



NAME:
Shirley F. Alinea

PERSONAL DETAILS:
Started practicing Law in 1997 after receiving her Bachelor of Laws (LLB) from the University of the Philippines in 1996, where she graduated with a Dean's Medal and was given the Most Outstanding Law Intern award. Placed 6th in the 1996 Bar Examinations.

Currently a member of the Board of Trustees of the Philippine Dispute Resolution Center, Inc. (PDRCI) and its Deputy Secretary General. Heads PDRCI's Education and Training Committee. Member of PDRCI's Mediation Committee. Representative of PDRCI at the Asia-Pacific Forum for International Arbitration.

Headed the committee that reviewed, updated and drafted the Center's current 2021 Commercial Arbitration Rules

An accredited arbitrator of the PDRCI, the Intellectual Property Office and the Office of Alternative Dispute Resolution.

Member of the Dispute Resolution Board Foundation.

Used to teach several courses, including Commercial Arbitration, at the University of the East College of Law, College of Law of Lyceum University, and the Law Department of San Sebastian College.

Regularly gives lectures as well as training on commercial arbitration and alternative dispute resolution (ADR), mostly for various private institutions offering Mandatory Continuing Legal Education seminars to law practitioners, as well as bodies offering accreditation for new arbitrators.

ACADEMIC CREDENTIALS:
Bachelor of Laws (U.P. Diliman, College of Law, 1996)
B.S. Legal Management (Ateneo de Manila, 1992)

PROFESSIONAL BACKGROUND:
Partner at the law office of Quisumbing Torres from 2005 until her withdrawal as partner in July 2008, where she practiced Dispute Resolution (specializing in Commercial Arbitration) and Immigration.

Joined Martinez Vergara & Gonzalez Sociedad (then known as Martinez Vergara Gonzalez and Serrano) as partner in March 2009, where she heads the Firm's Alternative Dispute Resolution and Immigration Groups. Co-heads the Firm's Debt Restructuring and Intellectual Property Groups.

INDUSTRY OR LEGAL EXPERTISE
Dispute Resolution (specializing in Commercial Arbitration), Immigration, Intellectual Property, and Debt Restructuring

CASES HANDLED (as counsel and as neutral)

I. As Counsel

Ad Hoc Arbitration

Handled, as counsel, the following *ad hoc* domestic arbitrations:

- Dispute between a mall owner and its contractor regarding a construction dispute (represented the mall owner); and
- Dispute between a private entity and a government owned and controlled corporation regarding the termination of a contract (represented the private entity).

Currently handling an ad hoc arbitration commenced by a private entity against a Department of the Philippine Government regarding the latter's non-payment of the private entity's compensation for a completed government project (represents the private entity). The Integrated Bar of the Philippines (IBP) is currently processing the private entity's request for default appointment of the second arbitrator.

Institutional Arbitration

Also handled, as counsel, the following institutional arbitrations:

1) Before the ICC

- Dispute between a Netherlands company and a Philippine company regarding their Marketing and Supply Agreement (represented the Netherlands company); and
- Dispute between two (2) shareholders (a foreign company and a Philippine company) regarding their Shareholders' Agreement (represented the foreign company) [*Dispute later settled at the initial stages of the arbitration*].

2) Before the SIAC

- Dispute between a foreign company and a Philippine company regarding a Management Agreement over a hotel and resort development (represented the foreign company); and
- Dispute between a Philippine company/Project Owner of a solar power plant and its former Owner's Engineer (a foreign company) (represented the Philippine company) [*Dispute later settled at the initial stages of the arbitration*].

3) Before the PDRCI

- Dispute between a financial institution and a software developer over the parties' agreement for the supply of a comprehensive software system for use of the financial entity's customer care department (represented the financial institution).

4) Before the CIAC

- Dispute between a project owner and contractor regarding a hydroelectric power plant (represented the contractor);
- Dispute between a project owner and electrical contractor over the latter's delays in its works for a condominium project (represented the project owner); and
- Dispute between two (2) project owners and their common contractor regarding the latter's claim for payments for its works in the project owners' cold storage facilities (represents the project owners).

Currently handling an ICC arbitration between a lessor and lessee dispute over the former's termination of the lease agreement used by the lessee to house its depot. The tribunal is in the process of being constituted.

Court actions relating to arbitration

Has also handled, as counsel, the following court applications/petitions brought in aid of, or in relation to, pending and soon to be commenced arbitrations:

- Petition to compel arbitration before the Regional Trial Court of Pasig City (represented the petitioner);
- Petition for interim measure of protection before the Regional Trial Court of Quezon City (in relation to a soon to be commenced arbitration) (represented the petitioner);
- Petition for interim measure of protection before the Regional Trial Court of Makati City (in relation to a soon to be commenced arbitration) (represented the respondent);
- Petition for interim measure of protection before the Regional Trial Court of Manila (in relation to a soon to be commenced arbitration) (represented the petitioner);
- Petition for enforcement of a foreign arbitral award rendered by the ICC before the Regional Trial Court of Manila (represented the petitioner);
- Petition for enforcement of an arbitral award in a local international arbitration rendered by the SIAC before the Regional Trial Court of Manila (represented the petitioner); and
- Petition for confirmation of an arbitral award in a domestic arbitration rendered by the PDRCI before the Regional Trial Court of Makati City (represented the petitioner).

Currently has a request being processed by the President of the IBP for the default appointment of the second arbitrator in the ad hoc arbitration between its client private entity and a Department of the Philippine Government regarding the latter's non-payment of the private entity's compensation for a completed government project.

Advisement works

Has advised and continues to advise clients regarding general arbitration questions and concerns, we well as possible arbitration of brewing and actual disputes

II. As PDRCI Counsel-in-Charge of the File

Acted as counsel in charge of the file in PDRCI arbitrations.

III. As Arbitrator

Recently acted:

- As member of a Tribunal a PDRCI arbitration involving non-payment under the parties' Service Agreement. The parties reached a compromise during the arbitration proceedings this year.
- As chairperson in an *ad hoc* arbitration involving a dispute over the parties' Shareholders' Agreement. The Tribunal issued the Award this year.
- As chairperson in an *ad hoc* arbitration involving a dispute between an electric cooperative and the winning bidder in an energy supply project. The Tribunal issued the Award this year.

PUBLISHED ARTICLES

Published several articles relating to arbitration and mediation in the PDRCI's monthly newsletter.