

Richard D. Deutsch



Associate

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INDUSTRIES

Energy Litigation

PRACTICE AREAS

Litigation
Arbitration/Mediation
International
Corporate Compliance,
Investigations and
Defense

EDUCATION

JD, 2002, Southern
Methodist University
Dedman School of Law,
SMU Law Review,
Managing Editor
(2001-2002)
BA, 1992, Journalism,
University of Texas
BA, 1989, English,
University of Texas

ADMITTED

Texas 2002

LANGUAGES

Spanish

Rich focuses his practice in litigation and international arbitration. He has experience representing clients in connection with energy (upstream and downstream, power generation and distribution), construction, mining, telecommunications, and food products-related arbitrations administered under the ICSID Convention, UNCITRAL, AAA, and the ICC Rules of Arbitration. Rich has represented clients in international arbitration claims arising from bilateral investment treaties and the North American Free Trade Agreement. He has also represented clients in various domestic commercial litigation matters including defense of over \$500 million in securities claims.

Rich has advised clients in structuring investments in Central and South America and North Africa. He represents a U.S. energy company in current U.S. Justice Department and SEC investigations of violations of the Federal Corrupt Practices Act. Rich has authored several published articles on international arbitration related topics and has made presentations to local and international business groups on international arbitration and the FCPA. He serves as a guest lecturer in international arbitration-related topics at the University of Texas School of Law.

He served as intern to the Honorable Judge George P. Kazen in the U.S. District Court for the Southern District of Texas and the Honorable Judge A. Joe Fish in the U.S. District Court for the Northern District of Texas. Rich was Managing Editor of the *Southern Methodist University Law Review* during 2001 - 2002. A former sportswriter, Rich has written extensively for *The Washington Post*, *The Miami Herald*, *Sports Illustrated*, *The Houston Post* and *Texas Monthly Magazine*.

ARTICLES/PUBLICATIONS

- "Importance of Choice of Arbitral Seat" Institute for Transnational Arbitration's News & Notes Newsletter (Fall 2008)
- "Options for the Nervous Investor in Venezuela: Structuring for BIT Protection and Preserving the ICSID Option" Oil, Gas & Energy Law/Transnational Dispute Management, Special Issue on Venezuela, Vol. 5, Issue 2 (2008)

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- "Accounting for Uncertainty in Discounted Cash Flow Valuation of Upstream Oil and Gas Investments" Journal of Energy and Natural Resources Law, Special Issue on Energy and Natural Resources Disputes and their Resolution, Vol. 25, No. 3; Reprinted Transnational Dispute Management, Vol. 4, Issue 6, November 2007 (Fall 2007)
- "ADC v. Hungary: ICSID Tribunal's application of unique valuation method and its impact on future BIT awards" Oil, Gas & Energy Law/Transnational Dispute Management, Special Issue on Compensation/Damages, Vol. 4, Issue 3 (June 2007)
- "Structuring Energy Projects for Investment Treaty Protection" presented at Rocky Mountain Mineral Law Foundation Conference on International Mining and Oil and Gas Law, Development and Investment (April 2007)
- "Wind Power and Other Renewable Energy Projects" Rocky Mountain Mineral Law Foundation Journal (2005)
- "Civil False Claims & Qui Tam Actions Update" Presented at Page Keeton Civil Liability Conference (October 2004)
- "CMS vs. Argentina – The Decision of the International Centre for the Settlement of Investment Disputes and its main consequences for the practice" Sellier (Germany) European Law Publishers (January 2004)
- "The Commerce Clause as Shelter for Discrimination" SMU Journal of Air Law & Commerce (Fall 2002)
- "When is an Expert's Departure From Instructions Deemed to be Material?" Stockholm Arbitration Report (2002)
- "Eleventh Circuit Holds that Regulations Prohibiting the Sale of Religious Literature at Miami International Airport are Unconstitutional" SMU Journal of Air Law & Commerce (Spring 2001)

BRIEFINGS, SEMINARS & SPEECHES

"Investment Treaty Arbitration," guest lecturer at University of Texas School of Law, Austin, TX (November 2006, March 2008)

"The Foreign Corrupt Practices Act: New Developments and Emerging Trends in FCPA Enforcement," presented to Houston Bar Association International Law Section, Houston, TX (Jan. 2008)

"Mitigating Political and Commercial Risk," presentation for St. Gallen University World MBA Program, University of Texas School of Law, Austin, TX (Nov. 2007)

"How to Protect Investments Abroad, BIT by BIT," presentations for CEE-UT New Era in Oil, Gas and Power Value program, Houston Branch-Federal Reserve Bank of Dallas, Houston, TX (May 2005, May 2006, May 2007)

"Structuring Foreign Investments for Investment Treaty Protection," presented to International Law Section of Houston Bar Association, Houston, TX (April 2007)

"Wind Power and Other Renewable Energy Projects," presented at Rocky Mountain Mineral Law Foundation's Institute on Natural Resources Development in Indian Country, Albuquerque, New Mexico (Oct. 2005)

PROFESSIONAL/CIVIC AFFILIATIONS

Member

- Houston Bar Association
 - International Law Section (Counsel Member)
 - Law & the Media Committee (Chair 2006)
- Houston International Arbitration Club
- Houston World Affairs Council
- International Bar Association
- Chartered Institute of Arbitrators (Associate ranking)
- International Centre for Dispute Resolution (Associate)

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- USCIB/ICC Young Arbitrator's Forum