

# WHO'S WHO LEGAL

## BRAZIL 2012

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## COMPETITION

*Brazil's competition marketplace is in the midst of a transitional stage. The new competition law came into effect at the end of May 2012, introducing significant changes to merger control. Brazil now has a pre-merger notification system with elevated thresholds, which is expected to dramatically reduce the number of filings that Brazil's Council for Economic Defence (CADE) receives per year. Although lawyers may be handling fewer notifications in the future, those cases that remain will be more complex and require competition law advice from an early stage in the merger talks. As the dust settles, lawyers expect to be increasingly busy on the cartel front as CADE turns its attention to opening up new investigations in the coming year. In this chapter we select 37 of the leading competition lawyers in Brazil.*

Pinheiro Neto Advogados emerges as the leading law firm for competition with three nominees – more than any other firm in the research. The firm has been “very active” in the last year on both the merger control and conduct fronts and is a definite “market leader”. The “renowned” **Cristianne Saccab Zarzur** is “truly dedicated” and “works tirelessly” for her clients. **José Alexandre Buaziz Neto** is “well versed” in all competition matters and “excels” in matters pertaining to the pharmaceutical industry while **Lilian Barreira** is “highly recommended” throughout our research.

At TozziniFreire Advogados, two lawyers are selected for inclusion. **Marcelo Calliari** is an “important” name in the competition sector, “well known” for his expertise. Alongside him, **José Augusto Caleiro Regazzini** is “highly proficient”.

Grinberg Cordovil & Barros Advogados receives two listings. **Mauro Grinberg** is a founding member and former president of the Brazilian Institute for Competition, Consumer Relations and International Trade Studies (IBRAC) and is “greatly respected” by peers and clients for his “depth of expertise”. **Leonor Cordovil** is “first rate” and a “prominent player” in the sector.

Two lawyers are selected for inclusion from Mattos Filho Veiga Filho Marrey Jr e Quiroga Advogados. **Amadeu Carvalhaes Ribeiro** has a “long-standing reputation” for “excellence” and is a “key figure” in the Brazilian market. The “superb” **Lauro Celidonio Gomes dos Reis Neto** is “one of the best” competition lawyers in Brazil.

Levy & Salomão Advogados fields two “first-rate” lawyers who have

recently joined the firm after spending time handling competition matters for the federal government. **Ana Paula Martinez** spent two years as the co-chair of the cartel sub-group of the International Competition Network, working alongside the US Department of Justice. Martinez is “internationally recognised” as a leader in the field. **Mariana Tavares de Araujo** is a “sophisticated” lawyer and possesses a “wealth of expertise” in competition matters. She provides competition advice to the World Bank.

At Mattos Muriel Kestener Advogados two lawyers are “highly recommended”. With over 30 years’ experience, **Ubiratan Mattos** is “adept” at handling the most complex competition cases and is “repeatedly recommended” throughout our research. **Maria Cecilia Andrade** is praised for her “strong technical skills” and is “best known” for her work on cartel investigations.

Trench Rossi e Watanabe Advogados – Associated with Baker & McKenzie International, a Swiss *Verein*, also earns two nominations in this chapter. **Francisco Ribeiro Todorov** is considered “top notch” and his practice encompasses all aspects of competition law. He is “well known” for representing clients in the telecoms sector on related competition proceedings. **Tulio Freitas do Egito Coelho** has been practising competition law for more than 20 years and is a “prominent figure” in the sector. He is the first lawyer to have succeeded in having a Brazilian Antitrust Agency decision reversed in which fines were imposed for the untimely filing of a merger control application.

Lino Beraldi Belluzzo e Caminati

Advogados is represented by two lawyers: **Fábio Beraldi** and **Eduardo Caminati Anders**. Beraldi is a “definite inclusion” and a “vastly experienced” competition lawyer. **Caminati Anders** advises both national and foreign companies in Brazil and is “brilliant”.

Two practitioners represent Magalhães Nery e Dias – Advocacia. **Carlos Francisco de Magalhães** is a “revered” practitioner, known for his “impressive abilities”. Alongside him, **Gabriel Dias** is a “market leader”.

At Demarest e Almeida Advogados, we recognise two leading experts. Head of the competition practice **Mário Nogueira** enjoys a “prominent” position in the Brazilian competition sector and advises “high-profile” domestic and international clients. **Bruno de Luca Drago** receives praise for delivering “top-quality client service”.

Sampaio Ferraz Advogados receives two listings. Founding partner **Tercio Sampaio Ferraz Jr** is a “time-honoured” competition expert and has played an important role in developing competition law in the country. He is joined by fellow founding partner **Juliano Souza de Albuquerque Maranhão**, a former adviser to CADE’s president and an “experienced figure” in the Brazilian competition sector.

