



## Curriculum Vitae of Hunter T. Carter

Hunter T. Carter  
ArentFox Schiff

Partner and International Practice Co-Leader  
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Hunter T. Carter, Partner and International Practice Co-Leader at ArentFox Schiff, is an esteemed international arbitrator, litigator, and human rights advocate who has been consistently recognized as one of the top Latin American lawyers by *Latinvex* and is a multiple award-winning LGBTI+ advocate.

### Education

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- University of Virginia School of Law, JD, 1988
- University of Virginia, BA, 1984
- Université Catholique de l'ouest (Angers, France), 1980

### Professional Career

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- Willkie Farr & Gallagher LLP, Associate (1988 - 1990)
- Arent Fox LLP, Associate (1990 - 1996)
- Arent Fox LLP, Partner (1996 - 2022)
- ArentFox Schiff LLP, Partner (2022 - Present)

### Professional Capabilities

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#### Practice Areas

- Business Compliance & Monitorships
- Complex Litigation
- Government Enforcement & White Collar

- International Arbitration & Dispute Resolution
- Investigations

#### Industries

- Beverage & Food
- Construction
- Insurance & Reinsurance
- Life Sciences
- Private Companies

#### **Court Admissions**

- District of Columbia
- New York
- Virginia
- Supreme Court of the United States

- US District Court, Eastern District of New York
- US District Court, Southern District of New York
- US Court of Appeals, District of Columbia Circuit
- US Court of Appeals, 4th Circuit
- US Court of Appeals, 2nd Circuit
- US District Court, District of Columbia

## **Distinguished Activities**

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#### **Current**

- Global Americans, Founding Board and Executive Member
- New York City Bar, Council on International Affairs
- Vance Center for International Justice, Committee Member

#### **Past**

- ArentFox Schiff, New York Office Ethics
- New York City Bar, Committee on Inter-American Affairs
- New York Intellectual Property Law Association, Ethics Committee Chair
- New York State Bar, Ethics Committee

## **Human Rights Advocacy**

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#### **LGBTI+**

- Previously worked as a volunteer at the Whitman Walker Clinic, eventually serving as Secretary and General Counsel; awarded for helping to build the lawyers program, the AIDS Services Programs, and as pro bono counsel to clients of the Clinic and the Clinic itself.

#### **Marriage Equality**

- Appointed co-editor of the “Report on Same-Sex Couples and the Law” by the New York State Bar Association (NYSBA) in 2008; report served as the basis for the NYSBA to reverse its position and fully endorse marriage equality and was cited by the New York Senator who cast the deciding vote to approve marriage equality legislation in 2011.
- Key figure in securing marriage equality in Chile, having negotiated an agreement with the government of Chile to settle a human rights case. Served as co-counsel with famed Chilean lawyer, Ciro Colombara, for the LGBT advocacy group Movimiento para la Liberación Homosexual (MOVILH) in denouncing the Chilean government for denying three same-sex couples civil marriage rights. MOVILH filed a complaint at the Inter-American Commission on Human Rights, part of the Organization of American States in Washington, DC.
- Co-created AMAmericas, the Alliance for Marriage in the Americas with Mr. Colombara. AMAmericas is an informal group of pro bono lawyers who have partnered with local leaders to support cases against Mexico in the Inter-American Commission, against Panama in its Supreme Court, and against Colombia and Peru, among others.
- Addressed the full Colombian Senate when it debated marriage equality. Mr. Carter and his husband were ultimately the first foreign-married same-sex couple to register a civil marriage under Colombian law. He has argued at the Inter-American Commission repeatedly on the subject.

#### **Notable Representations**

- Co-Chaired trial team for Chilean Air Force Officers who were tortured for their refusal to participate in the Augusto Pinochet coup d'état. Conducted an examination of the UN Special Rapporteur on Torture with Dr. Juan Mendez, in the trial before the ICAN Inter-American Court on Human Rights in Spanish. The resulting decision broke new ground in strengthening the rights of torture victims and duties of states where the torture occurred.
- Special counsel to the Mayor and Council of Elders of Rapa Nui in Easter Island, Chile, regarding the recovery of the cultural property of its indigenous people.

