



Eugenie Rogers

Partner

Baker & McKenzie LLP

Dallas

eugenie.rogers@bakermckenzie.com

T +1 214 978 3074

Related Expertise

Commercial Litigation

Construction

Dispute Resolution

Energy, Mining & Infrastructure

International Arbitration

Previous Offices

London

Languages

English

Biography

Eugenie Rogers is a partner in Baker McKenzie's Dallas office who handles primarily international disputes. She has substantial experience representing clients in complex cross-border disputes, including international commercial arbitration and business litigation, with particular emphasis on high-value cases centered in Europe and the Middle East, in the construction, engineering, transportation, and energy sectors. Clients describe Eugenie as "super-smart and tenacious" (Legal 500 US, 2022) and "exceptionally capable at quickly grasping and articulating complex engineering and contract topics" (Chambers USA, 2022), and note that she "consistently provides sound advice that is collaborative and takes into account legal and commercial objectives" (Legal 500 US, 2021). Another client testimonial states: "Eugenie is highly intelligent and quickly gets to the crux of matters. She's creative, persistent, has a strong pen and is verbally very persuasive" (Chambers USA, 2022).

Eugenie is part of Baker McKenzie's globally-ranked international arbitration practice and an active member of the Firm's Women in Arbitration group. Eugenie also serves as a regional representative of the ICC's Young Arbitrators Forum (YAF) in North America for its 2021–2023 mandate. She has been recognized annually (2016–2022) by Texas Super Lawyers as a Rising Star in business litigation and is a frequent speaker on issues relating to international arbitration.

Practice Focus

Eugenie has extensive experience representing clients in international arbitrations governed by the rules of the International Chamber of Commerce (ICC), the International Centre for Dispute Resolution (ICDR), and the Stockholm Chamber of Commerce (SCC), and domestic arbitrations under the American Arbitration Association (AAA), International Institute for Conflict Prevention & Resolution (CPR), and Financial Industry Regulatory Authority (FINRA) arbitration rules. She acts for and against states and state bodies, with particular experience in the energy sector and large infrastructure projects. She also advises clients in relation to investment treaties and public international law issues. Eugenie has first- and second-chaired multiple multimillion-dollar international arbitrations from inception through merits hearing and enforcement actions.

Eugenie supports clients across a broad range of industries including EPC construction and engineering services, energy, financial services, healthcare, retail and hospitality. She is a co-leader of the Firm's energy arbitration initiatives globally and of its energy, mining, and infrastructure industry group in North America.

In addition to international and domestic arbitrations, Eugenie's experience also includes litigating cases and appeals in US federal and state courts. She is licensed in both Texas and Florida.

Representative Legal Matters

- Prevailed in ICC arbitration seated in Houston, successfully defending USD 45 million in contract claims asserted relating to overseas module transportation in connection with an EPC project in the Middle East, and securing net costs award in client's favor.
- Won multimillion-dollar ICC dispute board claim, including award of attorneys' fees, on behalf of a US-based, multinational EPC contractor, in a Paris-seated proceeding administered by the ICC International Centre for ADR. The contractor's claim against the project owner related to unforeseeable site conditions arising out of the construction of an oil refinery megaproject in the Middle East.
- Won substantial ICC dispute board claim, including award of attorneys' fees, on behalf of the same EPC contractor, in another Paris-seated proceeding administered by the ICC International Centre for ADR. The contractor's claim related to contractual entitlement to an award of significant schedule and quantum relief based

on changes in law and restrictions imposed by the local government in response to COVID-19, during construction of an oil refinery in the Middle East.

- Representing EPC contractor in bringing claim for entitlement to disputed change orders, and associated losses, in the construction of a major oil refinery.
- Secured favorable settlement and recovered substantial arbitration costs on behalf of EPC contractor in ICC arbitration seated in Kuwait City, involving defense against a supplier claim arising out of a refinery project in the Middle East.
- Secured favorable settlement in defense of claims relating to the calculation of the final account and claims for delay and further payment arising out of the construction of an industrial project in France.
- Won multimillion-dollar international arbitration award, order of rescission, and substantial award of attorneys' fees in a Miami seat ICDR arbitration in favor of a publicly traded Australian company against sellers of an Ecuadorian subsidiary relating to the sellers' corrupt payments to government officials. Prevailed in contested action in the United States District Court for the Southern District of Florida to confirm arbitral award pursuant to the Panama Convention.
- Won multimillion-dollar international arbitration award, including attorneys' fees, in favor of multinational hotel operator against former owner of a luxury-branded hotel, in an SCC arbitration seated in Stockholm.
- Successfully defended against indemnity and breach of contract claims asserted in a London seat ICC arbitration against Italian medical device company under component supply agreement with US-based manufacturer. Supported related litigation proceedings culminating in a favorable Ninth Circuit decision on a question of first impression regarding qualification as a biomaterials supplier under the US Biomaterials Access Assurance Act.
- Represented a major North American retail chain in executive compensation dispute before a sole arbitrator of the AAA.
- Successfully defended an arbitrability dispute in Texas state court, resulting in dismissal of the state court claim and referral to FINRA arbitration.
- Defended numerous customer arbitrations and prosecuted broker-dealer

arbitrations before FINRA, resulting in favorable settlements of claims.