At Barbosa Müssnich & Aragão, **Barbara Rosenberg**’s reputation precedes her as one of the “leading lights” of the competition bar. She is a former director of the economic protection and defence department at the Secretariat of Economic Law of the Ministry of Justice.

Machado Meyer Sendacz e Opice Advogados’ **Tito Amaral de Andrade** “is in high demand”. The current president

of IBRAC, Amaral de Andrade is a “sound technician” with a “fine appreciation” of the competition law.

A founding partner of Lobo & de Rizzo Advogados, **Sérgio Varella Bruna** is a “distinguished” notary with a strong focus on competition law. He represents both domestic and international companies and is “first choice” for many clients.

**Caio Mario da Silva Pereira Neto** of Pereira Neto, Galdino, Macedo Advogados – PNGM is “greatly respected” by peers for his “depth of expertise” and spent a term at the government as director of the economic defence and protection department of the Ministry of Justice.

**Ricardo Noronha Inglez de Souza** recently joined Dias Carneiro Advogados to head the competition, international trade and consumer law practice area. A

“great asset” to the firm, he is particularly strong in the area of conduct. Clients describe him as “driven and very perceptive”.

At Mundie e Advogados, **Guilherme Ribas** is a “very technical” lawyer with “great commercial acumen”.

Vieira Rezende Barbosa e Guerreiro’s new recruit **Marcio de Carvalho Silveira Bueno** is a “brilliant” lawyer possessing “wisdom beyond his years”.

At Cascione Pulino Boulos & Santos Advogados, **Aurélio Marchini Santos** retains a “high profile” representing many “leading” domestic and international companies.

**Pedro Zanotta** at Albino Advogados Associados – AAA is “very well known” and a “joy to work with”.

Franceschini e Miranda Advogados is represented by founding partner **José**

**Inácio Gonzaga Franceschini**. He has a “long-standing reputation” in the sector.

Founding partner **José Del Chiaro Ferreira da Rosa** of competition boutique Advocacia José Del Chiaro is an “acclaimed” practitioner, praised for his “finely tuned” skills.

**Rodrigo Zingales Oller do Nascimento** is a founder of Zingales & Gonçalves Advogados and is “extremely proficient” in antitrust investigations, merger control cases and in developing compliance programmes for clients.

**Pedro Dutra** at his own firm Pedro Dutra Advogados is a “formidable opponent” and “works tirelessly” for his clients.

At Azevedo Sette Advogados SC, **Marcel Medon Santos** has built an “enviable” practice and is described as “very knowledgeable” by his peers.

## REGULATORY COMMUNICATIONS

*The communications sector in Brazil is evolving at a rapid pace, the market is increasing in size and sophistication and competition is picking up. The mobile market is an area of major activity: Brazil recently held its 4G licensing auction and those who won their bids are committed to providing coverage by the time of the FIFA World Cup in 2014. There have also been changes to regulations regarding pay-TV and lawyers are reported to be very active advising on compliance. We select 22 of the leading individuals in this sector.*

Two lawyers are selected from Mundie e Advogados. **Elinor Cristóforo Cotait** is "very visible" in the sector and "well known" for her regulatory work. She is one of the most highly recommended lawyers for this type of work in Brazil. **Kevin Louis Mundie** is considered a "leading" lawyer in the field with a "very active" practice.

Pinheiro Neto Advogados fields two practitioners. **Esther Donio B Nunes** is a "standout" practitioner with a "wealth of expertise" covering regulatory issues in the telecommunications sector. Alongside her, **Raphael de Cunto** is equally "well regarded" by peers.

At Manesco Ramires Perez Azevedo Marques Advocacia, both **Floriane de Azevedo Marques Neto** and **Eduardo Augusto de Oliveira Ramires** are recognised for their "first-rate" practices. Marques Neto is "greatly respected" for his regulatory know-how while Ramires is "top rate".

Barretto Ferreira Kujawski e Brancher Sociedade de Advogados (BKBG) has two of its partners listed in this chapter. The "highly recommended" **Ricardo Barretto Ferreira da Silva** has a "long-standing reputation" in the telecommunications sector advising on regulatory and governmental affairs. **Fabio Ferreira Kujawski** is increasingly

"prominent" in the field and is "singled out" for his "outstanding" practice.

Machado Meyer Sendacz e Opice Advogados also sees two lawyers selected for inclusion. **Moshe Sendacz** is considered "highly proficient" and regularly advises players in the mobile market. **Camila Borba Lefèvre** is a "well-known" name in the sector and "simply brilliant".

