollar dispute in a major refinery in Colombia following the application of faulty materials in several units of the plant
- Providing Lloyd's syndicates with coverage analysis including consideration of the LEG2 clause following damage to steam turbines in several countries in Latin America
- Managing a complex coverage arbitration following the failure of a cooling system in two adjacent power plants in Chile

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Renewable energy

We have experience of dealing with claims related to every type of renewable energy sector, and we routinely advise under all types of cover.

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EXAMPLES OF WORK

- An export cable loss at a 576 MW offshore windfarm
- Advising insurers on policy coverage under an EAR policy following a fire at a solar installation. Considering issues relating to project delay, policy attachment and potential third party liability claim regarding the detachment of a blade on a wind turbine following storm damage. We provided advice on the cover under the defective parts clause and on issues regarding a failure to carry out preventative maintenance
- Advice regarding the adequacy of repairs and gradual deterioration following a wall collapse at a hydroelectric plant
- Advice regarding the fair presentation of risk and liability for repairs in circumstances where parts were (or should have been) covered under warranty
- following damage to a generator on a wind turbine
- Advising on the catastrophic failure of a geothermal 30 MW turbine
- A claim following foundation damage on wind turbines. We provided advice regarding the defects clauses and a warranty claim
- A CAR dispute regarding a bioethanol plant
- issues regarding the fair presentation of risk following a slip ring failure on a wind turbine
- A claim regarding the failure of a switchgear at a solar farm. We were instructed by PD and BI insurers to advise on issues of defective design, fortuity and due diligence
- Lightning damage to the blades of multiple turbines at a wind farm. We provided advice on aggregation
- Multiple bearing failure claims on a variety of offshore installations

Property and construction

We are market leaders in International Property disputes. A significant amount of that experience has been built advising clients in Latin America.

Our team guides insurers through the largest and most complex industrial and commercial claims, global natural catastrophe losses, and complex multi-jurisdictional subrogated recoveries.

EXAMPLES OF WORK

- Advising reinsurers on a complex loss arising from corrosion in a shipyard in Brazil
- Advising reinsurers on a claim arising out of a gas pipeline affected by ground movement in Colombia
- Advising reinsurers on cover for BI loss during the Covid-19 pandemic in Colombia and Mexico
- Providing settlement advice regarding existing property and construction works losses at several hotel facilities following hurricane Irma in Cuba
- Advising reinsurers on coverage for DSU loss following the imposition of Covid-19 lockdown restrictions
- Advising reinsurers on coverage in relation to various earthquake losses in Chile
- Advising property damage insurers in relation to 2019 Chilean riots.

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Casualty

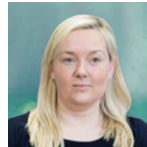
RPC's international casualty team have significant experience advising insurers and reinsurers on multi-jurisdictional complex liability problems across Latin America.

We regularly handle public, products and pollution liability exposures across a number of sectors, in particular, energy, manufacturing, infrastructure and hospitality. Our team have market-leading experience advising on high severity losses (explosions, spillages, pipeline ruptures, infrastructure collapses, accidents) and long tail problems (pollution, workplace disease).

EXAMPLES OF WORK

- Advising reinsurers in relation to third party exposures arising from gas explosion in Dominican Republic
- Advising reinsurers in relation to third party claims brought against Mexican gas supplier, following explosion and multiple fatalities
- Advising on rupture of oil and liquefied natural gas pipelines in Peru
- Advising on long tail exposures arising from notifications of incidents on railway and road operator accounts in Argentina and Colombia
- Advising reinsurers in relation to collapse of Chirajara bridge in Colombia
- Advising reinsurers of railway operator in relation to collapse of cargo railway bridge in Chile and third party exposures
- Advising on coverage issues arising out of collapse of car park in Mexico City
- Advising on claims against Ecuadorian electricity distributor following power surges

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Mining

Our experts have vast experience advising (re)insurers on claims relating to the mining industry in Latin America. Our team regularly assist with complex matters related to mining operations as a result of infrastructure collapses, explosions and other complications that result in loss.

EXAMPLES OF WORK

- Defending a claim in Chile for damage to underground equipment following a mine collapse
- Advising reinsurers on a claim following the collapse of a shiploader in a major mine in Chile
- Representing reinsurers in a subrogation action against contractors following underground fire in a mine in Mexico
- Advising on English group litigation concerning alleged pollution caused by oil exploration and copper mining in Colombia
- Advising London reinsurers on collapse of tailings dam in Mexico and coordinating settlement of third party claims
- Acting for liability reinsurers in respect of potential liabilities arising from Samarco incident in Brazil

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Marine and transport

We know that one case doesn't make you an expert. That's why our Marine and International Trade team includes lawyers who have decades of market-leading experience behind them. Technical expertise builds credibility. And credibility builds trust with clients.

