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LATIN AMERICAN CORPORATE COUNSEL ASSOCIATION  
AWARDS



2017



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# 2017 LACCA Awards

The Latin American Corporate Counsel Association celebrated the region's top talent at the 4th annual awards ceremony held in Miami. Alison O'Connell and Gwyneth Jones profile the winners.

Latin America remains one of the most dynamic regions in the world for businesses in terms of growth opportunities, but the region has also been undergoing a considerably turbulent time. Political tension, corruption scandals and ongoing uncertainty surrounding the crises in Venezuela and the US and Mexico's trade relationship continued to dominate the headlines over the past year. Furthermore, the continued recession which led to sharp contractions in some of the larger economies added to complexities for companies, while major regulatory developments, including a regionwide anti-corruption and transparency drive, sparked an increase in legal work across the board.

Helping companies manage the increasingly complex task of balancing uncertainty and risk with business opportunity in the region are Latin America's GCs. In fact, companies have become progressively dependent on their in-house teams who are increasingly expected to go far beyond the legal function, playing a key role in the business decision-making process. In today's marketplace many GCs resemble entrepreneurs more than advisers, strategically driving their companies' goals forward with their own business acumen and innovations.

Charting and analysing the increasing sophistication and legal skill on show within the region's companies – and providing a way for this enormous reservoir of talent to be shared and acknowledged – were the founding aims of LACCA around 10 years ago. In-house counsel in the region had very few opportunities to come together, network and exchange ideas and best practice, so LACCA was created as a mechanism for them to do so.

The association has grown significantly since, now with around 1,800 members all around the region and indeed the world. We provide weekly news and analysis of key trends in the in-house counsel world, as well as the developing careers of leading members of the community. We conduct significant research projects into how companies hire law firms, how they pay their in-house counsel and much more. We also host regular conferences, and four years ago we decided to create the LACCA Awards as a way of recognising and celebrating the extraordinary talent within the region's in-house community.

The depth of that talent was shown most clearly by the many excellent submissions and nominations we received in the research process, whereby leading corporate counsel and private practice lawyers from across the region nominated whom they believe to be the best Latin American in-house lawyers and teams. LACCA's editorial team worked through more than 270 nominations to come up with a shortlist for each of the seven categories, and called upon a judging panel made up of high-profile members of the in-house and wider legal community to select the winners for each. With their help, LACCA identified the final winners.

## Celebrating the region's top talent

The first award of the evening was LACCA's Deal-Making Award, celebrating those in-house running high-profile and complex deals across the region. Flávio Franco, legal and compliance manager for online footwear retail company Netshoes took home the award for his part in the company's initial public offering (IPO) on the New York Stock Exchange. Netshoes made history by becoming the first Brazilian business to list solely in the US last April. Franco worked towards the IPO to raise funds that would allow the company to expand into new business lines, such as fitness equipment and beauty products.

The time-sensitive nature of the IPO work was the most challenging aspect of the project according to Franco, in particular the final few weeks of working towards the company's self-imposed deadline were "highly stressful" as they involved the coordination of many different parties, including bank representatives, external counsel, shareholders and internal company executives. Franco began making preparatory updates to corporate governance policies and procedures some six months ahead of the official launch date, mitigating the stress of the crucial final weeks leading up to the launch. Furthermore, aware that work relating to the IPO would take up a lot of time, Franco had to make adjustments to the routines and workload of the company's in-house team. Netshoes has now been trading as "NETS" on the NYSE for a month, but in that time Franco says it has already "totally transformed" the way the company and its legal team operates.

The second award of the evening was for Litigation Management, which went to Eduardo Palinkas, senior litigation manager for Brazil, Latin America and Canada at Hewlett Packard Enterprise (HPE).

Palinkas was nominated for his significant contribution to reducing HPE's litigation costs. He has been hailed by his colleagues for thinking outside the box, looking for new opportunities to reduce the company's exposure to litigation and creating new controls for managing the litigation portfolio of the company in Latin America, which represents the largest region in terms of case workload within the company with approximately 1,000 ongoing cases. In addition to his efforts in reducing the company's litigation load, over the past year Palinkas engaged in a huge project looking into the costs spent on labour litigation within South America and in particular, Brazil. He has also developed a new system for managing cases using alternative fee arrangements with outside counsel for settlements. This has dramatically increased the speed at which employment cases are resolved and boosted the productivity of outside counsel. Most importantly, his efforts resulted in an over US\$2 million saving for the company. "This is an outstanding achievement and a true example of initiative," one of his colleagues stated. Furthermore, the company has gone through one of the largest divestitures in its industry selling



its Enterprise Services business, and Palinkas was responsible for ensuring that all open litigation cases were correctly transferred as part of the divestiture or left with HPE.

As GCs face the challenges of an increasingly complex regulatory environment, our third award of the evening was the Compliance Counsel of the Year Award, which went to Adriana Laporta Cardinali Straube, legal manager at Votorantim Cimentos in Brazil.

Straube was recognised for her role in encouraging outstanding internal policies, training and the implementation of programmes to meet strict compliance or regulatory obligations. She has been in charge of creating and managing a very strong and innovative global antitrust and anticorruption compliance programme within the company and was celebrated by colleagues for her efforts in changing the company's culture, drafting policies and aligning company standards to the programme. Straube was also responsible for the implementation of the company - whistleblower hotline, as well as establishing regular monitoring and assessment procedures.

This year our Social Responsibility Award went to Viettel's Peruvian subsidiary Bitel. The company's legal team was recognised for its commitment to making a difference in its community, helping the company implement its plan to develop infrastructure all over Peru, focusing on remote and rural areas that were previously not considered by competitors, not only because of the low profits but because of the difficulties in getting licences from the authorities. Bitel now offers 4G services nationwide, different from other operators focused on the big cities, bringing technology to remote and poorer areas of Peru. Bitel also provides free internet access to 4,500 schools.

Next up was the award for Legal Counsel of the Year, a category that recognises some of the stars of tomorrow. Those shortlisted in this category were promising lawyers from companies including Global Geophysical Services, Zurich Insurance, Mastercard and SAP.

Andrea Eugenia Camargo Niño, Director of International Legal Affairs at Grupo Odinsa in Colombia, was this year's recipient. Camargo's technical skills were highlighted by judges as being striking. External office lawyers describe her as highly efficient, ambitious, demanding and resourceful in negotiation. The regional projects she was involved in are vast, and represented a massive contribution to the business results. Camargo has proven to be adept in strategy planning, negotiation of international contracts and closing of big international transactions. Her experience extends to international, financial and corporate law: mainly M&A, divestments, joint ventures, negotiation of international financing and project finance. Over the past two years, Camargo was in charge of the company's acquisition of an airport concession in Ecuador as well as the acquisition of a road concession in Aruba. In addition, she led a number of divestments for the company in Chile, Panama and Colombia.

Our penultimate award of the evening was the Regional Team of the Year Award, which went to online e-commerce and auction company MercadoLibre. Over the past three years, the company has grown significantly with the help of its legal team of more than 50 people, including 35 in-house lawyers. The team helped the company acquire 13 companies in various countries in the region and provided legal support in the design and operation of the MELI Fund, a venture capital investment fund created by the business to promote development in the region.

Judges hailed the team for helping to shape the laws for e-commerce across Latin America, supporting the company in diverse industries including real estate, venture capital and electronic payments. In addition to supporting business growth, the team created a mediation process to reduce litigation, for which they won an award from the Brazilian Supreme Court. The team was also nominated for being entrepreneurial and an essential part of the business and for showing a strong commitment to professional development in a permanently changing industry, a growing company and a highly demanding environment.

Finally, closing the ceremony was LACCA's General Counsel of the Year Award, which celebrates the very best of what the profession stands for. Judges looked for legal excellence as a baseline, alongside the ability to handle complex issues across borders, contribute definitively and amply to the company's business strategy, and develop strategies to do so in as efficient a way as possible.

Valeria Plastino, vice president and general counsel for Latin America, Level 3 Communications, took home this year's award for her proven legal skills and success as a corporate leader. Plastino has built and runs a very large and successful regional team dealing with significantly complex cross-border issues. In her 10 years as GC for Level 3 in Latin America, she developed the legal team from scratch. Plastino was also responsible for implementing the company's global best practices and corporate compliance framework, contract and litigation management processes and the selection of external law firms and advisers. Her colleagues highlighted her talent management and retention practices and her success in developing a successful regional team at the very top of its game. One of our judges described Plastino as "the full GC package, delivered with grace and energy".



# THE WINNERS & RUNNERS-UP

## *Regional Team of the Year*

The LACCA Regional Team of the Year Award recognises an in-house team that works exceptionally well across borders in Latin America. We will be looking for evidence of communal efficiency and innovation, as well as the implementation of core development strategies around the region.

### *Winner*

MercadoLibre

### *Runners-up*

SAP Latin America

3M Latin America

Aramark Latin America

Oracle Latin America

## *General Counsel of the Year*

The LACCA General Counsel of the Year represents the very best of what the profession stands for. We will look for legal excellence as a baseline, alongside the ability to handle complex issues across borders, contribute definitively and amply to the company's business strategy, and develop strategies to do so in as efficient a way as possible.

### *Winner*

Valeria Plastino, Vice President and General Counsel for Latin America, Level 3 Communications (Argentina)

### *Runners-up*

Alejandro Rubilar, Executive Director and Country Counsel, JP Morgan Chase (Chile)

Luciana Gualda, Executive Legal Director, Aché Laboratórios Farmacêuticos (Brazil)

Javier Oroz Coppel, General Counsel and Head of Compliance, AXA (Mexico)

María Pía Logiovane, Head of Legal and Compliance Latin America, Philips (Panama)

## *Deal-Maker of Year Award*

From the company-changing M&A to a wave of small acquisitions, those in-house running the deals are fundamental to success. The Deal-Maker of the Year Award assesses management of external counsel, successful strategising of the deal or deals, and, where appropriate, multi-jurisdictional work.

