

# ERIC Z. CHANG

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## PROFESSIONAL EXPERIENCE

### CHANG LAW

LOS ANGELES, CA

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#### *Principal, 2012 to Present*

- Founder and Principal of Chang Law, an international law practice focusing on Investor-State disputes and complex international commercial arbitrations.
- Represent multiple investor-claimants in a high 9 figure USD portfolio of investment treaty claims against a sovereign State pursuant to a bilateral investment treaty (funding stage).
- Represent investor-claimant in high 9 figure USD investment treaty claim against the Republic of Azerbaijan pursuant to the Iran-Azerbaijan Bilateral Investment Treaty; administered by the Permanent Court of Arbitration at The Hague, Netherlands (PCA Case No. 2022-49, Geneva seat).
- Sole Arbitrator in arbitration claim (under expedited rules) involving cross-border sale of medical equipment (ICC, California seat, California law).
- Represented high-profile clients in a sports arbitration dispute with related parallel litigation proceedings in the United States and Europe.
- Represented former Soviet State in pre-dispute advisory work and negotiations over terms of an oil exploration and development concession.
- Represented investor against central Asian sovereign State in bilateral investment treaty arbitration relating to an expropriation claim (UNCITRAL, PCA, Paris Seat). Claim presented extensive evidence of significant human rights violations committed by host State against investor. On eve of hearings, negotiated and obtained highly favorable multi-million USD settlement terms for client.
- Obtained 8 figure USD award and successful enforcement in Kenya for Sudanese/Kenyan client against South Sudan in an arbitration dispute relating to power plant and electrification projects in 8 major cities. First intra-African dispute administered under the auspices of the 2009 PCA-Mauritius Host Country Agreement (UNCITRAL, PCA, Nairobi seat, hearings held in Mauritius).
- Represented international contractor against mineral developer/operator in 8 figure USD international arbitration dispute relating to the construction of an ore-mining operation in western Africa.

### LOVELLS US LLP / HOGAN LOVELLS US LLP

NEW YORK, NY

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#### *Senior Associate, Litigation and Arbitration Department, 2006 – 2012*

- Handled complex international litigation and arbitration disputes covering a broad range of industry sectors, including construction, banking, finance, telecoms, shipping, agribusiness, and energy.
- Represented Brazilian agribusiness/energy company in two multi-million USD disputes (ICC, NY seat) against energy multinational relating to post-acquisition sale of sugar and ethanol interests. Issues involved claims on loan financing packages, swap and currency exchange options instruments, and proper accounting treatment of various business activities under Brazilian GAAP and IAS.
- Represented the Czech Republic in defense of multi-million USD expropriation claim filed by foreign investor under a bilateral investment treaty. Claim related the operation, privatization and sale of a major state-owned manufacturing plant. Aggressive defense led to favorable settlement terms.
- Acted for a Chinese state-owned chemical manufacturing company in maritime attachment and shipping disputes in the S.D.N.Y.

## PROFESSIONAL EXPERIENCE (CONTINUED)

- Acted for a Ukrainian technology company in an ICC arbitration and federal litigation in the S.D.N.Y. relating to a dispute over the terms of a shareholders' agreement signed between the two shareholders of the company. Case involved complex jurisdictional and conflict of laws issues.
- Represented a Russian technology company in ICC arbitration and post-arbitration court procedures (S.D.N.Y.) over corporate governance obligations in a disputed shareholders' agreement.
- Successfully defended client Citigroup in quashing subpoena pursuant to 28 U.S.C. § 1782 to obtain discovery of Citigroup's U.S.-based e-mail servers for use by plaintiff in a foreign-based litigation.
- Secondment to Honeywell International Middle East Ltd. (Dubai, UAE). In an in-house counsel role, counseled senior management on pre-dispute negotiations and multi-million USD claims for breach of payment terms against state-owned developer; reviewed and revised company's standard form contracts; drafted and negotiated various commercial construction contracts.
- Reviewed and drafted numerous complex, multi-tiered arbitration and jurisdictional clauses, including clauses in IFC loan agreements. Extensive experience with New York forum selection and conflict of laws issues. Extensive experience with arbitration/forum selection clauses in various financing agreements, including LBO's and other multi-contract / multi-party financing agreements.

