



ArentFox
Schiff

ArentFox Schiff LLP
Attorneys

Hunter T. Carter

Partner and International Practice Co-Leader

An international arbitrator, litigator, and human rights advocate, Hunter has been consistently recognized as one of the top Latin American lawyers by Latinvex and is a multiple award-winning LGBTI+ advocate.



- Industries
 - [Beverage & Food](#)
 - [Construction](#)
 - [Life Sciences](#)
 - [Media & Entertainment](#)
 - [Private Companies](#)
- Practices
 - [Business Compliance & Integrity Monitorships](#)
 - [Communications & Technology](#)
 - [Complex Litigation](#)
 - [Class Actions](#)
 - [Government Enforcement & White Collar](#)
 - [Anti-Corruption & FCPA](#)
 - [International Arbitration & Dispute Resolution](#)
 - [Investigations](#)
 - [Insurance & Reinsurance](#)
- International
 - [Latin America](#)
- Education
 - University of Virginia School of Law, JD, 1988
 - University of Virginia, BA, 1984
 - Universit  Catholique de l'ouest (Angers, France), 1980
- Offices
 - [New York](#)
- Phone
 - [212.484.3946](#)
- Email
 - hunter.carter@afslaw.com

Co-Chair of AFS International, Hunter has his finger on the pulse of international business with a focus on Latin America, where he is also renowned for his pro bono human rights work.

A vigorous advocate and sophisticated strategist with widely varied experience, Hunter has served as a trial lawyer in federal and state trial and appellate courts in the United States and has also led cases in international and domestic arbitration, including serving as an arbitrator appointed by the International Chamber of Commerce (ICC).

He also leads domestic and international internal corporate investigations with a specialty in handling anti-corruption-related investigations for multinational corporations. A recognized leader in the field, he often instructs corporate clients on global compliance and gives guest lectures at law schools in Chile and Peru.

Hunter has represented organizations and individuals throughout South and Central America, as well as in Europe and the US. He is fully fluent in Spanish with clients spanning a diverse range of industries, including agriculture, aircraft leasing, equipment manufacturing, financial and legal services, food and beverage, health care, intellectual property development and licensing, media and entertainment, oilfield services, pharmaceuticals, real estate, and telecommunications, among others.

Client Work

International

- Co-arbitrator in an ICC case involving a share purchase agreement dispute between parties from Panama and Colombia. Award confirmed: [*Superior Energy Services Colombia SAS v Premium Petroleum Services, et al.*](#), 2019 WL 2717692 (S.D.N.Y.).
- Co-arbitrator in ICC arbitration no. 24637/MK, *Avions De Transport Regional G.I.E v. Avian Lineas Aereas S.A.*, concerning a French-Italian aircraft manufacturing consortium in its claim to recover two commercial airliner aircraft from an Argentine airline, which is in an Argentine restructuring process (*concurso*), and for damages. The Tribunal's award, as disclosed in the *concurso*, issued partial final awards on jurisdiction, interim relief measures, liability and possession, and finally on damages, awarding US\$40,288,506.24.
- Claimant's counsel in an ICC arbitration resulting in an award for a US-based crop-protection products distributor against a European manufacturer.
- Respondent's counsel in an International Centre for Dispute Resolution (ICDR) arbitration for a Canadian university researcher with a breakthrough patent related to the treatment of glaucoma, kidney, and other diseases against a US biotech company over rights ownership. Stayed US federal court complaint, and compelled arbitration enforcing recent US Supreme Court decision on scope of agreement to arbitrate. Arbitration resulted in no award against the researcher.
- Respondent's counsel for a Peruvian cocoa growers cooperative in New York in which a federal court decision set aside an arbitration award due to the absence of an agreement to arbitrate. The case was vacated on appeal pending review under different applicable law, and the award was not confirmed. [*Cooperativa Agraria Industrial Naranjillo Ltda. v. Transmar Commodity Group Ltd.*](#), 2016 WL 5334984 (S.D.N.Y.).
- Claimant's counsel in an ICDR arbitration resulting in an award enforcing severance package for a Brazilian multinational executive.
- Claimant's counsel in an ICC arbitration for a multinational metals manufacturer and distributor arising out of its acquisition of a South American producer. Case settled.
- Plaintiff's counsel in a \$250 million pharmaceutical distribution agreement wrongful termination claim in the Southern District of New York District Court against a Swiss manufacturer. Reversed summary judgment on appeal and again on reconsideration by the District Court, winning a favorable settlement. *Luitpold Pharm., Inc. v. Ed. Geistlich Söhne A.G. Für Chemische Industrie*, 784 F.3d 78, 97 (2d Cir. 2015), *Luitpold Pharm., Inc. v. Ed. Geistlich Sohne A.G. Fur Chemische Industrie*, No. 11-cv-681 (KBF), 2015 WL 5459662 (S.D.N.Y. Sept. 16, 2015).
- Defense counsel for a Peruvian investor, dismissing RICO claims by its co-investor in quinoa commodity transactions. *Nuevos Destinos LLC v. Peck*, 2019 WL 78780 (D.D.C. 2019) (dismissed), *Nuevos Destinos, LLC v. Peck*, 2020 WL 6318219 (D. N.D. 2020), (dismissed after transfer), *Nuevos Destinos, LLC v. Peck*, 999 F.3d 641 (8th Cir. 2021) (dismissal affirmed)
- Plaintiff's counsel to an international metals manufacturer and distributor in litigation matters relating to coal-related product supply agreements.
- Defense counsel of an Italian glass manufacturer in commercial distribution litigation in the US.
- Advisory and investigation counsel for Foreign Corrupt Practices Act (FCPA) compliance for a Chile-based multinational corporation.
- Internal investigation counsel in the US for a tax matter for a South America-based multinational commodities producer.