### *Winner*

Flávio Franco, Legal Director for Latin America, Netshoes (Brazil)

### *Runners-up*

Horacio García-Masi, Corporate Vice President and International General Counsel at Christus Health (USA)

Alejandra Flah, Managing Director and General Counsel for Latin America, Citibank (USA)

Gabriela de Mello Almada Ramos Lanna, Legal Manager, Assitance to Business and M&A, Louis Dreyfus (Brazil)

## *Legal Counsel of the Year*

The Legal Counsel of the Year Award recognises the work of a younger or mid-level lawyer who is developing his or her legal and leadership skills. Significant contributions to the development and direction not only of the rest of the team, but also indeed to the broader business strategy, will be sought in recognising one of tomorrow's leaders.

### *Winner*

Andrea Eugenia Camargo Niño, Director of International Legal Affairs, Grupo Odinsa (Colombia)

### *Runners-up*

Victoria Sanchez, Senior Regional Counsel, Mastercard (USA)

Raphael Andrade Sousa, Regional Legal Counsel, Global Geophysical Services (Brazil)

Tatiana Simões Rabello Franzoe, Legal and Compliance Manager, Zurich Insurance Company (Brazil)

## ***Social Responsibility Award***

The Social Responsibility Award recognises the in-house team with a sustained commitment to making a difference in their community in Latin America through the promotion of pro bono or diversity initiatives (or both).

### ***Winner***

Viettel Peru

### ***Runners-up***

Sano i Latin America

Mastercard Latin America

Claro Brazil

## ***Litigation Management Award***

From managing a heavy caseload to strategising big-ticket work, successful litigation management is core to any in-house team. The Litigation Management Award assesses management of external counsel, how litigation strategy fits in with business strategy, and, where appropriate, multi-jurisdictional work.

### ***Winner***

Eduardo Palinkas, Senior Litigation Manager for Brazil, Latin America & Canada at Hewlett Packard Enterprise (Brazil)

### ***Runners-up***

José Eduardo Andreosi, Senior Legal Manager for Paraguay, Uruguay & Brazil, Diageo (Brazil)

Ana Amélia Ramos de Abreu, Legal Manager, Thyssenkrupp, (Brazil) Elias Marques de Medeiros Neto, Legal Director, Cosan (Brazil) Humberto Chiesi Filho, Senior Legal Manager, MercadoLivre (Brazil)

## ***Compliance Officer/ Team of the Year***

The LACCA Compliance Officer/Team of the Year recognises an individual or team that has encouraged outstanding internal policies, training and the implementation of programmes to meet strict compliance or regulatory obligations.

### ***Winner***

Adriana Laporta Cardinali Straube, Legal Manager, Votorantim Cimentos (Brazil)

### ***Runners-up***

Fernanda Beraldi, Director, International Ethics and Compliance, Cummins (USA)

Cristina Jaramillo Román, Head of Legal and Compliance, Bayer (Ecuador)

Pedro Pablo Barragan, Senior Vice President and Global General Counsel, Jose Cuervo (Mexico)



# Judging panel

LACCA would like to thank the following  
for their invaluable help:

## *Augusto Aragone, Executive Vice President, Secretary and General Counsel, Ingram Micro*

Augusto P Aragone serves as executive vice president, secretary and general counsel for Ingram Micro Inc., a leader in delivering the full spectrum of global technology and supply-chain solutions to businesses around the world.

Aragone is a multicultural business attorney with more than 15 years of experience in international corporate law practice as an in-house counsel with multinational companies.

He joined Ingram Micro in 2008 as regional counsel for Latin America and has successfully worked through a variety of increasingly complex legal leadership roles with the company, especially in the areas of mergers and acquisitions and finance transactions. He rose to the level of vice president and associate general counsel prior to earning the promotion to his current position in December 2016.

Before joining Ingram Micro, Aragone worked as legal director for Latin America in the law department of multinational logistics company DHL in Plantation, Florida. A native of Uruguay, before embarking on his law career, Aragone worked in several business roles in the international logistics industry in Latin America.

Aragone holds a juris doctor degree from Uruguay State University, a master's degree from Bologna University in Italy and a master of laws degree from the University of Miami. He is admitted to the New York Bar and is a registered in-house Counsel in California

## *Adrienne Cornejo, Vice President and General Counsel, The Phoenix Group*

Adrienne Cornejo has more than 25 years of in-house and top tier law firm experience. She spent 15 of these years in the pharmaceutical industry working as an in-house counsel for several large public companies where she gained significant experience in complex business transactions, corporate governance,

litigation management and compliance. She also worked extensively on international business matters, especially throughout Latin America. Throughout her career, Adrienne has successfully led teams of legal professionals and enjoys developing young talent. While working for a large pharmaceutical company, an attorney from her team won a Latin America Leadership Award from a pool of hundreds of nominees for three consecutive years. The senior management team selected only seven winners per year.

Adrienne began her career as an attorney in the corporate securities department of a major law firm where she handled public and private offerings, securities filings, financings, mergers and acquisitions and general corporate work. Adrienne Cornejo received a BA with honours in Government and Foreign Affairs and a JD from the University of Virginia. She is fluent in English and Spanish and has a working knowledge of French and Arabic.

## *Ali El Hage Filho, Partner, Veirano Advogados*

An experienced energy attorney with an extensive track record advising on multi-billion dollar international oil and gas projects and operations, Ali El Hage is a partner of Veirano's oil, gas and biofuels, infrastructure and projects practices, based in the firm's Rio de Janeiro office.

Ali has worked across different businesses segments within the oil and gas industry, from natural gas distribution and transportation to the full life cycle of the upstream, from early licensing and exploration to production and decommissioning. He is extremely familiar with providing strategic advice to oil and gas businesses, leveraging on his strong legal and operational knowledge of the industry to add value on how transactions should be structured and how risks should be managed.

Ali has led and coordinated legal support on a variety of matters relevant to the oil and gas industry, from financing, M&A transactions and project development to critical issues closer

to business operations, including disputes, compliance, emergency response and decommissioning.

Prior to joining the firm, Ali worked for 13 years in senior in-house legal counsel roles for British multinational oil and gas company BG Group, based initially in São Paulo, then in Rio de Janeiro and lastly in Aberdeen, UK. More recently, he served as the company's vice president leading the legal, compliance, contracts and procurement areas of one of the most important business divisions of BG Group, responsible for the company's UK and Norway oil and gas production.

## *Barrett Avigdor, Managing Director for Latin America at Major, Lindsey & Africa*

Barrett Avigdor is the managing director for Latin America at legal recruitment company Major, Lindsey & Africa, based in ITS San Diego office. She specialises in in-house placements in Latin America for all industries as well as the technology segment in all geographies. A happiness advocate, coach and best-selling author, Barrett believes that lawyers should (and can) enjoy their work as much as she enjoys hers. In addition to recruiting, Barrett uses her training as an executive coach and an emotional intelligence expert and her long experience managing global teams of in-house lawyers to co-lead Major, Lindsey & Africa's Legal Talent Management Consulting services.

Barrett has worked in Latin America for over 20 years, has lived in Mexico and Brazil and is fluent in Spanish and Portuguese.

Prior to joining Major, Lindsey & Africa, Barrett served as in-house counsel for Accenture, a global technology and outsourcing company. While at Accenture, she created and led the Latin American legal team as well as global teams of lawyers supporting the outsourcing practice and the financial services and communications and high-tech service groups. Barrett also established and led a legal service centre in Mauritius. Her most recent role at Accenture



was as director of legal talent strategy where she focused on enhancing the productivity and engagement of over 430 lawyers in the global legal group.

Barrett began her legal career in Chicago at Keck, Mahin & Cate, a large national firm, in the corporate practice. Later, she joined a former partner of Mayer Brown & Platt to form GM&A International, a boutique firm focused on business transactions between the US and Mexico.

Barrett is the co-author of the best-seller, *What happy working mothers know* (Wiley 2009). She speaks frequently on the subject of happiness and high performance and other career-related subjects.

### *Enrique Gonzalez, Latin America Legal Director, Uber*

Enrique Gonzalez has been working at Uber since 2015 as the legal director for Latin America, covering 17 countries and more than 140 cities across the region. He has over 20 years of experience working with regulatory, compliance, litigation and commercial law. Enrique is highly experienced working as an in-house lawyer for multinational companies with a great approach to business, innovation, collaboration and accountability. Before joining Uber, he worked as the legal director at Televisa Publishing and also served as a senior counsel for Cargill from 2004 to 2013. His achievements in his in-house career were recognised by the Latin American Corporate Counsel Association last year when Enrique received the award for General Counsel of the year in 2016.

Enrique holds a master's degree in telecommunications and technology law from the Complutense University in Madrid, Spain and a law degree from Marist University in Mexico City.

### *Gustavo Biagioli, Legal and Compliance Officer for Brazil, Jones Lang LaSalle*

Gustavo Biagioli works as legal and compliance officer for Brazil at Jones Lang LaSalle (JLL), a Chicago-based real estate broker and services provider of construction management, architecture, and property and facilities management.

He joined JLL in 2014, after developing a solid career in other global companies from different industries over his 20-year career as a legal and compliance executive. Gustavo is also a member of faculty at the Insper School of Business in São Paulo, as well as working with risk, audit and compliance think tank ARC Institute and LEC – Legal, Ethics and Compliance community, where he teaches legal management and compliance disciplines. He holds a Bachelor of Laws (LLB) Degree from Pontificia Universidade Catolica de Campinas and an MBA in Corporate and Finance Law from FGV – Fundacao Getulio Vargas. In 2006, he earned the International Strategic Business Leadership certification from Ohio University.

Gustavo's achievements in the sphere of compliance were recognised by LACCA last year, when he was awarded the Compliance Counsel of the Year Award in 2016.