Name partner **Carlos Ari Sundfeld** of Sundfeld Advogados is described as the "founding father" of telecoms regulation in Brazil. Sundfeld has been involved in the conception of several landmark pieces of legislation including the Brazilian model for an independent regulatory agency.

**Regina Ribeiro Do Valle** of Regina Maria Piza de Assumpção Ribeiro do Valle Regina Ribeiro do Valle | Advocacia is a "definite inclusion" and receives "high praise" for her practice.

Bitelli Advogados is represented by founding partner **Marco Alberto Sant'Anna Bitelli**. Bitelli is "hugely respected" for his work in this sector and advises many major entertainment and media companies.

At **Pereira Neto, Galdino, Macedo Advogados – PNGM**, **Caio Mario da Silva Pereira Neto** is a "great technician" and clients praise him for

delivering "high-quality advice".

Bialer & Falsetti's **Ana Paula Bialer Ingham** is "first rate" and particularly "well known" for her work in the audio-visual arena.

**Alberto de Orleans e Bragança** of Xavier Bragança Advogados regularly advises clients in the telecommunications sector and is a "leading lawyer".

Independent legal consultant **Umberto Celli Jr** is a "high-profile" practitioner known for his "astute mind".

At TozziniFreire Advogados, **Marcela Waksman Ejnisman** specialises in the telecommunications sector, advising clients on regulatory issues. She is a "great asset" to the firm.

**Guilherme Ieno Costa** at Koury Lopes Advogados is "well known" for assisting telecoms and broadcasting companies with their regulatory compliance.

**Ewald Possolo Correa da Veiga** is a partner with the firm Ulhôa Canto Rezende e Guerra Advogados and is "top notch", according to our research.

At Veirano Advogados, **Robson Goulart Barreto** is considered "excellent", while at Campos Mello Advogados **Rodrigo d'Avila Mariano** is "renowned" for his "expert" handling of regulatory communications matters.



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With over 24 years experience focusing on entertainment law, civil and commercial law, Marcos Bitelli has developed a national reputation for his expertise in entertainment and media law. He represents several associations in these areas and has been individually top-ranked as the best lawyer in this sector in Brazil, advising most of the major companies established in the country. For many years he has been recognised by *Chambers & Partners* and other international publications, such as *Monthly Finance*, *Lawyer Monthly* - Media Firm of the Year - and *Global Law Experts*.

Mr Bitelli is the founder partner of Bitelli Advogados, which was established in 1987. He graduated and received his Master degree and doctorandum in Law from the Catholic University of São Paulo. He is a guest professor at FGV - Rio de Janeiro for the MBA course in Entertainment Management. He is the coordinator of the Social Communication Law, Entertainment, Leisure and Culture course at IICS - Instituto Internacional de Ciências Sociais; a professor of the postgraduate course on Contract Law at COGEAE - PUC/SP - Pontifícia Universidade Católica de São Paulo and at Centro de Extensão Universitária de São Paulo; and also a professor of the postgraduate course on Entertainment Law and Intellectual Property at Escola Superior de Advocacia - ESA. He is frequently invited to give lectures on several themes related to the areas of media, entertainment and author's rights.

Mr Bitelli is a member of national editorial council of *IBRAC Magazine* and *The Private Law Magazine* (Revista dos Tribunais publishing company), and the author of several books and articles in the entertainment area.

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Ewald Possolo Corrêa da Veiga joined the firm in 1987 and has been a partner since 1994. He received his law degree from Universidade Estácio de Sá (1983), and his LLM in corporate law from the University of Indiana, USA (1986). He was a foreign associate at Crady, Jewett & Mc Culley, in Houston, Texas between 1986-1987, and has been a professor of corporate law (privatisations) in the postgraduate course at Instituto Brasileiro de Mercado de Capitais - IBMEC since 2002. He was a lecturer in economic law at Universidade Cândido de Mendes from 1992 to 1996.

Ewald Possolo Corrêa da Veiga areas of practice include arbitration, corporate law, capital markets, electricity, telecommunications, sanitation, project finance, administrative, with emphasis on privatisations and public bidding, antitrust issues, and consumer protection.

He speaks English and Spanish.

Ewald Possolo Corrêa da Veiga is a member of the Brazilian Bar Association, Rio de Janeiro chapter - OAB-RJ (1987) and São Paulo chapter - OAB-SP (1994), Michigan Bar Association, USA (1988), American Bar Association (ABA), Associação Brasileira de Direito Financeiro - ABDF, International Fiscal Association - IFA and Instituto Brasileiro de Estudos das Relações de Concorrência e de Consumo (Ibrac).