- Internal investigation counsel for FCPA issues at a Brazil-based multinational pharmaceutical device manufacturer.
- Investigation counsel to the Special Litigation Committee of the Board of a US holding company that invested in next-generation wireless broadband telecommunications in Eastern Europe, assessing claims against corporate management concerning capital raising, asset disposition, capital infusion, and advising the Special Committee during a contested change of control transaction.
- Special counsel to a Colombia-based financial services multinational firm in a commercial legal dispute in the US.
- Special counsel to a South America-based pension fund administration trade group on US real estate investment issues.
- Co-Chaired trial team for Chilean Air Force Officers who were tortured for their refusal to participate in the Augusto Pinochet *coup d'État*. Conducted an [examination of the UN Special Rapporteur on Torture with Dr. Juan Mendez](#), in the trial before the Inter-American Court on Human Rights in Spanish. The resulting decision broke new ground in strengthening the rights of torture victims and duties of states where the torture occurred. *Caso Omar Humberto Maldonado Vargas y Otros v. Chile*, Serie C No. 300, Sentencia 2 De Septiembre De 2015 ((Fondo, Reparaciones y Costas)
- Defense counsel to award-winning leading Colombian investigative journalist Daniel Coronell, rejecting a libel threat by ex-Senator and ex-President Alvaro Uribe.
- Special counsel to the Mayor and Council of Elders of Rapa Nui in Easter Island, Chile, regarding cultural property of its indigenous people.

Commercial, Corporate, and Bankruptcy

- Defense counsel in New York federal court for a public company CFO. Won dismissal of complaint alleging Rule 10b-5 violations. *Rudani v Ideanomics, Inc.*, 2020 WL 5770356 (SDNY 2020).
- Defense counsel in a precedent-setting 7-0 ruling by the New York Court of Appeals holding that a restraining notice was not effective as to a third-party garnishee telecommunications purchaser that prepaid judgment debtor for its telecommunications service, such that there was no "debt" past-due or yet to become due. *Verizon New England, Inc. v Transcom Enhanced Services, Inc.*, 211 NY 3d 66, 990 N.E. 2d 121 (NY 2013).
- Defense counsel in New York bankruptcy court for the family members of Ruth Madoff in the investigation into Bernard L. Madoff Investment Securities (BLMIS) by the BLMIS and Securities Investor Protection Corporation (SIPC) Trustee resulting in a restitution settlement and release of claims.
- Defense counsel to family members who were directors, officers, and controlling shareholders of M. Fabrikant & Sons, a worldwide diamond and jewelry manufacturing and distribution company. Led the attack undermining *ex parte* orders that froze \$200 million in assets, restricting and reducing the freezes and leading to the eventual withdrawal of asset seizure claims, resulting in favorable settlement.
- Plaintiff counsel to a corporate bond trustee in New York Commercial Division litigation against a holding company that guaranteed a bankrupt airline's lease of Boeing 757s. Won summary judgment on liability and tried for two weeks resulting in judgement for client.
- Plaintiff's counsel in Maryland federal court for a national dialysis services provider in a putative class action seeking to enjoin a \$115 million acquisition and follow-on merger. Led the trial team that ensured the timely and successful completion of the acquisition and merger with no settlement or payment to the plaintiffs.
- Plaintiff's counsel in New York Commercial Division for a leading internet co-location and data center services provider against a major nationwide data and voice carrier. Secured injunctive relief permitting termination of services, posting of a significant bond, and leading to favorable settlement of all disputes.