### *Juan Pablo Cappello, Partner, Private Advising Group*

Juan Pablo Cappello is a founding partner at the Private Advising Group, a law firm based in Miami. Juan Pablo is a recognised attorney and entrepreneur who is deeply committed to supporting venture capital in Miami and Latin America. He was a partner in Patagon.com and was a principal shareholder at Greenberg Traurig, PA. In addition to his legal roles, he also

serves on the advisory boards of philanthropic organisations including: Un Techo Para Mi Pais, Endeavor.org and Duke University's Center for the Advancement of Social Enterprise.

### *Jed Hepworth, former Vice President and General Counsel for Latin America, Cargill*

Jed was the winner of LACCA's General Counsel of the Year award in 2014. He is the former vice president and general counsel for Latin America at Cargill, where he managed an in-house counsel team of 70 from across the region, before retiring from the position in 2014. Jed's technical legal knowledge and business acumen span 40 years. He has extensive experience in compliance and FCPA matters, including training, risk assessment, and conducting and leading internal investigations in the US and internationally, and has led a number of multi-jurisdictional acquisitions and divestitures, successfully handling transactions ranging in value from US\$20 million to in excess of US\$900 million. Throughout his career, Jed led teams of legal professionals, and improved results with business excellence and continuous improvement principles and is known for being a dedicated developer of people and talent, admired and cherished equally by his peers and clients.

Prior to joining Fox Rothschild last year, Jed was of counsel at Oppenheimer Wolff & Donnelly LLP. He previously served as Latin America general counsel for Cargill from 1995 to 2015, where he was responsible for a 70-person legal team and was lead counsel on numerous international acquisitions, divestitures and joint venture projects.



# *Deal maker of the year*



Flavio Franco

## **On the front foot**

The dynamic rate of developments in technology and the online and e-commerce sectors demands continually innovative thinking from GCs in the sector. Flávio Franco, executive legal director at online retailer Netshoes, shares his strategies for inking the types of unprecedented deals that saw him crowned Dealmaker of the Year during this year's LACCA Awards.



In April last year, São-Paulo headquartered e-commerce sporting goods company Netshoes made history by becoming the first Brazilian company to launch an initial public offering (IPO) on the New York Stock Exchange (NYSE). Netshoes raised almost US\$150 million through its sale of eight million shares, directing funds into both its own expansion and into building the capacity of its sister site, Zattini, which also sells fitness clothing and equipment. The man pulling the legal strings to deliver the IPO celebrated its closure with an early night and a plan in place to support the company through the necessary adjustments it had to make as a publicly listed company. Six months into Netshoes's life on the open market, LACCA hears Flávio Franco's reflections on why his in-house insight has been so crucial to his company's trend-setting tendencies and business success.

### A history of deliverance

Franco became Netshoes's first ever legal director in 2012 at a pivotal moment for the company's plans to increase its presence in the region. Since its founding in 2000, the company had engaged in a small number of agreements with domestic partners including with Brazil's National Basketball Association and the women's volleyball team (Vôlei Futuro), but it was keen to explore other ways to increase its online presence and customer base. As part of this plan, Franco was instrumental in helping the company negotiate a deal to sponsor a Brazilian mountain biking championship in 2013, shortly after his appointment. Franco also worked with the company to begin hosting online stores for the Brazilian Soccer Federation and the US's National Football League.

While sponsorship agreements are fairly routine procedures for companies and their in-house counsel, it was not until 2014 that Franco entered truly innovative legal territory and helped Netshoes break the mould with a brand new type of deal. Netshoes and four of Brazil's largest mobile phone operators teamed up to allow customers to access the Netshoes website and app without using up any data allowance included in their mobile internet packages. As the first company to strike such a deal in Brazil, Netshoes's legal team was entering uncharted territory, but Franco knew that in-depth research would always be a valuable part of turning plans into projects. "There's a lot less back and forth when you've already thought of the questions other people might come up with," he says, explaining the importance of creating a range of contingency plans and pre-emptive solutions to potential challenges. "Our CEO [Marcio Kumrian] always wants to try different things, so often this means us working in situations where there are no previous cases or examples to follow. The answers won't be in books or in courthouse documents, so you have to decide which way to go and be brave."

Motivated by the desire to carry out ground-breaking, innovative deals, Franco and his senior colleagues at Netshoes concluded that working with the mobile carriers would be "a very clear win-win partnership", and pressed ahead with convincing the other mobile operators. "Communications and e-commerce are both industries that are moving very fast and that are increasingly dependent on mobile phone usage, we believe it's important to be the first ones on the scene with any new development," surmises Franco. Initially the companies agreed to a short-term partnership, but the mutual fruits of the deal have led it to be renewed year on year. Not only have the phone companies been able to attract new users, but most importantly Netshoes has also seen a significant uptick in online traffic and sales.

The success of Netshoes's partnership with mobile operators has inspired many similar enterprises to follow suit. "A lot of other companies are reaching similar agreements now, on the one side it's increased our competition but on the other hand, it's great to realise that your company is a leader that other people will try and copy," he reflects.

### The big deal

Franco's experience in sealing landmark deals meant he was confident of his ability to deliver a deal that would radically alter Netshoes's corporate structure and secure its image as an innovative player in the e-commerce industry in Latin America. Netshoes has long counted on a very strong base of shareholders but it had always been a future plan to eventually pursue an IPO. While Netshoes executives were prepared to delay the IPO until a good economic period arose to ensure maximum share prices, Franco was charged with preparing the company's legal affairs so that it could take immediate advantage of positive market movements and strike while the iron was hot.

Knowing that the IPO would demand almost 100% of his time in the run-up to the float, Franco restructured the legal department's workflow to ensure the team could fully address the company's day-to-day legal affairs without his support. "IPOs are always a huge undertaking for in-house counsel to work on. It's a high pressure situation and you have to get every member of staff working together to meet them same deadline," says Franco. For Franco, however, the biggest challenge was preparing to list on the New York Stock Exchange (NYSE) instead of locally in Brazil, a decision that was made in order to attract US investors that were interested and experienced in the e-commerce market. "There are different ruling laws, ways of doing things, and of course the language barrier," he points out. Selecting the right external counsel to support his efforts was therefore key to the IPO's success, and Franco took his time to assess the proficiencies of each law firm in a number of areas, including their comprehension of the Latin American e-commerce market, experience delivering IPOs on the NYSE, capital markets expertise and checking that they had partners with native-level Portuguese fluency. After months of preparation, Netshoes sold eight million shares for a total value of US\$148.5 million; etching the company's place in history as the first Brazilian company to make its debut on the NYSE with the help of Franco and his external counsel.

While the firms he worked with on the IPO, including partners at Simpson Thacher & Bartlett LLP and Mattos Filho, Veiga Filho, Marrey Jr e Quiroga Advogados, provided significant technical expertise that was crucial to the deal, Franco stresses that the deal's success would have been impossible without his support from the inside. "External counsel can't do anything without good information and proper documentation, so preparing that was a key task," he argues. In addition to gathering all the company information Netshoes needed for due diligence purposes relating to the IPO, Franco also had to ensure the company would be compliant with the more stringent regulations and reporting duties it would be subject to as a publicly listed enterprise. To do so, he revised and updated company guidelines and policies on anti-corruption and whistle-blowing, and introduced new rules on topics such as insider trading and anti-money laundering. Franco also provided intense training for staff across the company to ensure the new policies were ingrained within the company's corporate culture. "There are lots of new [reporting and compliance] duties you take on after ringing the bell, so we made sure that other parts of the company were well aware of

what being publicly listed would mean," he adds.

Almost six months since its April IPO, Franco says he is delighted with the growth of the company so far. "Zattini has been growing a lot, and we're confident of that this will continue going forwards," he says, adding that Netshoes has also made promising developments in setting up a "marketplace platform" to enable peer-to-peer selling, similar to eBay or MercadoLibre.com.

### Secrets to success

While heavily crediting the support of each and every member of Netshoes's five-strong in-house team, Franco considers his dealmaker of the year accolade as an important recognition for all the hard work he has put in to foment his company's growth. What gives him the most amount of professional satisfaction, however, has been fielding enquiries from people outside of Netshoes, who are keen to replicate the company's success. "We've had major players call us from other sectors or from abroad asking for advice," he says. "You obviously have to respect the confidential aspects of certain aspects of things but it's important to share things with other GCs and corporate counsel because it gives you an opportunity to learn from them too."

One of the most important tips Franco has for any GC working on similar deals is to ensure an extremely thorough risk analysis is conducted before anything else. "You have to weigh up both the risks and opportunities involved in the new business idea, and consider all the possible scenarios you could face, then you need to be able to explain this clearly to company executives," he says. "Invest your time and energy into learning so you can give better advice to the business."

Once the initial risk analysis is complete, however, Franco believes communication becomes the key part of any successful deal, adding that his company's fruitful IPO was heavily dependent on him adequately conveying each department's deadlines and responsibilities heading into it. Maintaining regular contact with external counsel and stakeholders as well as internal legal staff and other department heads is important to ensure proper coordination, but also to address issues as soon as they arise. "It's not just internal communication you have to think about, as an in-house counsel there are a lot of things you have to do with people outside of the company, including counterparties to deals, suppliers, customers, investors and people from the government," he says. "For any legal team to be really effective it has to have fully accessible communications channels that attend to everyone from the bottom up."

While having clearly established and open communication channels is key, Franco also believes that another crucial element of being a successful dealmaker is earning trust. "Commit to being a better listener, get out from behind your desk, walk down the corridor and invest time in interacting with the other areas of the business and earn a position as a business partner," he advises. Building trust requires some work, but Franco says it is well worth the effort. "Putting in that time to continually let people know that you share the company goals and corporate values makes them open up when you're handling their affairs," he says. "Generally, being a trusted partner to the business means you'll always be involved in decisions and never face surprises."