That expertise spans everything from marine insurance to dry shipping, commodities and recoveries to shipbuilding and repairing. And it's expertise that we've used to support our clients' businesses all over the world.

We act for insurers, traders, recovery agents and claimants of all types, as well as the vast majority of International Group P&I Clubs and fixed premium P&I providers, delivering what they want in the way they want it.

EXAMPLES OF WORK

- Advising London Market cargo/specie reinsurers on the loss of gold bars during sea transit from Argentina to Chile, and supporting insurers for the successful gold bar recovery operation
- Working with international fixed premium P&I insurers on the potential wreck removal of a ro-ro vessel in Puntas Arenas, Chile

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Trade Credit, Political Risk and Political Violence

Mexico. Argentina. Brazil. Venezuela. Uruguay. Just some of the countries where we have helped insurers on the full range of political risk and trade credit claims.

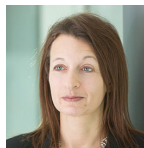
Our specialist team helps navigate clients through complex issues related to confiscation, expropriation, nationalisation and deprivation (CEND), as well as claims under surety and guarantee policies, contract frustration, trade credit disputes and recoveries.

Yes, we know insurance. But we also invest in understanding the underlying industry and culture, meaning we deliver relevant advice, set in a local commercial context.

EXAMPLES OF WORK

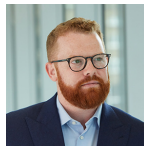
- A significant claim for alleged expropriation following the imposition by the Argentine government of priority allocations for domestic consumption of natural gas. The case involved dealing with experts and lawyers in Argentina and Chile
- A claim arising out of the coordinated attack on electricity substations in Mexico, which required us to build a deep understanding of local political tensions
- Advising insurers on Cuban sanctions and countervailing legislation

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Arbitration

Arbitration is frequently the venue of choice for the resolution of disputes in respect of insurance related issues. We have worldwide expertise of arbitration in venues involving the ICC, AAA, IDRC, LCIA, SIAC, CAM-CCBC, UNKITRAL, LMAA and CIArb.

EXAMPLES OF WORK

- An ICC arbitration involving the licensing of intellectual property in Brazil
- A political risk arbitration involving repossession of aircraft in a Latin American country
- A coverage arbitration in St Kitts relating to a power plant fire
- An arbitration relating to property damage after Hurricane Irma
- A political risk BIT/ICSID arbitration arising out of expropriation of assets in Venezuela

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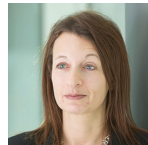
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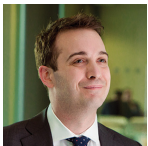
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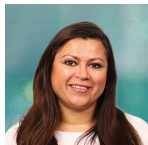
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Global Access Lawyers

RPC have a strong international offering through our association, Global Access Lawyers (Global Access). We have built relationships with other top insurance law firms around the world that have genuine strength and depth combined with unrivalled knowledge of their local market.

Global Access supports the global insurance market by providing easy access to the combined global talents of more than 2,000 lawyers, across six law firms and 43 offices.

These firms are:

Kennedy Van der Laan

Netherlands



USA



HMN • PARTNERS

France

COLIN
BIGGERS
& PAISLEY
LAWYERS

Australia



MILLER THOMSON
AVOCATS | LAWYERS

Canada

Our combined LATAM capabilities

With dedicated LATAM desks from HMN Partners, RPC and Hinshaw & Culbertson, working together, you can be assured we have the knowledge and ability to provide advice on your Latin American exposures.

Having on-the-ground experience in both the London Market and Latin America, we understand the markets and how they interact with each other. This insight allows us to implement solutions and strategies which match the complexities and nuances of both markets, with our clients' expressed goals at the center.

The Global Access Lawyers platform opens up contact to the very best Latin American lawyers. We have strong relationships with strategically placed law firms across Latin America, with high quality people we know and trust.



Winner
LAW FIRM OF THE YEAR
BRITISH LEGAL AWARDS
2019



Winner
INSURANCE LAW FIRM
OF THE YEAR
COMMERCIAL INSURANCE
AWARDS
2017



Winner
BEST CLIENT SERVICE
INNOVATION
THE LAWYER AWARDS
2017



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