- Co-defense counsel in New York Supreme Court for an investor fund holding hundreds of millions of dollarsâ?? worth of subprime mortgage-backed securities in fraud and breach of contract litigation against the mortgage originator.
- Plaintiffâ??s counsel in New York federal court for the victim of a fraudulent stock-based lending scheme and in New Jersey federal court criminal proceedings resulting in asset forfeiture substantial victim compensation as well as a conviction and unreduced sentence.
- Defense counsel in New York federal court for US broadband communications product manufacturer/distributor in litigation with a Private Investment in Public Equity (PIPE) lender/investor.
- Co-defense counsel to major mortgage lenders in consumer class actions alleging predatory lending, unfair trade practices, and violation of mortgage borrower protection laws.
- Respondent counsel to a national financial advisor and fund manager in arbitration over claims against and by former marketing and management consultants.

Intellectual Property and Entertainment

- Represented a patent holder in its successful appeal to the Federal Circuit. Reversed dismissal of royalties suit: *Alexsam, Inc. v. Mastercard International Incorporated*, No. 2021-1785 (Fed. Cir. Mar. 3, 2022).
- Represented a broadcast TV station group purchaser in AAA arbitration of claims against a portfolio seller for misrepresentation and breach of contract in the acquisition of several stations.
- Represented a consumer products advertiser in New York and Connecticut federal court jury trials for trademark infringement.
- Represented an international TV network in claims against on-air talent for breach of contract and a restraining order.
- Represented a consumer products distributor in false advertising class actions and before state attorneys general and the Federal Trade Commission (FTC).
- Represented a consumer products distributor in patent infringement and mismarking as well as unfair trade practice litigation in federal court.

Real Estate

- Claimant counsel in an American Automobile Association (AAA) arbitration for a national womenâ??s health and reproductive services provider as the commercial tenant against its owner exercising a purchase option on the \$40 million national headquarters building in New York. Defense counsel in a related New York Commercial Division trial and First Department appellate litigation to enforce arbitration, resulting in a litigation stay and an arbitration award enforcing option.
- Defense counsel to funds of a worldwide investment bank in various real estate portfolio litigation matters in numerous states concerning purchase and sale, leasing, operations, and partnership dispute issues involving commercial, hospitality, multifamily, and marina property portfolios.
- Plaintiff and defense counsel to a major national REIT in all aspects of the commercial operations of Class A New York City office buildings.
- Defense counsel in District of Columbia federal court for the purchaser of a mortgage portfolio. Defended claims to recoup or offset damages from an alleged breach of refinancing agreement, resulting in a DC Circuit decision affirming that the thriftâ??s assets were sold free and clear of all liabilities, including recoupment defenses.

Professional Activities

Hunter dedicates himself to pro bono public service, primarily on human rights. Hunter has tried a case involving torture against Chile in the Inter-American Court on Human Rights, has represented the people of Easter Island on international cultural property rights, and has had significant accomplishments advocating for marriage equality. Hunter was a key figure in securing marriage equality in Chile, having negotiated an agreement with the government of Chile to settle a human rights case. He served as co-counsel with famed Chilean lawyer, [Ciro Colombara](#), for the LGBT advocacy group [Movimiento para la Liberación Homosexual \(MOVILH\)](#) in denouncing the Chilean government for denying three same-sex couples civil marriage rights. MOVILH filed a complaint at the Inter-American Commission on Human Rights, part of the Organization of American States in Washington, DC.

Along the way, Hunter and [Ciro](#) created AMAmericas, the Alliance for Marriage in the Americas. AMAmericas is an informal group of pro bono lawyers who have partnered with local leaders to support cases against Mexico in the Inter-American Commission, against Panama in its Supreme Court, and against Colombia and Peru, among others. In 2013, Hunter addressed the full Colombian Senate when it debated marriage equality. Hunter and his husband were ultimately the first foreign-married same-sex couple to register a civil marriage under Colombian law. He has argued at the Inter-American Commission repeatedly on the subject.

Hunter is a respected leader in the global legal and political community. He serves as a founding board and executive member of [Global Americans](#), an innovative Latin America-focused think tank. He was also elected to serve on the New York City Bar's Council on International Affairs and is a longtime member of its Committee for the Vance Center for International Justice, which promotes pro bono throughout Latin America and Africa. Previously, Hunter chaired the New York City Bar Committee on Inter-American Affairs.

Hunter also served two terms as a member of the New York State Bar Ethics Committee, as chair of the Ethics Committee of the New York Intellectual Property Law Association, and as the partner in charge of ethics and loss prevention for the firm's New York office.

Hunter periodically teaches at Latin American law schools and at conferences on anti-corruption compliance, international arbitration, human rights litigation, and lawyer ethics.