# *Compliance counsel of the year*



Adriana Cardinali

## **Cementing a culture of compliance**

Whatever sector or industry, it may often seem like a herculean task for those responsible for compliance to keep abreast of the variety of regulations that exist, never mind ensuring all staff adhere to them. Adriana Cardinali, special projects legal manager at Brazil's largest cement company Votorantim Cimentos, talks LACCA through the proactive steps she took to implement a robust compliance framework and create a culture of ethics at the company worldwide, leading her to win this year's Compliance Counsel of the Year Award.

When Adriana Cardinali joined Votorantim Cimentos back in 2010, the company only had a few basic reporting mechanisms in place and lacked an appropriate culture of compliance that would encourage people to use them. This quickly changed, however, with the unravelling of high-profile corruption cases across the region, including major investigations into construction contracts for Brazil's 2014 football World Cup and 2016 Olympic Games and the enactment of strict anti-corruption law, pushing compliance firmly onto all company agendas, particularly those in the construction industry. It was in this environment that Cardinali began her quest to improve Votorantim's compliance structure, vowing to ensure that solid processes were in place and that all staff were aware of the risks of being involved in corporate misconduct.

To date, Cardinali has led the design and implementation of the company's global compliance programme, as well as the training of all senior executives at the company, placing ethics and good business practices at the heart of Votorantim's business in Latin America and worldwide. Her efforts in this arena have not only been rewarded with praise from other lawyers in the industry, as well as competition and antitrust authorities in the region, they have also seen her internal clients embrace the message and go above and beyond their standard responsibilities for the purposes of transparency.

### Paving the way

While Brazil has implemented a series of initiatives to boost compliance over the past few years, including the wide-reaching 2015 Clean Companies Act, Cardinali had predicted that compliance would become more central to corporate life and began preparing her company well in advance of the bill being passed. "We started thinking about our compliance programme all the way back in 2012; the laws we have now were still bills at the time, but we sensed a movement [in the compliance sphere] in Brazil so that's when we started building our compliance programme," she says. By the time new laws were fully enacted, Votorantim and its staff were already well acquainted with compliance protocols thanks to the prescient efforts Cardinali took to put transparent, clean business firmly on the agenda, but Cardinali wanted to go much further to ensure the company was properly safeguarded from risks.

As Votorantim's only compliance-focused legal manager, she realised that the company would benefit from having different compliance policies for specific issues. Given the nature of the construction industry, she decided that the first area to address would be antitrust compliance: "Companies in the construction sector come under particular scrutiny in this field owing to the amount of government contracts they tend to enter," she points out. Since Votorantim already had a basic antitrust compliance protocol in place to meet the requirements of foreign authorities, was able to build on the policy already utilised by the company in the US. "We had a basic policy that we used in the US because [such policies] are mandatory there, so we used that as our starting point, developed it and eventually rolled it out globally," she says.

Cardinali set about designing and structuring a new, more tailored antitrust compliance policy to ensure it would be compatible with Latin American legislation. She was particularly concerned that it should cover all bases in Brazil, not only due to it being the location of Votorantim's headquarters, but also because of the government's plans to update regulations and crack down on antitrust compliance in this area. The Brazilian cement industry was becoming increasingly uneven, and a spate of M&As meant the number of producers had shrunk from 19 to 10 between 1990 and 2010 and Cardinali knew Brazil's Administrative Council for Econom-

ic Defense, CADE, was considering new laws to combat anti competitive practices. After several months of assessment, Cardinali and her three legal assistants established the risks they most urgently needed to address regarding antitrust compliance, including how much information can be discussed with competitors. "First of all we did a thorough risk assessment of the whole company in Brazil, Latin America, and even further abroad to understand all the potential [risk] exposure points and what we should focus on as a department. Only after that did we start drafting policies," she explains.

Their antitrust investigation also revealed areas in which the company was exposed to corruption-related risks, so in addition to implementing antitrust policies, Cardinali then set about writing a policy that covered corruption-related queries and put together a 14-point set of "golden rules" each employee would need to agree to comply with.

Once Cardinali had finalised her company's new policies, the next step was to widely disseminate the rules, regulations and best practices. She and her team travelled across company offices in Brazil, the US, Europe, Asia and Africa to deliver sessions instructing managers of different departments about what they needed to do to comply with antitrust regulations. While Cardinali's team was able to meet all of the company's most senior executives in person, she knew that meeting each member of a 90,000-strong global workforce would be a bridge too far, so in addition to asking managers to pass on the lessons they had learnt to the staff below them, Cardinali also distributed the policies in writing, not only via email but also in a hard copy where the most important points were summarised and easy to consult. "We want to deliver our materials in as many ways as we can," she says. "When you know you receive a guide as an email attachment and have a physical document sat there in your desk drawer too there's really no excuse [for not following it]."

### Demonstrating success

While it can be difficult for compliance counsel to demonstrate the impact or effectiveness of the measures they have implemented, Cardinali says some success can be seen in the rise in the number of reports and types of enquiries that staff submit through the hotline, which had previously fallen into disuse. "Votorantim had a reporting hotline that had been there for years and years, but in truth no one ever really used to use it," she says. Now, having taken care to fully explain the importance of compliance, particularly regarding discussions with competitors that could breach antitrust laws, and defining the correct protocols for dealing with corruption, employees' usage of the hotline has skyrocketed. "We don't see reports as [demonstrative of] issues in the company, we see them as good things. It shows us that staff are aware of compliance procedures and are as concerned as we are about resolving them." In addition to giving Cardinali a good insight into how well staff have understood the need for compliance policies, it also gives her useful direction on how to improve her overall programme. "We monitor reports to try and understand our internal environment, and if a particular issue comes up repeatedly then we know to focus our next round of trainings on that," she explains.

Other less quantifiable, but by no means less important evidence is the extent to which Cardinali has managed to spread a strong culture of ethics throughout company units. Employees involved in sales and contracting, areas that are particularly exposed to corruption, now actively request that Votorantim's in-house lawyers join their meetings with external parties despite this not being mandated by any new policies. "No one ever meets with a competitor without a lawyer by their side. They [business staff] do that so they know that any conversations

they have are legal and compliant so that they're not exposing the company to any kind of fines, penalties or scandals." In her view, these instances of staff going above and beyond their contractual or policy-related requirements demonstrates that a culture of compliance has taken full hold at Votorantim. "There's been a complete change of mindset," she says.

Cardinali is far from the only person to have noticed such a change; one of her key supporters, Ana Soares Martins Trittoni of Soares Martins Trittoni Sociedade de Advogados says: "Adriana and her team perform a wonderful job of ensuring compliance across all areas of the law. They work with a true love for the task and really inspire other people to do the same." The accomplishments have also been met with praise from the public bodies charged with assessing the company's commitment to respecting laws and regulations. "We are always very open with authorities about the work we're doing internally and ask for their advice, but they always tell us that we have an outstanding programme that clearly works well and has all the recommended mechanisms in place," she reports.

### External engagements

In addition to her work at Votorantim, Cardinali's passion for inspiring ethics in business goes beyond the boundaries of her own company. Already a teacher in modules on business ethics and compliance at the CEU School of Law in São Paulo, she is also frequently invited to appear as a guest lecturer on similar topics, as well as in competition law, at other educational facilities across the country and is a leading member of the compliance commission at the São Paulo Institute of Lawyers. "The whole [compliance] team at Votorantim are well qualified and work hard, but Cardinali is a known expert in her field," says Terrence Trennepohl, partner at Campos Mello Advogados.

Furthermore, she takes the opportunity of speaking and attending compliance conferences around the region to garner new ideas for continuously boosting Votorantim's compliance efforts. "I always listen to what other corporate counsel are doing and use that as a good benchmark for our own company," she reveals. "I take advantage of all those seminars, congress meetings and networking events and bring new good practices into the company." For example, Cardinali is soon to introduce a trade compliance programme at Votorantim, following recommendations from another lawyer in the industry. As part of this effort, she will be seeking the help of her legal team and engaging with other business units to ensure she meets all the specific requirements of the company and has already sent a questionnaire around to all departments to gauge their understanding of the issues and encourage their input in designing the policy. "We'll do a risk assessment as usual, but the questionnaire responses will help us map the most important issues we need to cover. From then, we'll draft up a policy and create monitoring tools and information flow systems. It's going to be a global programme because all regions need to be equally committed to everything we do."

Cardinali's enthusiasm for introducing all manner of new compliance initiatives means her "unofficial job title" continues to grow. "I'm technically legal manager, but you can also add 'in charge of international competition, anti-corruption, compliance, contracts, environmental law' and so-on," she points out. Despite her many responsibilities, Cardinali has plenty more plans for the company up her sleeves and luckily she feels she has the right team in place to handle anything. "It's important to have the right people to help because we perform complex work and are under pressure to do things in shorter and shorter time frames. We have a lot of challenges but we are well equipped to face them and I've got plenty more plans for the future."



# *Litigation manager of the year award*



Eduardo Palinkas

## **Dividing and conquering**

Singlehandedly managing a company's litigation across a region as complex as Latin America is no easy feat, especially when that company is undergoing one of the biggest corporate splits in history. This year's Litigation Management Award winner, Eduardo Palinkas, tells LACCA how he has managed to reduce Hewlett Packard Enterprise's litigation portfolio over the past three years and dramatically reduce costs.

Hewlett Packard Enterprises' (HPE) Eduardo Palinkas was named LACCA's litigation manager of the year in September 2017, but his work towards streamlining the company's litigation management systems began three years ago. Palinkas joined Hewlett Packard back in October 2014, just ahead of a period of monumental upheaval. While the ink of his contract was still drying, HP announced that it was to divide its software and services and personal hardware business into two separate companies, HPE and HP Inc respectively, and Palinkas would eventually find himself working at HPE as litigation manager for Brazil, Latin America and Canada. Before HP's split could be finalised, however, he first had to ensure its Latin American litigation portfolio was appropriately divided.