- Briefed appeal to the United States Court of Appeals for the Sixth Circuit resulting in reversal and rendition in favor of a medical device company, and ultimately recovery of money damages and attorneys' fees.
- Represented a publicly traded medical device company in several litigation matters, including state and federal court actions for breach of contract and misappropriation of trade secrets.

Professional Honors

- Chambers, Up and Coming Partner (International Arbitration - US), 2022
- Women in Business Law Awards, Shortlist Nominee for Arbitration Practitioner of the Year and Arbitration Rising Star, 2022
- The Legal 500, Recommended Lawyer (International Arbitration - US), 2021
- Rising Star, Texas Super Lawyers, 2016-2021

Professional Associations and Memberships

- ICC Young Arbitrators Forum - North America regional representative, 2021–2023 mandate
- Chartered Institute of Arbitrators - Member (completed intensive international arbitration training program to attain Member credential)
- International Institute for Conflict Prevention & Resolution (CPR) - Member, Arbitration Committee; Member, Energy, Oil & Gas Committee
- Young ICCA (International Council for Commercial Arbitration) - Member
- State Bar of Texas - Member
- State Bar of Florida - Member
- American Bar Association - Member
- Dallas Bar Association - Member
- Dallas Association of Young Lawyers - 2019 Committee Co-chair, Older Wiser Lawyers; 2013 Member, DAYL Leadership Class
- Phi Beta Kappa - Member

Admissions

U.S. District Court, Southern District of Florida~United States (2017)

Florida~United States (2017)

U.S. District Court, Central District of Illinois~United States (2016)

U.S. District Court, Eastern District of Michigan~United States (2016)

U.S. Court of Appeals, Fifth Circuit~United States (2013)

U.S. Court of Appeals, Sixth Circuit~United States (2015)

U.S. District Court, Eastern District of Texas~United States (2015)

U.S. District Court, Western District of Texas~United States (2013)

U.S. District Court, Northern District of Texas~United States (2012)

Texas~United States (2012)

Education

Southern Methodist University, Dedman School of Law (J.D., cum laude) (2012)

Vanderbilt University (B.A. Political Science and East Asian Studies, summa cum laude)
(2008)

Presentations

- Speaker, "International Construction Arbitration - Challenges, Cultural Differences, and Conflict Management Options", iLaw2022 Conference, AAA-ICDR International Arbitration Track, April 2022
- Speaker, "Arbitration and its Interplay with Courts: Perspectives of US Counsel on International Disputes", ICC Mexico Nuevo León Arbitration Committee, February 2022
- Speaker, "Ethical Considerations for In-House Counsel: A Primer on How Not to be Featured on Above the Law", SMU Corporate Counsel Symposium, October 2021
- Speaker, "Looking Ahead: Remote Court Proceedings & What All Lawyers Must Consider About Cybersecurity and Ethical Issues," Association of Corporate Counsel, Houston Chapter—Litigation Practice Group, June 2021
- Speaker, "Living in a Virtual World: New Developments and Best Practices for

Dispute Resolution in the COVID Era," Association of Corporate Counsel, Houston Chapter—Litigation Practice Group, November 2020

- Speaker, "Open for Business? – International Arbitration in the Era of Covid-19 and Beyond," Baker McKenzie webinar series, April 2020
- Speaker, 103rd Meeting of the Oil & Gas Arbitration Club (London, UK), March 2020
- Speaker, "Beyond The Courts: Arbitration and Other Viable Mechanisms to Control Risks and Resolve Disputes," Association of Corporate Counsel, Houston Chapter—Litigation Practice Group, June 2019
- Speaker, "Practical Tips for New Lawyers: How to Get Clients, Get Paid, and Avoid Malpractice," Dallas Association of Young Lawyers, Transition to Law Practice Program, June 2019
- Moderator, Alternative Legal Careers Panel at the SMU Dedman School of Law, Dallas Association of Young Lawyers, October 2016