**HERBERT SMITH LLP**

**PARIS, FRANCE**

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*Associate, International Arbitration and Litigation Department, 2003 – 2006*

- Handled major disputes before the French courts and international arbitral tribunals in a broad range of commercial matters and industry sectors, including oil and energy, construction, hospitality, and maritime/shipbuilding. Day to day work in French language, applying French civil law.
- Acted for Channel Tunnel Group against the Governments of France and the United Kingdom for breaches under international treaty, English and French law, and a concession agreement. Successful award won UK legal trade publication (The Lawyer) "Litigation Team of the Year" Award.
- Acted for a former Yugoslavian state entity in an ad hoc arbitration against a foreign bank concerning a dispute over a share purchase agreement in the sale of a state-owned bank.
- Acted for an Italian contractor in three connected ad hoc arbitrations against an Iranian state-owned agency, in a dispute relating to the construction of a petrochemical plant in Iran.
- Acted for a subsidiary of a major European energy company in two arbitrations before the Mauritian Chamber of Commerce and Industry (CCIM) and French Arbitration Association (AFA) relating to an energy and waste management project in Mauritius.
- Acted for a Swedish engineering company in an ICC arbitration relating to contracts for the supply and installation of an HVAC system in a major ship construction project

## UNITED STATES ARMY LEGAL EXPERIENCE

**JUDGE ADVOCATE GENERAL'S CORPS, U.S. ARMY**

**VARIOUS LOCATIONS**

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*Judge Advocate, 2018 to Present*

- National Security Law Attorney, 13th Legal Operations Detachment-Expert, with duty at the Office of the Judge Advocate General (OTJAG), National Security Law Division (NSLD), The Pentagon. Within NSLD, assigned to International Law Branch. Provide national security law (NSL) advice on Army operations to NSL Division Chief, JAG Corps leadership, and Army Staff. Coordinate and provide legal advice on international law matters impacting Army, Department of Defense, and allied nation equities. Provide legal support to Headquarters Department of the Army (HQDA) in support of global operations; provide support the G-3/5/7 Army Operations Center (AOC); represent OTJAG in the HQDA Continuity of Operations Program and Exercises. Additional duties include Title 10 Section 332(b) institutional capacity building (ICB) support to the Lithuanian Ministry of National Defence as part of a team organized by the Defense Institute of International Legal Studies (DIILS).

