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International Arbitration Trailblazer: Diana Paraguacuto- Mahéo

Litigation, New York,
2004-2009



For the past four years, Diana has been a partner at Ngo Jung & Partners, a leading international arbitration boutique based in Paris.

Please tell us a bit about your background and career path.

My DNA is international. I am of Franco-Venezuelan origin and have studied in France, Spain, and the U.S. I have always been comfortable with other cultures and interested in bridging the gaps between them. In school, I wanted to be a diplomat and embraced law as a path towards that goal. Along the way, I fell in love with law and decided to become a lawyer. Not any kind of lawyer, however: a lawyer with an international practice.

What do you enjoy about working with Ngo Jung & Partners?

Ngo Jung & Partners is dear to me for many different reasons. The founder of the firm, Gérard Ngo, is an inspiring man with great values, who has known me since I was three years old; his daughter was my kindergarten friend, and today is one of my partners. It is a very entrepreneurial firm, which provides me with flexibility both in terms of fees, and in the service I can provide my clients. We must be 100 percent efficient in the way we manage our cases and think outside of the box for solutions. The firm's size also allows me to avoid conflicts when being nominated as an arbitrator and gives me the freedom to practice law the way I have always wanted: with authenticity, ethics, and an innovative mind.

What are some of your most memorable recent matters?

Victories are always special, and luckily I have had a great number in the last few years. I remember the first emergency arbitration I filed with the International Chamber of Commerce (ICC) under its most recent rules and won. The cargo of a vessel was nowhere to be found as the crew had turned off the transponder. To my relief, after several nights of tense negotiations, the cargo reappeared and was safely unloaded.

Another victory was when I represented a Middle East country in a several hundred million dollar arbitration against a European party over the display of its national treasure. The state was not involved in the case as it was busy fighting terrorists, so I was left alone and had to investigate all over the world to build my client's defense. I discovered the fascinating world of traveling exhibitions and received a tremendous amount of support from museum directors, scholars, and militaries globally. I also had to perfectly understand the politics involved and years of war in the Middle East. I won the case, plus legal costs, after less than a two-year arbitration. It was a great source of pride, happiness, and a feeling of having done the right thing.

How did you become involved with the Global Pound Conference (GPC) Series, and what are your main goals as Chair?

For the last few years in France I have been on the forefront of developing and promoting alternative dispute resolution (ADR), more as an "appropriate" means of dispute resolution than as an "alternative." I co-founded the mediation advocacy school at the Paris Bar and was involved with the International Mediation Institute (IMI) in France. Last June, I was asked by a member of the IMI board if I could organize the French chapter of the GPC. I accepted knowing that the debates that would come out of it could have a great impact on the rendering of dispute resolution.

The GPC Series aims to facilitate the development of 21st century commercial and civil dispute resolution tools at domestic, regional, and international levels. The event is worldwide, involving close to 40 cities.

I have great ambition for the Series in Paris, and would like the GPC to promote Paris as a center not only for arbitration, but also for international mediation and ADRs. I would also like the GPC to shape the dispute resolution process of the next 50 years: more efficiency, easier access, better results. I will guide the GPC to inquire about start-up needs and views on dispute resolution and to present dispute resolution systems as a tool for better governance. Finally, I want to explore how technology can be used in dispute resolution.

“My career has continued to thrive in fields that allow me to use my Milbank experience and understanding of international law to the benefit of my clients.”

– DIANA PARAGUACUTO-MAHÉO

What are your additional responsibilities as co-chair of the ICC Task Force on Emergency Arbitration?

I was appointed by the President of the ICC Commission to this role, which allows me to work with highly regarded arbitration professionals from all over the world to drive best practices. Our target is to draft a comprehensive report before the end of 2017. It is an invaluable experience, which I am very thankful for.

What do you see as the most important trends in your field?

I believe that dispute resolution will evolve towards more efficiency. I am very interested in the possible combination of ADRs, including arbitration with mediation, mediation with expertise, sealed envelope arbitration, adjudication, and dispute boards. The gaps that exist between these worlds will slowly be bridged, though this will most likely be a generational change.

Do you have any reflections on your time at Milbank you'd like to share?

I very much enjoyed my time at Milbank, a firm with great people – professionals with elegance and integrity. I have made many lasting friendships there. I sail with some of them, share vacation time with others, and visit the office each year. I also currently work with Milbankers and former Milbankers. My career has continued to thrive in fields that allow me to use my Milbank experience and understanding of international law to the benefit of my clients.