Publications

- Author, "New York's highest court holds that arbitration panel did not exceed its authority by reconsidering a partial final award where the parties did not mutually agree that the partial decision would have the effect of a final award," International Litigation & Arbitration, Baker McKenzie, July 2020; reprinted by Global Arbitration News, July 2020
- Co-author, "Protection of foreign investments in the United States of America," in Preserve, Protect and Defend—Global Nationalization Risk: Practical Considerations for Investors, Baker McKenzie, April 2020
- Co-author, "'Could the Parties have Anticipated the Unthinkable?' Force Majeure in the Texas Energy Industry After COVID-19," Client Alert, Baker McKenzie, April 2020; also printed in The Texas Lawbook, 2 April 2020
- Author, "Fifth Circuit holds that domestic arbitration agreement contemplating overseas obligations subject to New York Convention for jurisdiction purposes, and confirms award issued by nine-arbitrator panel constituted in accordance with contractual arbitrator selection process," International Litigation & Arbitration, Baker McKenzie, March 2020
- Author, "Ninth Circuit holds that settlement agreement entered as an order by a purported arbitrator, without attendant arbitral proceedings, is not a foreign arbitral

award under the New York Convention," International Litigation & Arbitration, Baker McKenzie, May 2019; reprinted by Lexology and Global Arbitration News, July 2019

- Author, "District court recognizes as preclusive final, non-appealable Singapore judgment holding that parties had no agreement to arbitrate," International Litigation & Arbitration, Baker McKenzie, March 2019; reprinted by Lexology, March 2019; reprinted by Global Arbitration News, April 2019
- Author, "Court Affirms Substantial Arbitration Award for Del Monte Against Costa Rican Pineapple Grower," Global Arbitration News, June 2017; reprinted by Lexology, June 2017
- Author, "Fifth Circuit determines Antigua not subject to U.S. court jurisdiction under Foreign Sovereign Immunities Act in Stanford Ponzi scheme cases," International Litigation & Arbitration, Baker McKenzie, March 2017
- Author, "District court dismisses case against German defendant Deutsche Bank AG, finding diversity jurisdiction destroyed by voluntary dismissal of two other defendants essential to federal jurisdiction," International Litigation & Arbitration, Baker & McKenzie, November 2016
- Author, "Fifth Circuit holds that monetary amount sought in underlying arbitration is amount-in-controversy for diversity jurisdiction purposes," International Litigation & Arbitration, Baker & McKenzie, July 2016
- Author, "Fifth Circuit rejects arbitration agreement that permits employer's unilateral termination of agreement to arbitrate without advance notice to employees," International Litigation & Arbitration, Baker & McKenzie, May 2016; reprinted by Lexology, August 2016; reprinted by Global Arbitration News, August 2016 (sub nom "Fifth Circuit finds arbitration agreement illusory without advance notice of termination")
- Author, "Fourth Circuit rejects arbitration agreement that forbid pursuit of federal statutory causes of action," International Litigation & Arbitration, Baker & McKenzie, March 2016; reprinted by Lexology and Global Arbitration News, April 2016
- Author, "Magna Carta: Symbol of Freedom Under law: Keynote Speaker Justice Eva Guzman," Headnotes, Dallas Bar Association, April 2015
- Author, "Fifth Circuit affirms district court's finding that Cayman bank is not subject to personal jurisdiction based on Texas account holder's contacts with bank,"

International Litigation & Arbitration, Baker & McKenzie, January 2015

- Author, "District court declines to enforce \$123 million Moroccan judgment on due process grounds because judicial independence was found wanting," International Litigation & Arbitration, Baker & McKenzie, November 2014
- Author, "Fifth Circuit affirms summary judgment against 'net winners' of Stanford Ponzi scheme," Securities Litigation & Enforcement, Baker & McKenzie, September 2014; reprinted by Lexology, September 2014
- Author, "District court denies French Embassy's assertion of sovereign immunity after three years of litigating an employment discrimination case," International Litigation & Arbitration, Baker & McKenzie, September 2014
- Author, "Second Circuit vacates dismissal for lack of personal jurisdiction, finding Plaintiff's prima facie showing was sufficient in absence of evidentiary hearing and that district court erred in applying standard for refuting evidence," International Litigation & Arbitration, Baker & McKenzie, September 2013
- Author, "Fifth Circuit reaffirms the standing of citizens of foreign states to bring suits against citizens of the United States in federal court," International Litigation & Arbitration, Baker & McKenzie, March 2013
- Author, "District court denies request to serve process via email pursuant to Federal Rule of Civil Procedure 4(f)(3) because Plaintiff did not show that the unknown address exception to the Hague Convention applied," International Litigation & Arbitration, Baker & McKenzie, March 2013
- Author, "Sixth Circuit affirms dismissal of claim of lack of personal jurisdiction because letter from Swiss Defendant to Plaintiff in Michigan did not show purposeful availment of Michigan law and requiring Defendant to litigate in Michigan courts would be unreasonable," International Litigation & Arbitration, Baker & McKenzie, January 2013
- Author, "Fifth Circuit holds that district court had authority to appoint arbitrators where parties' mechanism for appointing arbitrators failed, but that district court is required to limit the number of arbitrators to that provided for in parties' agreement," International Litigation & Arbitration, Baker & McKenzie, November 2012
- Author, "Bankruptcy court declines to accord comity to reorganization plan approved by Mexican court," International Litigation & Arbitration, Baker & McKenzie, November 2012

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