## UNITED STATES ARMY LEGAL EXPERIENCE (CONTINUED)

- Administrative Law Attorney, Office of the Staff Judge Advocate (OSJA), United States Army Civil Affairs and Psychological Operations (Airborne) (USACAPOC(A)), Fort Bragg, NC. Active-duty service at the legal office of a two-star division headquarters providing Army and Joint Forces commanders with civil affairs and psychological operations forces in current global operations including Iraq, Afghanistan, Horn of Africa, European, Pacific, and Central/South American regions. Assist OSJA and command on administrative law matters, to include: legal reviews of matters in accordance with international treaties and agreements; national security law issues, including legal support to Coronavirus response; and developing training and doctrinal guidance on ILO mission capabilities. Attendance to U.S. Army Pacific-sponsored course on Great Power Competition (Regional Leaders Development Program), taught by College of William & Mary. Awarded Army Commendation Medal upon completion of service with the unit.
- International Law Officer (ILO), 426th Civil Affairs Battalion (Airborne), USACAPOC(A). Serve as staff officer in a 192-man battalion capable of conducting Airborne civil affairs operations throughout the Indo-Pacific area of responsibility. Legal advisor to battalion commander on issues of international law, including Rule of Law, host nation law, and governance operations. Provide regional and trans-regional expertise, political-military awareness, and cross-cultural communications skills, to conduct and support civil-military operations. Perform duties in conjunction with the Brigade Judge Advocate to support the battalion commander and subordinate commanders, providing full range of legal advice necessary for day-to-day operations, including military justice actions, legal reviews of administrative actions, serving as legal advisor for investigating officers, and leading training on legal topics.
- Administrative Law Attorney, 78th Legal Operations Detachment. Active-duty support included: (1) Support to the 160th Special Operations Aviation Regiment (Airborne) (SOAR), providing full spectrum of legal services to the Office of the Regiment Judge Advocate; (2) Serving as National Security Law Attorney at PACIFIC SENTRY 21, a large-scale military exercise for US Army Pacific (USARPAC) to be certified as the Combined Joint Task Force (CJTF) for INDOPACOM, the unified Combatant Command of US Armed Forces in the Indo-Pacific Region; (3) Providing military justice and administrative law support to the 11th Military Police Brigade, JFTB Los Alamitos, CA (including downtrace units); (4) Serving on the JAG Corps' Diversity, Equity and Inclusion (DEI) Field Board. Awarded Army Commendation Medal upon completion of service with the unit.
- Brigade Judge Advocate, 10th Combat Aviation Brigade (R)(P) (Task Force Rover), 10th Mountain Division (Light Infantry), Fort Drum, NY. Active-duty service in a field grade position as the primary legal advisor to the Brigade commander, providing legal advice and support across the full spectrum of military legal disciplines, to include military justice, administrative law, fiscal law, civil law, contracts, ethics, operational law, and command policies. Graduated from the 10th Mountain Division Light Fighters School Air Assault Course, earning the Air Assault Badge. Upon completion of mission, awarded Armed Forces Reserve Medal with "M" Device, Global War on Terror Service Medal, Army Commendation Medal.

## EDUCATION

### THE JUDGE ADVOCATE GENERAL'S LEGAL CENTER AND SCHOOL

CHARLOTTESVILLE, VA

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*Graduate, Officer Basic Course, received February 2019*

- Graduated from the U.S. Army JAG Corps' Officer Basic Course for military lawyers.
- Awarded Commandant's List for academic performance.

### CORNELL LAW SCHOOL / UNIVERSITÉ DE PARIS I PANTHÉON-SORBONNE

ITHACA, NY / PARIS, FRANCE

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*U.S. Juris Doctor and French Maîtrise en Droit joint law degrees, received May 2002*

- Admitted to highly competitive joint law school program consisting of accelerated 4-year common law and civil law curriculum leading to U.S. *Juris Doctor* and French *Maîtrise en Droit* law degrees.

## EDUCATION (CONTINUED)

UNIVERSITY OF CALIFORNIA, BERKELEY

BERKELEY, CA

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*Bachelor of Arts in Political Science (Hon.); Bachelor of Arts in French (Hon.), received May 1998*

- General distinction in scholarship, honors in both majors.
- University of California Regents' Scholarship 1994-1998 (most prestigious scholarship offered by the University of California system); U.C. Alumni Association Scholarship (Chinese Chapter).

## QUALIFICATIONS

### BAR ADMISSIONS

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- Member of the California Bar (January 2014).
- Member of the New York Bar (January 2003).
- Member of the Paris Bar (*Avocat à la cour*) (Jan. 2004, currently non-practicing).

### SELECTED PROFESSIONAL MEMBERSHIPS AND OTHER ACTIVITIES

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- Founding Member, California Arbitration (CalArb), an organization guiding businesses and law firm counsel on the benefits of international arbitration and mediation in California. Co-Chair Membership and Diversity, Equity, and Inclusion Committee. <https://www.calarb.org/>.
- Founding Member, ArbTech. ArbTech is a global online forum bringing together legal practitioners to discuss and collaborate on innovative, ethical application of technology applied to the critical human endeavor of conflict resolution. <https://www.linkedin.com/company/arbtechhub>.
- Member of the International Council for Commercial Arbitration (ICCA), the leading worldwide professional organization for international arbitration.
- Co-Coordinator, Young ICCA Mentorship Program (2018-2020.)
- Member of the American Society of International Law (ASIL).
- Member of the International Bar Association (IBA).
- Member of the American Bar Association (ABA).
- Member of the California Lawyers Association (CLA).