### Splitting the litigating

At the time of announcing its split, HP employed over 15,000 staff across Latin America and its regional business was worth over US\$8 billion. Given the size of the company, its litigation portfolio was similarly vast and the complex task of deciding which cases would be assigned to the new companies, either HPE or HP Inc, fell on the in-house team. Having just joined the company that month, the challenge was two-fold for Palinkas. On top of having to divide almost 3,000 litigation cases between two companies that didn't yet exist, Palinkas also needed to learn about how the soon-to-be-defunct HP operated with respect to litigation and legal affairs. "Whenever you join a new company you have to get up to speed with procedures, each department and how things work internally, but I had to understand and learn everything even more quickly because of the separation," he says. To ensure that he was making the right decision about how to divide each open litigation case, Palinkas took the time to discuss example litigation cases with HP's national legal managers in the region to work out which area of the business (software or hardware) they would most affect.

After a few months of consultations with country counsel, Palinkas had gained enough insight into the company's entire litigation portfolio to allow him to make some general rules for deciding whether HPE or HP Inc should adopt each case, thus speeding up the process of dividing the entire portfolio. For example, it became clear that consumer law cases relating to hardware devices should become the preserve of HP Inc, whereas claims relating to software sales or servicing contracts should be adopted by HPE. "The company had at least classified consumer suits by product in the past, so it was a little bit easier to make these types of classifications," he explains. In other situations the distinction wasn't so easy to make, however, particularly when it came to cases related to contractual disputes. "There was a lot of case-by-case analysis to do," he says. "I had to analyse some cases in more depth because I needed to fully understand which business units were affected by each contract," says Palinkas.

Thanks to his thorough yet efficient approach, Palinkas succeeded in dividing HP's litigation cases between its new businesses in just nine months. The overall process of fully separating HP's global assets set a new standard in corporate restructurings, earning the wider Latin American legal team LACCA's regional team of the year award back in 2016. Ever since, Palinkas has continued to employ the skills he developed in analysing and categorising different types of litigation to benefit HPE going forward.

### Re-assessing the risks

Once HP had completed its separation in November 2015, senior management at newly established HPE decided to limit the company's internal litigation team and depend more heavily on external counsel to handle its cases. Palinkas became the only litigation-focused lawyer for the entire Latin American region and was charged with coordinating outsourcing in the most cost-effective way possible. "The legal department is always trying to improve the way we manage things by using new tools and developing new procedures to save money and provide a good quality service to our internal clients," he explains.

To get the new company off to the best possible start in handling future litigation, Palinkas first set about ensuring its existing cases were being appropriately handled. HPE's pending cases were divided into three categories according to how likely it was that they would cause major problems for the company (probable, possible and remote). Dividing cases in this way supposedly increased efficiency by allowing the legal department to allocate more resources to tackling cases that posed the most risk, while spending less time dealing with issues that were never likely to make it to court. Having closely analysed so many cases during the division process, however, Palinkas had noticed that some of the risk assessments attached to each case were out of date, failing to take new information or rulings into account. For example, if a former HPE employee filed a 20-count lawsuit against the company, the case would likely be classified as high risk in its initial assessment. However, if a judge ruled that 15 of the 20 claims were baseless in court precedents, the case would constitute less of a risk to HPE and it would not need urgent attention.

Indeed, Palinkas noticed that there was no protocol in place for periodically reassessing cases, which meant that many were incorrectly classified, occupying more resources than necessary. To tackle this, Palinkas began opening the files of each of the company's pending lawsuits to see if he could update each case's risk assessment using a simple spreadsheet system and a methodical approach to help him prioritise. "When I started talking about doing these individual case checks people told me I was crazy," he says, acknowledging the vast number of open cases he had to work through. "But using [Microsoft] Excel and filtering cases by type helped me organise work a lot."

After reassessing and reclassifying cases, it became clear that many were less complicated and involved less risk than they had first appeared to, so Palinkas could propose lower legal fees to the firms charged with handling them. Keen to save time as well money during the fee renegotiation process, Palinkas introduced a colour coding system based on HPE's previous risk assessment categories with red cases requiring very high attention, yellow cases requiring relatively high attention and green cases requiring low attention. A standardised fee and a shortlist of cost-efficient yet suitably proficient firms is now matched to each category of case to accelerate the outsourcing process. As a result of these measures, HPE can now quickly outsource simple, low-risk cases to cheaper law firms and only contact larger, more expensive firms with its most complex or urgent cases. "Managing cases are much easier under this system [and] we're not paying over the odds for cases that don't need so much attention," concludes Palinkas. "If we're only a named party in a case mainly involving an outsourced company, I won't need a senior lawyer to attend the hearing and make a defence for us because there's only a limited level of risk to us."

After three years of dedicated work, Palinkas has fulfilled his mandate of boosting both time and cost efficiency in HPE's litigation management. Although he has frequently gone above and beyond the expectations on most in-house counsel to achieve his goals, including single-handedly reassessing every single pending case against HPE, he feels his previous experience working in private practice gave him the view from "the other side of the table", which has been very useful during his time in-house. "It is very important that [in-house litigation counsel] have the experience of working as private practice litigators," he says. "I know how our external lawyers will discuss a case with a judge, meet in chambers, prepare their defences and appeals, so now I can prepare the specific details of the case that each firm needs instead of having to send the full copy of the case over." Preparing dockets with only the vital details of cases means external counsel do not have to spend time wading through lengthy documents and can instead get straight to work on winning or settling HPE's cases.

### Ever the enterpriser

Having implemented a bedrock of effective litigation management systems, Palinkas has more time to develop long-term strategies for saving his company money. His first plan is to capitalise on certain upcoming legislative updates in Latin America, including Brazil's labour reform. The reform, which was approved in July and comes into force next month, has been heavily criticised by unions in Brazil, which argue that it decreases the ability for workers to dispute the terms of their employment and reduces income security. In-house lawyers, however, have broadly welcomed the update to the labour code, particularly since it increases the options for which companies can hire staff. "I've been working closely with the HR department to analyse Brazil's new labour law and seeing that there are a lot of opportunities for the business to save money," he says. Palinkas and his colleagues in HR are mapping the functions and roles of each of their employees to predict where future issues may arise, and exploring the possibility of hiring staff on a part-time basis where possible.

Amendments to Brazil's social security system also means the company could adjust the way it compensates staff for their work. "The new law gives companies the opportunity to pay employees profit shares instead of social security. We're analysing this to see whether we could apply this system in real life and cost matching it to the current system," he explains, adding that tweaks such as this could increase the company's performance and save it money in the long run.

While the social security and labour reforms are yet to be fully enacted in Brazil, Palinkas is already looking at measures to ensure that HPE is well ahead and prepared for any changes. This proactive approach comes naturally to Palinkas, who believes being proactive is a vital part of being a successful litigation manager. "The world of litigation is very dynamic; you handle a lot of different situations and manage cases that involve different teams and people. You need to always be open to new ideas and thinking outside the box," he advises. While acknowledging the support he has received from HPE's lawyers across Latin America, Palinkas is delighted that his efforts in exemplifying an innovative approach to litigation management have been recognised. "Winning the litigation management award was amazing for me. I feel that I've reached the pinnacle of my career," he says.

# *Social responsibility award*



Raul Galdo and Benjamin Astete

## **Community connections**

For many companies, corporate social responsibility (CSR) programmes come low on the list of priorities, but Vietnamese mobile network operator Viettel made its schools-focused initiative a central part of the launch of its Peruvian subsidiary, Bitel. Raúl Galdo Marín, Bitel's director of legal and regulatory affairs describes the fundamental support his legal team offered to the process, which earned his company LACCA's Social Responsibility Award for 2017.



When Viettel Mobile purchased an operating licence from Peru's telecoms authority, OSIP-TEL, in 2012 it knew its business would face stiff competition. The country's telecoms market has long been dominated by Telefónica's Movistar and America Movil's Claro. But despite having a stronghold on 4G in Peru's major cities, the two companies only provided scant coverage to rural locations. This gap gave Bitel a much-needed entry point into a tightly contested market while also presenting an opportunity to transform the development of remote communities. In order to do so, the company would have to file thousands of permit applications, navigate tight environmental regulations and win the support of local authorities that were frequently reluctant to agree to their plans. Raúl Galdo Marín tells LACCA about the role Bitel's in-house team played in personally meeting with government representatives and bringing its multimillion-dollar CSR programme to fruition.

#### All in the design

When Galdo joined Bitel in 2015 he sought to better integrate the company's legal department into its wider business strategies. He urged his in-house team to play a part in developing the Peruvian entity's CSR initiative. "Designing and implementing the CSR was a team project that involved all areas of the company, but the legal input was fundamental," he explains. "We helped the company to better understand the needs of Peru's rural populations as well [as] government policies."

Since 2002 the Organisation for Economic Co-operation and Development has listed lack of education as one of the key issues affecting youth in Peru. In their research, Galdo's team discovered that in 2007 Peru's government rolled out a "one laptop per child" programme to tackle poor education levels in rural communities. It has since reformed its telecoms legislation to facilitate foreign telecoms companies' ability to connect these laptops to online educational resources. Galdo encouraged Bitel to capitalise on this and make rural schools the priority beneficiaries of its rural connectivity drive.

Although Bitel was a new player in Peru, Galdo and many others in his legal team had extensive experience interacting with local and central governments. He frequently liaised with the Ministry of Transport and Communications (MTC) during his time as legal director for railway operator Orient-Express. He brought this experience to the table at Bitel, guiding his team on how best to communicate the company's plans to government authorities as well as how to handle their responses. "We explained to the MTC that our plan was to bring the internet to everyone. We then coordinated requests from the Ministry of Education regarding where we needed to put our programme in place."

