

OUR PEOPLE

My White & Case Story

London Partner Andrea Menaker looks back on her career to date.



London Partner Andrea Menaker's White & Case story has seen her move from the United States to head up the Firm's Public International Law Group and expand its investment arbitration practice in London.

Andrea began her legal career in corporate finance as a junior associate at a Wall Street firm in New York. She quickly decided it wasn't for her though, so she switched to litigation with a particular focus on international clients.

She completed a federal court clerkship before following her passion for public international law, moving to the US State Department, which at the time was creating a new team in its legal department to handle international investment arbitrations arising out of the North American Free Trade Agreement.

"My time at the US State Department was fantastic," Andrea says, "we dealt with a lot of interesting, high-profile, first-of-their-kind cases."

Andrea was later appointed leader of the team and, in total, spent more than eight years with the State Department before deciding to move into private practice.

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She says: "I looked at several options, but White & Case was top of my list. I knew I wanted to continue working in investor-state arbitration, and the Firm had the preeminent practice in that field.

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Andrea joined the Firm in April 2008. She says: "Getting used to any new job can be overwhelming (meeting so many people and finding one's way around), but it helped that the community of investment arbitration specialists was quite small at that time and the work was so similar to what I was used to."

"I knew a lot of the partners from cases I'd worked on while at the US State Department, so I quickly settled in."

Andrea spent her first 10 years at the Firm in the Washington, D.C. office and worked consistently on investor-state arbitrations and related enforcement proceedings.

"It was brilliant because I worked on terrific cases for great clients, including the Republic of Uzbekistan," she says. "I also worked on the first mass claim in ICSID arbitration on behalf of thousands of Italian bondholders and on a long-running case for a US investor in the electricity sector against Guatemala, among many other interesting cases."

In late 2018, the Firm asked Andrea if she'd transfer to the London office to grow the investment arbitration practice in London and EMEA.

"That was a big move because my family was well-settled in D.C.," Andrea says, "but it's been so exciting and satisfying and has given me a chance to see the strength of the wider Firm and play a major part in developing the practice."

"It's also given me the opportunity to work with so many more incredible people."

While the pandemic was particularly disruptive, having arrived just months after making the cross-Atlantic move, the practice delivered substantial growth over this period, including investment arbitration and related enforcement work for new clients India and Pakistan.

She says: "Things are going well and I'm looking forward to continuing to grow the investment arbitration practice in London and EMEA in the years ahead."

"I'd like to get the practice to the point where we have a consistent and steady flow of cases so we can continue working with top clients and promote additional partners, particularly in London."

"That would be further evidence of the success of this initiative."

Highlights of Andrea's career have included working on White & Case's first investment treaty case for the Republic of Uzbekistan.

She says: "During the hearing, after we presented our opening argument, the CEO of the claimant made some incriminating statements, which led to several motions and a subsequent hearing."



"The Firm has been terrific in providing the resources and platform necessary for me to do my best, while giving me the freedom to shape my own path."

"The CEO, along with one of our witnesses who was imprisoned in Uzbekistan, were to testify, so I flew to Tashkent with a colleague to conduct the examination at the hearing over video link, which took place overnight in Uzbekistan (and during the day in Washington, D.C.).

"It was an extraordinary experience and we ultimately prevailed in having the first investment treaty case under a bilateral investment treaty dismissed on account of corruption."

Another highlight was when Andrea travelled to Islamabad during Covid-19 lockdown to meet with Government officials to be instructed on a high-profile investment arbitration.

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She says: "We were engaged on a terrific matter to seek to revise a US\$6 billion award arising out of a denial of a mining license.

"We subsequently got our EIPAF colleagues involved and negotiated a settlement of the arbitration and worldwide litigation seeking to enforce the arbitral award.

"The settlement paves the way for the development of the world's largest, undeveloped copper mine, which will be a game changer for Pakistan and in particular for the province of Balochistan."

Andrea also takes pride in her work for the International Council for Commercial Arbitration (ICCA), where she was Programme Chair for the 2016 Congress in Mauritius, as well as her current Executive Committee position with the Swedish Arbitration Association, her Council membership on the Hong Kong International Arbitration Centre, her former Board memberships on the Arbitration Institute of the Stockholm Chamber of Commerce and the Swiss Arbitration Association, and her former Executive Council position for the American Society of International Law.

She says: "That I've been able to devote time to all of these organizations is evidence that White & Case recognizes the importance of building networks and increasing our visibility.

"The Firm has been terrific in providing the resources and platform necessary for me to do my best, while giving me the freedom to shape my own path.

"White & Case has an entrepreneurial spirit which presents opportunities if you're prepared to work hard and grasp them."

Looking to the future, Andrea is excited about the opportunities and challenges ahead.

She says: "Since 2008, White & Case has grown and changed, as has the practice. In recent years, the more standard work has become more commoditized, with a lot of rivalry from both large firms and boutique practices.

"Competition is fierce, but we're well placed to maximize the strengths of our global network and broad expertise. We have decades of experience that sets us apart, along with an incredibly deep bench across jurisdictions that few firms can compete with.

"If we can use this and couple it with a distinctive client experience, we can look forward to a very bright future."