### SELECTED RECENT PUBLICATIONS AND SPEAKING ENGAGEMENTS

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- Panel speaker, *International Arbitration as a Tool of Foreign Policy: The Weaponization of International Arbitration*, Penn Law International Arbitration Association 2023 Annual Conference.
- *Lawfare in Ukraine: Weaponizing International Investment Law and the Law of Armed Conflict Against Russia's Invasion* (Aug 2022). Standalone monograph published by the Institute for National Strategic Studies (INSS), National Defense University Press.
- Panel speaker, *Prosecuting Putin with OSINT* (March 2022), ArbTech (recording available at <https://youtu.be/hawfvQ3vC5E>).
- Panel speaker, *The Pacific Shift: Has International Arbitration's Center of Gravity Moved?* (March 2022), part of California Arbitration Week 2022.
- Speaker, *The Lifecycle of Litigation Finance* (September 2021), co-sponsored by the American Bar Association Section on Litigation.

## SELECTED RECENT PUBLICATIONS AND SPEAKING ENGAGEMENTS (CONTINUED)

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- Eric Z. Chang and Howard Miller, *The Singapore Convention and California's Role in a New Era of International Mediation*, 32(2) CAL. LITIGATION (2019).
- Eric Z. Chang, *Golden Opportunities for the Golden State: The Rise of International Arbitration in California*, 31(2) CAL. LITIGATION 27 (2018).
- Pitkowitz, *Handbook on Third-Party Funding in International Arbitration*, JURIS PUB. (2019), contributing author on Third Party Funding in California.

## SELECTED *PRO BONO PUBLICO* MATTERS AND RELATED ACTIVITIES

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- Field Board Member, The Judge Advocate General's Council on Diversity, Equity, and Inclusion. As a field board member, report to the JAG Corps DEI Council to inform the Council on obstacles to inclusion that impact recruiting, accessions, assignments, training, promotions, and retention, and propose recommendations and approaches to better foster diversity, equity, and inclusion across the JAG Corps and the United States Army as a whole.
- Member, JAG Corps Asian Pacific-American Network (JAGC APAN). JAGC APAN is a private group (non-federal entity) helping to connect U.S. Army Judge Advocates, provide networking opportunities outside of chain of command relationships, and develop mentoring relationships.
- Co-Coordinator, Young ICCA Mentorship Programme (2018-2020). YICCA is the worldwide arbitration networking organization of young practitioners, operating under the auspices of the ICCA Board; the International Council for Commercial Arbitration (ICCA) is an NGO widely considered to be the world's preeminent professional network organization for international arbitration. The Mentorship Programme provides young practitioners with unique access to the world's leading international arbitration practitioners.
- Represented the People of the State of New York as Special Assistant District Attorney for the Brooklyn District Attorney's office in the appellate review of a first-degree assault case. Drafted and filed appellate brief; successfully argued constitutional issue before a judicial panel of the New York State Appellate Division. (See *People v. Garcia*, 47 A.D.3d 830 (2d Dep't 2008).)
- Filed petition to United Nations Working Group on Arbitrary Detention on behalf of two Rwandan journalists sentenced to harsh prison terms over articles critical of the Rwandan government; worked with various NGOs to organize coalition of influential politicians and seek release of clients. Petition and campaign resulted in significant reduction of sentences for both journalists.
- As a Lovells LLP *Pro Bono* Fellow, proposed project and led joint Beijing/New York team to advise NGO International Bridges to Justice's China Legal Aid Program on registration as a P.R.C. for-profit entity, and impact on U.S. tax-exempt status; helped set up employee payroll, benefits and handbook.

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