#### Applying for change

Once Bitel's legal team had helped identify the locations that most urgently required internet services, the company set its sights on a December 2016 launch for both its paid-for 4G services and its CSR programme. Galdo's next challenge was to help install the necessary infrastructure to enable the provision of its nationwide network. To deliver internet services to previously unconnected areas, they needed to first apply to build Base Telecom Stations (BTSs). "Getting the right authorisations to build the BTSs was a major challenge," says Galdo. "As early as July 2016 the legal department began making its applications because there were literally thousands."

Companies have often found it difficult to get planning permission to develop rural Peruvian areas because the abundance of archaeologically significant sites fostered strong environmental regulations. But under a telecoms reform, the MTC passed a law authorising BTS installation automatically upon filing an application with municipal authorities. Thus, Galdo expected the process of securing authorisations to be relatively straightforward.

However, some regional authorities were unwilling to rubber-stamp Bitel's plans. "In many cases, local governments tried to delay or deny our applications by demanding more documents and requirements than the central government said was necessary."

Local authorities' reluctance to approve BTS applications threw a spanner in the works. But Galdo remained confident Bitel could overcome the setback, because the authorities had no legal arguments to block the company's plans. His 10-strong team of lawyers work in different offices across Peru, including in Arequipa, Cusco and Lima, so he asked the closest in-house lawyer to each local authority that had denied an application to meet with representatives in person. Bitel lawyers all receive regular, intense training on environmental and infrastructure law, so in the majority of cases, it only took one or two meetings to convince local authorities of the company's right to carry out its plans. "We researched environmental prohibitions and carefully explained how what we would do wouldn't breach those," he says. "We knew we were in the right."

Some government representatives told Bitel they were worried about how the communities they governed would perceive the towers. To assuage their fears, Galdo's lawyers worked alongside the company's communications team and local authorities to alleviate their doubts. "Some people link BTSs with negative health impacts, so we ran information and awareness campaigns to explain their advantages and why we thought it was so important to provide mobile and internet services to rural locations," explains Galdo.

#### Reflections on success

After filing all the permit applications, Galdo's in-house team was eventually able to hand over the process of implementing its CSR programme to Bitel's infrastructure department, enabling a successful and timely launch of its operations. By the end of 2016 the company had installed over 150,000 communications towers and laid almost 20,000km of fibre optic cables. While a lot of this infrastructure has helped deliver income from new paying customers, the company's CSR programme has meant that 4,463 schools, 20% of Peru's total, now receive free internet services. Some schools in the Amazonian Iquitos district are guaranteed to receive this complimentary provision for the next 10 years.

Galdo estimates that the company invested over US\$500 million in its CSR programme, but maintains it was never treated as a cost. "We never even bothered to calculate the precise cost or weigh up the benefits because CSR is just part of our natural way of doing business," he says. What providing rural schools with internet has not yielded for the company revenue, it has more than made up for in terms of wellbeing. "In many locations people have congratulated me and the company for not forgetting about responsibility and for acknowledging that small, remote populations exist," relates Galdo. "People recognise that we are a good company and in general our programme has gained us a lot respect amongst authorities too." Galdo also reports that LACCA's decision to award his team the 2017 Social Responsibility Award has also significantly increased his department's visibility internally.

Bitel is now approaching its first anniversary in Peru, but even as the company settles into business routines, Galdo continues to push for high standards among his team. He is in frequent communication with Viettel's global GC, Hai Thanh Nguyen, who is based in Hanoi, to ensure Bitel's local strategies are in line with the company's global objectives. "He often gives good advice on dealing with certain cases, but Latin America is very different to Asia so he gives me a lot of freedom to define my own priorities," explains Galdo. Flanked by his second in command, Benjamin Astete, Galdo's next focus is to develop his team's aptitudes, and he believes that continuing with CSR initiatives will be key to achieving this. "We are a young company but we're not afraid of challenges. Facing these difficulties and fighting for the public good makes everyone grow as a lawyer."

# *Legal counsel of the year*



Andrea Camargo

## **A builder of bridges**

Colombian construction company Grupo Odinsa's infrastructure investments have provided vital transport links across Latin America and the Caribbean. Behind the scenes, Odinsa's director of international legal affairs, Andrea Eugenia Camargo Niño, has worked to bridge gaps in understanding between internal departments, in doing so earning herself Legal Counsel of the Year 2017.

Grupo Odinsa has financed a number of Latin America's most ambitious road, rail and airport developments. With projects so frequently large in scale, and complex in nature, the company has relied heavily on its in-house counsel to help coordinate transactions between multiple parties. The Bogota-headquartered company has sold assets in Chile and Panama in recent years, narrowing its investment focus and acquiring concessions in both Aruba and Ecuador. Legal affairs director Andrea Camargo's finance background and ability to bridge the gap between a varied set of stakeholders helped smooth the closing of those deals. Camargo tells *LACCA* how the revitalisation of Odinsa's in-house team has underpinned successful cross-border transactions, and about the internal changes she implemented to widen the scope of her team's expertise.

#### Translating transactions

In 2015 Odinsa paid US\$233 million to acquire a 50% share in the Mariscal Sucre International Airport in Ecuador. It purchased its stake from two separate Canadian companies, Aecon Group and Airport Development Corporation, and now co-owns the project with Brazilian toll road operator CCR. The transaction ultimately involved representatives from 24 separate organisations; as well as principal parties, there were banks, shareholders and law firms from 10 different jurisdictions. Further underlining the international nature of Odinsa's investment, the financing of the new airport was carried out under New York law. The transaction was so complex that it was also short-listed for Latin Lawyer's Deal of the Year award. Odinsa needed a complicated web of financing from a host of different lenders to acquire a stake in Mariscal Sucre, so Camargo's deft handling of her company's involvement was crucial to a smooth closure.

Multilingualism was a given for all the lawyers participating in the deal, but Camargo's communicative abilities went beyond the purely linguistic. One of her biggest challenges was making sure everyone involved shared the same understanding of how the deal should proceed and what each party's rights and responsibilities were. "A lot of the counterparties were from jurisdictions that have very specific and very different laws about these types of transactions," she says. "I had to explain what needed to happen using examples they could relate to from their jurisdictions," she says. "Even lawyers who are very experienced handling sales in their own countries might need a bit of help understanding New York protocols."

Buoyed by the success of the Mariscal Sucre acquisition, Camargo applied the same collaborative methods to another deal later that year. Odinsa acquired a stake in an Aruban road project, which was notable for being the first concession the country's government had ever granted. The deal was a learning experience for all involved; in addition to being Aruba's debut handling of a

concession, the purchase was also the first that Camargo had carried out under a mixture of Dutch, Caribbean and US legal codes. "It was a very complicated transaction, but I completed my mission of organising and explaining everything and fortunately it went well," says Camargo.

Camargo also drew on previous experience to act as a bridge between legal and non-legal staff. Ahead of joining Odinsa, she worked as the director of the corporate law department at asset and investment managers Citi Colfondos, the Colombian branch of Citigroup, from 2005 to 2006. Before that, she spent the previous three years as a senior lawyer for Colombia's Banco Davivienda. "I had a lot of experience working with 'the finance guys' and I was on the other side of transactions for many years, so I really understand all the interests of our counterparties," she says. Camargo's financial know-how (she also holds an IMBA, an international master's in business administration) allows her to explain financial terms to her own staff. In addition, she applies that knowledge when notifying counterparties' legal teams of the information they needed to gather. "As a lawyer you know that not everyone outside your department understands complicated legal terms, but a lot of financial and economic terms aren't always clear for lawyers, so I really helped everything by explaining both ways," she says of Odinsa's recent regional purchases.

#### A varied bunch

Odinsa's expansion in Ecuador and Aruba marked the start of a new strategy for the company: it had decided to narrow its investment focus to airport and road-related concessions alone. In late 2016, Camargo was charged with divesting non-core assets, including two power plants in Chile and Panama, a photovoltaic plant in Chile and a Colombian port. With the company reconsidering its operational focus, Camargo seized the opportunity to reconfigure her legal department. "After the [Ecuadorian] transaction we realised it would have been better to have a bigger [internal] team. In-house lawyers will always understand situations and the full details of any transaction better than external counsel, and [unlike external counsel] they can feed into company strategy outside of working on transactions."

Increasing her department's headcount inevitably ate into Odinsa's budget. Camargo got the green light to bring in new staff after convincing her seniors that it would be a profitable manoeuvre in the long term. "Hiring external lawyers always comes at a high cost. I explained to the company that we could save a lot of that spend by designating money to the internal team," she says. "They trusted me and realised it was a good way to proceed." Camargo got the go-ahead to increase Odinsa's in-house team from eight to 12.

Drawing on her positive experiences applying financial knowledge to legal work, she sought to develop her team's expertise in other ways too.

"Before I joined we had only generalists and some infrastructure specialists, but I realised that for these big transactions you really need people with expertise from different areas." She decided to hire lawyers specialised in corporate law, public law and environmental law. Aware that environmental compliance issues had blocked, delayed or yielded lower prices for certain project sales in the past, Camargo decided to appoint an environmental engineer, tasked with checking for potential problems ahead of the company's planned divestments.

Camargo aims to replace outgoing members of staff with lawyers specialised in hitherto uncovered areas of expertise, such as tax. "We're still a relatively small team but we have a better variety of backgrounds now and can give advice in different areas. We're trying to be fully multidisciplinary and even more helpful with transactions."

#### Living and learning

Her IMBA has played a key role in enabling Camargo to adroitly handle Odinsa's transactions. "It was very useful for me and made people take me more seriously," she says. She says the qualification pushed her to view certain situations from a non-legal background. "It opens your mind to a completely different world and whole new way of thinking. With that you can draw on more sources of inspiration when it comes to giving advice."

