


Luiz Eduardo Jardim Vilar



CONTACT

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SPECIALIZATION

- Arbitration
- Commercial Litigation
- Corporate Law

PRACTICAL DESCRIPTION

Represents clients in complex disputes in court and arbitration and provides civil and corporate counseling.

ACADEMIC EDUCATION

2019 | Specialization

Specialist in Corporate Law from FGV-SP

2016 | Master of Laws

Master of Laws (L.L.M.) at New York University (NYU)

2013 | Graduation

Undergraduate Degree in Law at Universidade Federal do Rio Grande do Sul-UFRGS

AREAS OF ACTIVITY

Practice in dispute resolution, mostly in cases related to commercial disputes and contractual issues in several business contexts.

ACADEMIC ASSOCIATIONS AND ACTIVITIES

Brazil

Member of the Brazilian Arbitration Committee-CBAR (and of its Agribusiness Arbitration Study Group).

LANGUAGES

- English
- Spanish

EXAMPLES OF ARBITRATION PROCEEDINGS IN WHICH HE WORKS OR HAS WORKED AS A LAWYER

- Defense of a minority shareholder in an arbitration discussing controlling shareholder's abuse of power of control, partial dissolution of a closed corporation and payment of such shareholder's shares.
- Defense of an engineering company in arbitration discussing the breach of an agreement for the construction of transmission lines.
- Defense of a company acquiring a wind farm in arbitration, related to the M&A agreement, discussing miscellaneous indemnities, "earn out" etc.
- Defense of a company in the electricity sector in arbitration, discussing the breach of an agreement for the purchase and sale of energy in the free market of energy.
- Arbitration involving discussions on abuse of power of control, appointment of officers, breach of shareholders' agreement, and miscellaneous indemnities in favor of shareholders and the Company.
- Defense of a parking company in arbitration, discussing the resolution of an agreement for the assignment of the use of the area in which it operated, and in lawsuits, discussing the economic and financial rebalancing of an agreement for the assignment of the use of an area.
- Defense of members of a retail group in arbitration, discussing a shareholder's withdrawal of the group and payment of his shares.
- Defense of an investment fund in an arbitration, discussing earn-out collection arising out of an M&A transaction.
- Defense of a power generator company to collect withheld amounts from buyer in an M&A transaction.

EXAMPLES OF LAWSUITS IN WHICH HE WORKS OR HAS WORKED AS A LAWYER

- Defense of a Brazilian corporation against an Austrian multinational in a lawsuit to annul a transaction entered within the scope of a project for the supply of cranes for oil rigs.
- Defense of a rural producer, creditor in a rice industry judicial reorganization.
- Defense of rural producers in matters related to loans.
- Defense of a retailer in class actions and actions for the annulment of fines, related to consumer issues.
- Defense of a pulp and paper company in lawsuits involving commercial representatives and tort.
- Defense of a multinational tobacco company in lawsuits promoted by tobacco producers.
- Defense of an electricity company in proceedings for the institution of an administrative easement.
- Defense of an engineering company claiming the economic and financial rebalancing of agreements with an electricity concessionaire.
- Defense of a purchasing company in an M&A transaction in a claim for indemnification arising out of the materialization of loss.
- Defense of an industry in a lawsuit related to a "take or pay" agreement with a client.
- Defense of a landowner to release his properties unduly pledged/mortgaged in favor of the financing bank of a real estate development.

PUBLICATIONS

- VILAR, Luiz Eduardo Jardim; MARIANI, Rômulo Greff. Execução de título extrajudicial com cláusula compromissória: “embargos” via arbitragem e sua repercussão no processo de execução. Impossibilidade de suspensão por “prejudicialidade”, *in* Arbitragem e Poder Judiciário - Estudos sobre a interação entre as jurisdições arbitral e estatal. São Paulo: Migalhas, 2023.
- VILAR, Luiz Eduardo Jardim; MARIANI, Rômulo Greff. Planejamento sucessório e agronegócio: no que a arbitragem pode ajudar? *in* O Novo Agronegócio e Resolução de Disputas. São Paulo: Almedina, 2022.
- VILAR, Luiz Eduardo Jardim. Saiba como funciona a arbitragem no agronegócio. *Jornal Zero Hora*. Seção Campo e Lavoura. Porto Alegre, 18.12.2019.
- VILAR, Luiz Eduardo Jardim; RAMOS, Pedro Hofmeister. O estatuto da terra se aplica às grandes empresas? *Jornal Zero Hora*. Seção Campo e Lavoura. Porto Alegre, 03.08.2019.
- Coautor do livro: MELLO, Rafael Corte (org.); GIORGI JR., Romulo Ponticelli (org.) & SILVA, Jaqueline Mielke (prefácio). *Novo Código de Processo Civil Anotado*. Charleston, SC, EUA: CreateSpace Independent Publishing Platform, 2015. ISBN 978- 1512066272.

LECTURES

- *Arbitration in Agribusiness, at the CESULAW event, organized by Universidade Cesusc de Florianópolis/SC, 08.31.2022.*
- Arbitration and Agrarian Contracts, at the 3rd Symposium on Agrarian Law and Agribusiness of Rio Grande do Sul, promoted by the Brazilian Union of Agrarians – UBAU and by the Federation of Agriculture of the State of Rio Grande do Sul – Farsul. Porto Alegre, 12.16.2022.
- Arbitration in Agribusiness, at the event Discussion Board: Current Issues in Agrarian Law and Agribusiness, promoted by the Legal Affairs Commission of the Federation of Agriculture of the State of Rio Grande do Sul – Farsul. Não-Me-Toque/RS, 03.08.2023.