## Representative Experience

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### International

- Co-arbitrator in an ICC case involving a share purchase agreement dispute between parties from Panama and Colombia. Award confirmed: [\*Superior Energy Services Colombia SAS v Premium Petroleum Services, et al.\*](#), 2019 WL 2717692 (S.D.N.Y.).
- Co-arbitrator in ICC arbitration no. 24637/MK, *Avions De Transport Regional G.I.E v. Avian Lineas Aereas S.A.*, concerning a French-Italian aircraft manufacturing consortium in its claim to recover two commercial airliner aircraft from an Argentine airline, which is in an Argentine restructuring process (*concurso*), and for damages. The Tribunal's award, as disclosed in the *concurso*, issued partial final awards on jurisdiction, interim relief measures, liability and possession, and finally on damages, awarding US\$40,288,506.24.
- Claimant's counsel in an ICC arbitration resulting in an award for a US-based crop-protection products distributor against a European manufacturer.
- Respondent's counsel in an International Centre for Dispute Resolution (ICDR) arbitration for a Canadian university researcher with a breakthrough patent related to the treatment of glaucoma, kidney, and other diseases against a US biotech company over rights ownership. Stayed US federal court complaint, and compelled arbitration enforcing recent US Supreme Court law. Arbitration resulted in no award against the researcher.
- Respondent's counsel for a Peruvian cocoa growers cooperative in New York in which a federal court decision set aside an arbitration award due to the absence of an agreement to arbitrate. The case was vacated on appeal pending further proceedings, and the award was not confirmed. [\*Cooperativa Agraria Industrial Naranjillo Ltda. v. Transmar Commodity Group Ltd.\*](#), 2016 WL 5334984 (S.D.N.Y.).
- Claimant's counsel in an ICDR arbitration resulting in an award enforcing severance package for a Brazilian multinational executive.
- Claimant's counsel in an ICC arbitration for a multinational metals manufacturer and distributor arising out of its acquisition of a South American producer.
- Plaintiff's counsel in a \$250 million pharmaceutical distribution agreement wrongful termination claim against a Swiss manufacturer. Reversed summary judgment on appeal and again on reconsideration by the District Court, winning a favorable settlement. *Luitpold Pharm., Inc. v. Ed. Geistlich Söhne A.G. Für Chemische Industrie*, 784 F.3d 78, 97 (2d Cir. 2015), *Luitpold Pharm., Inc. v. Ed. Geistlich Sohne A.G. Fur Chemische Industrie*, No. 11-cv-681 (KBF), 2015 WL 5459662 (S.D.N.Y. Sept. 16, 2015).
- Defense counsel for a Peruvian investor, dismissing RICO claims by its co-investor in quinoa commodity transactions.
- Plaintiff's counsel to an international metals manufacturer and distributor in litigation matters relating to coal-related product supply agreements.
- Defense counsel of an Italian glass manufacturer in commercial distribution litigation in the US.

- Advisory and investigation counsel for Foreign Corrupt Practices Act (FCPA) compliance for a Chile-based multinational corporation.
- Internal investigation counsel in the US for a tax matter for a South America-based multinational commodities producer.
- Internal investigation counsel for FCPA issues at a Brazil-based multinational pharmaceutical device manufacturer.
- Investigation counsel to the Special Litigation Committee of the Board of a US holding company that invested in next-generation wireless broadband telecommunications in Eastern Europe, assessing claims against corporate management concerning capital raising, asset disposition, capital infusion, and advising the Special Committee during a contested change of control transaction.
- Special counsel to a Colombia-based financial services multinational firm in a commercial legal dispute in the US.
- Special counsel to a South America-based pension fund administration trade group on US real estate investment issues.
- Defense counsel to award-winning leading Colombian investigative journalist Daniel Coronell, rejecting a libel threat by ex-Senator and ex-President Alvaro Uribe.