As such, she recommends lawyers looking to progress their in-house careers pursue non-legal qualifications. But most of all, she urges in-house lawyers to maintain an open mind. At Odinsa, lawyers are heavily outnumbered by engineers, accountants and financial analysts, she points out, underlining the importance of incorporating their insights when it comes to designing strategies. "You have to open your mind and understand that there are different points of view and different needs. If you can put yourself in their position you'll be able to give better advice both to them and for the company's direction."

Camargo pushes her lawyers to interact with staff outside of their department. Odinsa has long run an informal internal programme whereby the managers of each department teach employees from other areas about their work. For example, over the course of a lunchbreak a chief engineer might explain to employees from the finance and legal teams how his or her staff contributes to the business. Camargo strongly encourages her team to take part and has leveraged the programme to increase her department's visibility. While typically managers lead sessions, Camargo incorporates her entire team into presentations on the legal department's functions. She views it as an excellent way to motivate her staff to take pride in their work. "I know that a lot of the time people who are not lawyers think that all we really do is sign off on contracts and things like that, so now that [my team] are able to explain every aspect of their work and highlight what they do on a day-to-day basis they feel that their work is much more valuable."



# *Regional team of the year*



Humberto Filho

## **Pioneers of change**

Acknowledging that innovation is a game-changer is one thing, but knowing how to build a culture that sets innovation at its heart is quite another. LACCA speaks to Jacobo Cohen Imach, senior vice president and head of MercadoLibre's legal department, winners of this year's Regional Team of the Year Award, about the team's strategies to ensure efficiency, how they helped pioneer the way for e-commerce in the region and why it is important to be creative in a rapidly changing industry.

Developments in e-commerce and financial technology (fintech) are changing the face of the retail industry, particularly in Latin America which is one of the fastest-growing regions for e-commerce in the world. While the new landscape has opened up huge opportunities for companies, e-commerce is still a relatively new phenomenon, posing huge challenges for companies struggling to keep abreast of developments while grappling with the often-outdated regulatory environment.

To overcome these hurdles, Argentine online e-commerce and auction company MercadoLibre has placed innovation at the core of their strategies and in doing so, become the region's most popular online marketplace with over 160 million users. At the very heart of this growth is the company's legal department. Not only has the team been instrumental in the acquisition of 13 companies and real estate in various countries in the region, it has adopted creative measures to increase efficiencies and lower litigation costs while also providing legal support on a number of major initiatives including the creation of MercadoPago, an online payment system that allows unbanked consumers to participate in online transactions.

In addition to supporting growth and innovation, Cohen and his team of in-house lawyers play an active role in shaping local regulations on e-commerce and technology, removing barriers for businesses in the industry and earning them the reputation as shapers of the future of e-commerce in the region. "The [legal] team are active participants in providing the groundwork for much of the business in Latin America and have been instrumental in influencing policymakers to create the necessary legal framework for e-commerce in countries such as Brazil, Mexico, Argentina, Chile and Colombia," says MercadoLibre COO Stelio Tolda. "Their approach to work is problem solving and their focus is always in thinking about how something can get done. They have been true partners to the business and a major part of our success as a company."

#### A focus on efficiency

Cohen and his legal department of 50 people, including 35 lawyers across the region, are divided into three core teams: general practice, dispute resolutions and government relations. Over the past year, the teams have provided legal support and coordinated the acquisition and post-merger integration of various companies in Latin America and the US from industries such as logistics, payments and cross-border transactions, to classified advertising and software development. "The legal work is challenging both in terms of its complexity and scope; the in-house team have to keep abreast of new legislation in multiple countries across numerous different business lines," says Cohen.

In addition to the many M&As that have occupied the department's time, the legal department successfully structured and negotiated all the agreements for the company's recent real estate investments including customer services centres in Argentina, Brazil, Colombia, Venezuela and Uruguay, as well as new offices around the region. In particular, the team led the move of the company's Brazilian headquarters to a new environmentally sustainable building, with 33,000 square metres and capacity for more than 2,000 employees, including the second largest solar energy private generator in the country. To cope with the workload, Cohen says his team developed templates and manuals for dealing with these types of transactions as quickly as possible. "We act as project leaders. We have a set of standardised processes and documents that we use for all transactions. So, depending on the site, we will use one of these templates to ensure the processes are

very clear for everyone," he says.

The legal department has also been very focused on driving efficiency and innovation within the firm. The team has been reviewing processes and workflows to detect opportunities for improvement and have been exploring how the use of technology can be useful in helping them to innovate, be creative and more cost effective. "We want to add value to our day-to-day work and reduce time and costs, in order to allow us to focus on the most relevant legal issues," says Cohen. The company nurtures an attitude of openness towards new technology owing to its involvement in the sector, and Cohen says the legal team in particular have led by example in demonstrating how software can boost efficiency and productivity in the corporate sphere. "Legal departments are often seen as the most traditional areas in companies, but we're always looking for new products and devices to make everyone's life easier and give staff more time to work on the really interesting things like advising different business units and designing strategy with a human touch."

As part of this efficiency drive, Cohen also created a "legal intelligence cell" within the department to optimising the control of the budget, particularly the department's expenses and the performance of external counsel. The unit is also responsible for analysing and reporting on prevention strategies for cases of new litigation by customers. "Besides savings of more than US\$500,000 in 2016, the unit has contributed to a 60% reduction in "claims per successful items sold" in the last past few years, especially in Brazil," Cohen adds.

#### A focus on innovation

MercadoLibre went a step further in its efforts to reduce its litigation portfolio and created a mediation tool aimed at resolving customer complaints before they reach the courtroom. The project, which was started in January 2016, uses digital tools such as email and online chat applications to tackle any issues faced by platform users and resolve disputes between sellers and consumers immediately. Through this innovative approach to dispute resolution, the legal department resolved almost 1,000 claims last year alone and was granted the "Conciliar é Legal" Award by the Brazilian Supreme Court earlier this year for their achievements. "We noticed that a lot of the issues we faced were relatively easy to resolve and would not need to be brought to the courts, so we decided to break with the traditional model of dispute resolution and take proactive action," Cohen says. Indeed, Cohen says it is part of his team's philosophical view that they should always look to resolve disputes before they lead to litigation. "We don't want to litigate against our users," he says, "When a problem occurs it is the last chance for us to provide a good experience when buying on MercadoLibre, we want our users happy, and this is a way of doing that."

In addition to their efforts at lowering litigation, the legal team was also involved in several innovative projects, including the creation of MercadoPago, aimed at tackling one of the biggest barriers to growth for e-commerce players in the region – the lack of access to secure, card-based payment methods. Credit card usage remains less common in Latin America because many consumers still do not utilise a formal banking system and debit cards, which are more popular modes of payment in the region, are often restricted from online transactions. As a result, the company launched MercadoPago, which is a branded pre-paid card that allows unbanked consumers to participate in online transactions, and many other companies including Amazon have started to follow suit. "The

services offered by the banks are more or less the same and haven't been changed in the past 100 years, but new developments in Fintech such as this in the industry is disrupting everything so it is an exciting time for the industry," Cohen suggests.

Yet another project with which the legal team is deeply involved is the MELI Fund, a venture capital investment fund created by MercadoLibre to promote the development of Latin American start-ups that can work together with and help support and improve the e-commerce landscape. While the project has certainly been challenging for the department, Cohen says the legal team have gained some valuable experience in problem solving and dealing with entrepreneurs. "We are dealing with a rapidly changing industry, investing in companies at the very early stages and dealing with entrepreneurs, so we cannot be a cog in the wheel, we have to constantly think of creative solutions to new problems," he points out.

#### Shaping the future

While the past few years have been extremely busy for the legal department in terms of the company's rapid growth and investments in fintech and start-up projects, the biggest challenge for Cohen and his team continues to be dealing with the lack of legislation and regulation surrounding e-commerce in Latin America. E-commerce remains a relatively new phenomenon in the region, and many countries have made little progress toward the much-needed passing of domestic legislation to regulate it, posing a huge challenge for legal teams working in the sector. "We are working in an environment which is not very regulated, so we have to manage the legal uncertainty at the same time as helping the business grow and evolve in a very competitive sphere," says Cohen.

Given the lack of regulation, Cohen says his team is forced to be creative when it comes to resolving issues and often plays a very involved role in driving legislative updates throughout the region. "We have to be very proactive approaching policy makers, because they will often not have the level of knowledge on the industry that we do, so we try to cooperate with them to ensure changes are made for the benefit of consumers and companies." Members of the legal team will also participate in different industry groups and associations to help drive change, Cohen for example is the president of the Latin American Internet Association. "I think it's very good to have different stakeholders at the table to help develop laws or legal frameworks and ensure the evolution of new services," he says.

Despite some of the challenges of working in a relatively uncharted regulatory territory, Cohen and his team are excited by what the future holds for MercadoLibre. E-commerce is growing more rapidly in Latin America than any other region in the world and the company is at the forefront of the industry. There are an estimated 360 million internet users in the region and growth in e-sales is expected to exceed US\$80 billion in 2019. "We still only have around 50% of the population online in some areas, so the region represents a huge opportunity for online business," says Cohen.

While the future certainly holds a lot more in store for the MercadoLibre legal department, for now, Cohen says he will continue to grow the team and ensure they support the business in the best way they can. "I try to make sure that everybody in my team is a true business partner, that they have business sense and are able to work as a team and come up with creative solutions, while also having a high standard of ethics," he says. "That is what makes a successful in-house team."

# General counsel of the year



Valeria Plastino

## Leadership without borders

The true measure of a leader is the ability to find the right balance between business foresight, performance and strong leadership. Valeria Plastino, VP and GC for Latin America at Level 3 Communications (now CenturyLink) and winner of LACCA's General Counsel of the Year award, speaks to Alison O'Connell about supporting the company through a decade of regional growth, building a cross-functional team from scratch and why connectivity is key for any successful multijurisdictional team.



