

Pérez-Llorca



Félix J. Montero

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Practice areas

- Arbitration
- Litigation
- Restructuring & Insolvency

Profile

Félix J. Montero has extensive professional experience in both litigation and arbitration. Félix joined Pérez-Llorca in July 2004 after practising law for several years and was made partner in January 2008. Félix's practice focuses on civil and corporate litigation, both locally and internationally as well as on domestic and international arbitration. Additionally Félix is a member of the Firm's Restructuring and Insolvency Group.

Studies:

- 2012 Master's degree in Law (in preparation for PHD qualification), Universidad de Alcalá de Henares
- 1999 Master's degree in Legal Practice, Universidad Carlos III, Madrid
- 1997 Degree in Law, Universidad Autónoma, Madrid

He speaks Spanish and English; knowledge of German and French.

Experience

Litigation

Félix advises clients on civil and commercial litigation regarding, among others, unfair competition, agency,

distribution, international sale and purchase of goods, corporate directors liability, annulment of corporate resolutions, horizontal property, insurance, energy, construction, real estate and corporate sales, patents, trademarks, sports, damages, recognition and enforcement of foreign judgements and arbitration awards.

Arbitration

Furthermore, Félix has significant experience in domestic and international commercial arbitration, both institutional and ad hoc. Domestically, Félix advises clients on arbitration proceedings carried out by the Civil and Commercial Arbitration Court (CIMA), the Madrid Arbitration Court (CAM) and the Barcelona Arbitration Tribunal (TAB) regarding matters such as construction and mediation contracts, MBO transactions and corporate acquisitions, call option rights, contract simulation, export credit insurance, infrastructure, energy, transfer of technology and financial derivatives. Internationally, Félix participates in important arbitrations carried out by the Court of Arbitration of the International Chamber of Commerce (ICC), the American Arbitration Association (AAA) and by the International Centre for Settlement of Investment Disputes (ICSID) on disputes regarding corporate law, international loan agreements, turn-key contracts concerning industrial machinery, civil engineering contracts, distribution contracts, telecommunications infrastructure, oil & gas, energy, and construction contracts, and administrative concessions.

Insolvency

Félix's most recent experience refers to proceedings in which the creditors' debts were included in insolvency proceedings, encompassing litigation on that topic. Additionally, Félix acts in court proceedings related to the challenging claw back actions initiated by Insolvency Administrators under the special rescission remedy set out in Spanish Insolvency law. Furthermore Félix leads court litigation conducted within the framework of insolvency proceedings, such as the termination of contracts due to the breach of the party declared insolvent, claims for damages, the annulment of financial derivative products, and directors' liability within the framework of insolvency proceedings. Félix also advises in relation to contract performance as regards potentially insolvent counterparties, settlement agreements, contract performance with counterparties in insolvency situations, duties of corporate directors in potential situations of insolvency, etc.

He advises businesses from numerous sectors such as real estate and construction, telecoms, energy, airlines, banking and finance, stockbroking and the food & beverages industry.

Academic and Publishing Collaborations

Félix has experience in the academic field and regularly gives classes on Litigation Law for the Master's degree for Access to the Legal Profession at Instituto de Empresa and on Litigation and Insolvency Law for the Master's degree for Access to the Legal Profession at Universidad Carlos III. He also lectured on International Arbitration for the Advanced Programme in Arbitration at IE Law School (Madrid).

He has contributed to the following collective volumes of work:

- Coordinator and contributor to the "Spanish Arbitration Code" ("*Código de Arbitraje*"), a volume compiling and commenting on various arbitration laws and regulations Aranzadi (2017).
- Coordinator and Contributor to "*Comentario al Reglamento (UE) N° 1215/2012 relativo a la competencia judicial, el reconocimiento y la ejecución de resoluciones judiciales en materia civil y mercantil*", Editorial Aranzadi (2016).
- Co-editor of the 2015 IBA Litigation Committee Compendium on "Multi-Tiered Dispute Resolution Clauses".
- Articles 6 and 35-39 of "*Comentarios a la Ley de Arbitraje de 2003*" Aranzadi (2005).

Félix regularly writes for economic press, specialist magazines and other collective volumes of work.

Professional Organisations

The Madrid Bar Association (ICAM): 1999.

Madrid Court of Arbitration: Member of the Steering Committee.

International Bar Association (IBA) (Litigation, Arbitration and Insolvency Committees); Former Officer of the IBA Litigation Committee.

Spanish Arbitration Club (CEA). Former Member of its Steering Committee.

Union Internationale des Avocats: Former Secretary of its International Arbitration Commission.

Recognition

Félix J. Montero features in various legal directories such as:

- Chambers Global: Dispute Resolution.
- Chambers Europe: Dispute Resolution.
- Legal 500 EMEA: Dispute Resolution (Leading individual).
- Benchmark Litigation: Litigation Star.
- Who's Who Legal: Litigation.
- Leaders League: International Arbitration, Commercial Litigation, and Insolvency Litigation.
- *Best Lawyers*®: Arbitration and Mediation, Construction Law, International Arbitration, Litigation and Media Law.

Awards

- Financial Times Innovative Lawyers: Standout, “Most Innovative Law Firms in Dispute Resolution” (2014) (*featuring a matter Félix J. Montero advised on*).
- Iberian Lawyer: 40 under Forty (2013).