### **Commercial, Corporate, and Bankruptcy**

- Defense counsel in New York federal court for a public company CFO. Won dismissal of complaint alleging Rule 10b-5 violations.
- Defense counsel to Transcom Enhanced Services, Inc. in a precedent-setting 7-0 ruling by the New York Court of Appeals holding that judgment creditors cannot attach funds paid under an agreement that is terminable at will and does not contain a firm or non-contingent payment obligation.
- Defense counsel in New York bankruptcy court for the family members of Ruth Madoff in the investigation into Bernard L. Madoff Investment Securities (BLMIS) by the BLMIS and Securities Investor Protection Corporation (SIPC) Trustee resulting in a restitution settlement and release of claims.
- Defense counsel to family members who were directors, officers, and controlling shareholders of M. Fabrikant & Sons, a worldwide diamond and jewelry manufacturing and distribution company. Led the attack undermining *ex parte* orders that froze \$200 million in assets, restricting and reducing the freezes and leading to the eventual withdrawal of asset seizure claims. Won a favorable settlement.
- Plaintiff counsel to a corporate bond trustee in New York Commercial Division litigation against a holding company that guaranteed a bankrupt airline's lease of Boeing 757s. Won summary judgment on liability and tried to victory the complex damages case for two weeks.
- Plaintiff's counsel in Maryland federal court for a national dialysis services provider in a putative class action seeking to enjoin a \$115 million acquisition and follow-on merger. Led the trial team that ensured the timely and successful completion of the acquisition and merger with no settlement or payment to the plaintiffs.
- Plaintiff's counsel in New York Commercial Division for a leading internet co-location and data center services provider against a major nationwide data and voice carrier. Secured injunctive relief permitting termination of services, posting of a significant bond, and leading to favorable settlement of all disputes.
- Co-defense counsel in New York Supreme Court for an investor fund holding hundreds of millions of dollars' worth of subprime mortgage-backed securities in fraud and breach of contract litigation against the mortgage originator.

- Plaintiff’s counsel in New York federal court for the victim of a fraudulent stock-based lending scheme and in New Jersey federal court criminal proceedings resulting in asset forfeiture substantial victim compensation as well as a conviction and unreduced sentence.
- Defense counsel in New York federal court for US broadband communications product manufacturer/distributor in litigation with a Private Investment in Public Equity (PIPE) lender/investor.
- Co-defense counsel to major mortgage lenders in consumer class actions alleging predatory lending, unfair trade practices, and violation of mortgage borrower protection laws.
- Respondent counsel to a national financial advisor and fund manager in arbitration over claims against and by former marketing and management consultants.

### **Intellectual Property and Entertainment**

- Represented a patent holder in its [successful appeal to the Federal Circuit](#). Reversed dismissal of royalties suit: *Alexsam, Inc. v. Mastercard International Incorporated*, No. 2021-1785 (Fed. Cir. Mar. 3, 2022).
- Represented a broadcast TV station group purchaser in arbitration of claims against a portfolio seller for misrepresentation and breach of contract in the acquisition of several stations.
- Represented a consumer products advertiser in New York and Connecticut federal court jury trials for trademark infringement.
- Represented an international TV network in claims against on-air talent for breach of contract and a restraining order.
- Represented a consumer products distributor in false advertising class actions and before state attorneys general and the Federal Trade Commission (FTC).
- Represented a consumer products distributor in patent infringement and mismarking as well as unfair trade practice litigation in federal court.

### **Real Estate**

- Claimant counsel in an American Automobile Association (AAA) arbitration for a national women's health and reproductive services provider as the commercial tenant against its owner exercising a purchase option on the \$40 million national headquarters building in New York. Defense counsel in a related New York Commercial Division trial and First Department appellate litigation to enforce arbitration, resulting in a litigation stay and an arbitration award enforcing option.
- Defense counsel to funds of a worldwide investment bank in various real estate portfolio litigation matters in numerous states concerning purchase and sale, leasing, operations, and partnership dispute issues involving commercial, hospitality, multifamily, and marina property portfolios.
- Plaintiff and defense counsel to a major national REIT in all aspects of the commercial operations of Class A New York City office buildings.
- Defense counsel in District of Columbia federal court for the purchaser of a mortgage portfolio. Defended claims to recoup or offset damages from an alleged breach of refinancing agreement, resulting in a DC Circuit decision affirming that the thrift's assets were sold free and clear of all liabilities, including recoupment defenses.