Valeria Plastino joined what is now telecoms multinational CenturyLink Inc over a decade ago in 2007. Having been the first lawyer appointed by the company in Latin America only two weeks after Global Crossing completed its US\$374 million acquisition of Argentine broadband provider Impsat, Plastino was charged with building the company's entire legal structure across the region. She was also responsible for implementing a new compliance framework, contract and litigation management systems and staff retention and development policies. "It was an exciting challenge. They had no internal legal function and relied heavily on external counsel," she says.

Ten years on, and Plastino has built a regional team of over 20 lawyers who support the business across Latin America. "Little by little, year after year, we managed to build a strong cross-functional team and ensure that all core work was handled in-house," she says. Plastino and her team have been so successful in supporting the business that the legal structure has remained unchanged throughout the region despite two subsequent mergers, including one with Level 3 Communications in 2011, and more recently the takeover by US telecoms giant CenturyLink in November this year. "Each acquisition we have been through has been larger in volume and global complexity, but throughout all of these major corporate changes, the Latin American legal team structure that I developed was not only kept and re-adopted as an important part of our business in the region, it has been expanded and empowered even more, which I think reflects a recognition of the work we do and achievements that we reached in Latin America throughout the years," she says.

Today, the legal department at Level 3 is considered a key business player and an essential part of all initiatives and strategic projects in the company. In addition, Plastino's role in developing recommendations that meet the local business needs and corporate requirements, while identifying legal, regulatory and compliance issues have not only been essential to the company's rapid growth in the region over the past decade, but have also earned her a reputation among peers as a true business leader and key member of the company's senior management team. Indeed, one colleague said: "Valeria Plastino stands out from other GCs because she has the capacity to not just balance the legal and business concerns in the company, but she actually manages to view the legal aspects of a deal from the lens of the business goals."

### Breaking down barriers

Given that the company has operations across Latin America and continues to grow in the region, one of Plastino's main priorities has always been to ensure the team is able to function efficiently across borders and meets the pre-determined professional standards of practice in every location. "Our workload has been increasing over the years and like many other global companies, we tend to regionalise more and get more requests that are not focusing on a single country, but rather on the region itself," she says.

To manage this challenge, Plastino divided the team into four geographical clusters and appointed a legal director for each including: Brazil; the southern cluster (covering Argentina, Chile and Peru); Andean cluster (Venezuela, Colombia and Ecuador) and the northern cluster (Mexico, Panama, Costa Rica, Caribbean and South Florida). "When I first started it was a challenge to cover such a vast area with such a small headcount, so I wanted to mirror the structure of other areas in the business and divided the teams by the specific needs of the business," she says. "For example, Brazil has always represented a very large percentage of our total revenue in the region, thus we decided to structure the in-house legal team there differently from the rest of the local country's legal teams, to provide the adequate scale and degree of specialisation that the Brazilian operation needs."

Each legal director also has several direct reports, among which there may be a country legal manager or senior lawyer specialised in commercial matters,

compliance and litigation or regulatory law, as well as junior lawyers to provide general legal support to the entire structure of the country or the cluster. However, Plastino says that she is regularly revising the team's work allocation to better address the company's needs, as well as new local and regional legal and business priorities. This eventually results in expanding the legal team and recruiting new lawyers depending on the complexity and workload in each country. For example, she recently created a new legal compliance position in Colombia having noticed a significant increase in matters handled by the team. "There have been a significant number of new local laws and regulations and that have become into effect recently, so I decided it deserved a full-time resource," she explains.

In addition to expanding the teams where necessary and ensuring all areas of expertise are adequately covered, Plastino maintains a focus on strong communication lines between each cluster and among peers to ensure the teams operate in line with each other but also in support of one another. "I try to eliminate geographical borders or barriers in our day-to-day work and build up practices that can help us work as a single team," she says.

The team uses a number of virtual tools such as Skype, video conferencing and the company chat application, which allows them to communicate instantly. In addition, Plastino tries to promote interactions wherever possible and schedules an all-hands-on meeting once a month as well as bi-weekly meetings between each cluster so they can keep updated on what each team is doing, but also to analyse trends or issues in the region together. "Even though we have staff dedicated to specific geographical locations or areas of expertise, I encourage our team members to share experiences and best practices," she points out. Plastino says that experience has shown her that when she spots trends or developments in one country in the region, such as regulatory updates, changes in business practices or new compliance requirements sooner or later it happens in other countries so sharing experiences has been very valuable for the team. "This type of approach has enabled us to function as a truly robust legal department throughout the region, even though the teams are not divided equally and many of our lawyers are geographically dispersed", she says.

### A focus on efficiency

While the structure of the regional legal department means a relatively small team can effectively cover the company's entire operations across the region, Plastino says they still face some challenges associated with the diversity of the markets in Latin America. "When you look at the company from a global perspective, you think of Latin America as a business unit; nonetheless, as a legal practitioner in the region, I know the importance of respecting local differences especially from a legal perspective, as local culture and local regulations tend to be very different across countries," she explains. "It's very important that the legal team is not seen as being bureaucratic or a stone in the road for the company, you have to align with the business in terms of efficiency, so one of our biggest challenges is developing a service that is harmonised and easy to understand."

As a result, Plastino set about standardising as much of the company's legal processes across the region as possible, starting with contracts. The team adopted master services agreements for the region and local country addendums (LCAs) that enable them to standardise practices region-wide while also observing local needs and requirements to remain fully compliant with the laws in each country. "As much as possible, we wanted to eliminate legal intervention into simple matters that should be standard processes and wanted the sales force to have a template for the more simple contracts and sales orders," she says. "Then for those agreements that are more complex or for cases where you have to develop new products or a tailor-made solution, we provide a contract negotiator that focuses directly on that."

In addition to standardising processes, Plastino ensures that all of the company's commercial teams are as familiar as possible with new legal practices, giving training sessions on a range of matters including the new contract formalisation process, business ethics and compliance matters. The legal team conduct sales training twice a year, where they go through the "do's and don'ts" of contract management processes and ethical business practices. The legal department also created a document in the company intranet where teams can find examples of standard contracts, and answers to general legal enquiries. They also built a regulatory matrix and compliance tool that helps keep track of local requirements and any updates in each country. "This has proven quite useful," says Plastino. "By anticipating the company's needs, we are more able to focus on more complex or higher value issues and can avoid having to reiterate the same things over and over."

While these initiatives have managed to ensure the legal team is able to operate much more efficiently, Plastino was keen to keep track of the impact these types of initiatives have had within the department by adopting internal legal department metrics, to monitor individual and group performance and illustrate the team's achievements and cost savings directly to the rest of the business. "I think efficiency is a fundamental goal for the legal team and is pretty much what has justified our growth," she says. The team tracks all of the work conducted by the legal department, including the number of contracts handled, but they also measure success in other ways. "We have also generated statistics by pointing out those countries in which we have operated for a long period of time, even years, with no sanctions, administrative procedures or judicial ones in progress."

Indeed, developing practices that are efficient from a legal point of view, but also ones that are aligned with the business goals and strategic targets of the companies, is an important part of Plastino's role. "We operate as any other business unit, so I have to make my business case and support my arguments with the finance department when it comes to justifying or increasing budgets."

### A true leader

Though Plastino has done much to improve processes within the legal department and ensure the team is operating in the best way to support the business, like any good leader, she also knows how important it is to develop the skills of her team. "I need to provide my team with the training and skill sets to be able to address issues in the right way, and to ensure they feel they are able to grow professionally within the business," she says.

Indeed, Plastino strongly believes that true leadership is about enabling the full potential in others and one of her key objectives is to continue to develop her team's skill sets by exposing them to as many opportunities to learn as possible while also ensuring they feel they are affecting the business in some way. "The way to retain good lawyers is not just through salary increases or promotions, but making sure that they enjoy what they do and they have the best possible professional experience on a day-to-day basis. I want them to feel part of the company's strategic goals and try to involve them in as many business decisions as possible," she points out.

By placing an emphasis on staff development within the legal team, Plastino says she is better able to ensure her key objectives of driving greater regionalisation and efficiency within the department as a whole since staff are more better prepared to handle complex cross-border matters. "I want to continue to provide harmonised solutions to regional issues, but I can only do this if my staff have the adequate resources to provide solutions fast and effectively so we will always support growth in the team," she says. "At the end of the day we are all business-oriented people and implementing best practices in-house is the most effective way to demonstrate that."



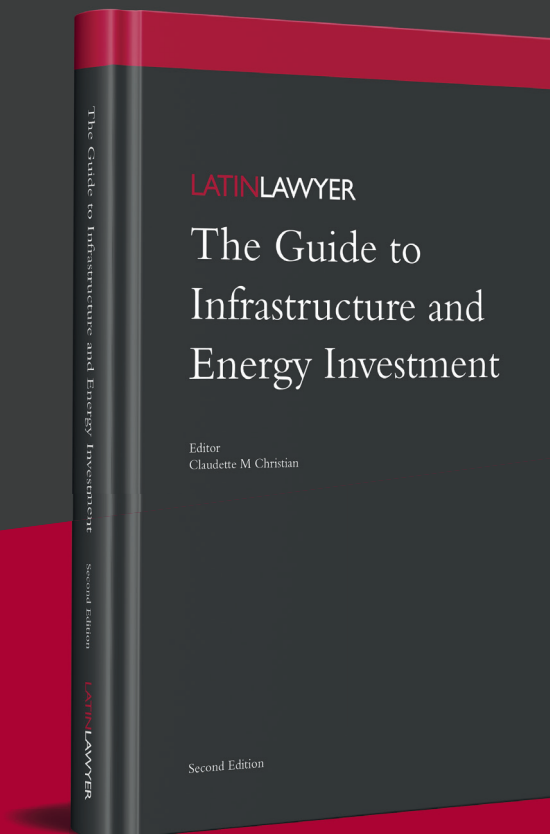


# LATIN LAWYER

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## The Guide to Infrastructure and Energy Investment Second Edition

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