Publications & Presentations

Hunter frequently lectures on current corporate, litigation, and Latin America-related issues. He has also contributed to various publications, blogs, and seminar materials. His recent speaking engagements, publications, and interviews include:

- Guest Lecturer, "Culture Of Corporate Compliance: Theory, Context, Law And Practice," Instituto Peruano de Compliance's International Compliance Diploma Program, April 2, 2024
- ["Sebastian Piñera, Statesman: A Personal Reflection,"](#) *Global Americas*, February 2024
- ["Landmark Chilean Supreme Court Ruling Protects Neural Rights,"](#) *In Defense of Neurorights: 40 Experts Analyze the Historic Ruling of the Chilean Supreme Court in Girardi vs Emotiv and its Role in the Protection of Mental Privacy*, January 2024
- ["Challenging and Enforcing Arbitration Awards: Colombia,"](#) *Global Arbitration Review*, October 2023
- ["FCPA: History and Theory of US Anti-Corruption Law and Policy, a Brief Overview,"](#) IREE Conference on the Tenth Anniversary of Brazil's Anti-Corruption Law, August 2023
- "Ecuador Esta Luchando Contra La Corrupcion Pero Tambi n Esta Debilitado," *America Economica*, March 2022

- [¿Corrupción: quiénes saben, dónde es más frecuente, cómo se combate?](#) • *Latin Trade*, January 10, 2022
- [¿Hay que asegurarse de tener una cultura de cumplimiento?: Hunter Carter](#) • *Forbes*, January 3, 2022
- [The long road ahead in the fight against corruption in LatAm](#) • *BN Americas*, December 6, 2021
- Guest Lecturer, Chapter 11 Litigation and Integration With Foreign Insolvency Proceedings: Theory and Practice, Diplomado en Insolvencia y Reorganización, Facultad de Derecho, Universidad Católica en Santiago de Chile, June 2021
- Guest Lecturer, Corporate Compliance Programs and Anti-Bribery Laws: Theory and Practice, Maestría en Derecho de la Empresa, Escuela de Posgrado, Pontificia Universidad Católica Del Perú, March-April 2021
- [Los desafíos y oportunidades del pro bono en América Latina](#) • Podcast, Albagli Zaliasnik
- Guest Lecturer, Corporate Compliance Programs and Anti-Bribery Laws: Theory and Practice, Maestría en Derecho de la Empresa, Escuela de Posgrado, Pontificia Universidad Católica Del Perú, October - November 2020
- [Chile Advocacy Group Withdraws from Marriage Agreement with Government](#) • *Washington Blade*, October 20, 2020
- Speaker, Evento Internacional de Compliance, USMP Derecho, May 14, 2019
- [An Interview with Hunter Carter about the legal fight for marriage equality](#) • Two Gringos with Questions, Podcast, *Global Americans*, February 8, 2019
- [Venezuela: Questions for the day after](#) • *Global Americans*, February 7, 2019
- [The IACHR Held a Hearing on Marriage Equality After a Year of Delays from the Region in Implementing the Court's 2017 Decision](#) • *Global Americans*, December 12, 2018
- [Regional: Equal Marriage](#) • *Inter-American Commission on Human Rights*, December 5, 2018 (in Spanish)
- [Gobierno respalda solicitud de Rapa Nui para repatriar moai desde Londres](#) • *Revista Capital*, August 6, 2018 (in Spanish)
- [Daniel Coronell recibe desafiante advertencia para callar sus columnas contra Uribe](#) • *Pulzo*, July 22, 2018 (in Spanish)
- Panelists Question Miami's Arbitration Credentials • *Latin Lawyer*, June 20, 2018
- Latin Lawyer / GAR on International Arbitration in LatAm in Miami, April 2018
- LatAm Regional Pro Bono Summit in Mexico, April 2018
- Hunter Carter Rated Among Latin America's Top Lawyers for the Third Consecutive Year, *Latinvex*, February 15, 2018
- 3 International Arbitration Trends to Watch In 2018 • *Law360*, January 1, 2018
- NYSBA International Section in Guatemala Host Committee, Chair of Keynote Panel on Ethics in International Practice, Panelist on International Arbitration, September 2017
- Chambers Diversity in Guatemala, September 2017
- [Advances in marriage equality in unlikely places in the Americas](#) • *Global Americans*, June 21, 2017
- [Un amigo a favor de la igualdad](#) • *La Prensa*, June 15, 2017 (in Spanish)
- NYS Bar Annual Convention, Panelist on International Ethics at International Section meetings, January 2016 and January 2017
- LatAm Regional Pro Bono Summit at NY City Bar, December 2015
- [Caso FIFA y la alerta para las empresas multinacionales](#) • *Capital*, June 12, 2015
- [Yo soy un varón que ama a otro varón](#) • *El Mundo*, May 23, 2015 (in Spanish)
- [Lawyers Weigh In On High Court's Same-Sex Marriage Silence](#) • *Law360*, October 6, 2014
- [Observations and Recommendations of New York City Bar Association Follow-Up Delegation of Lawyers of the Americas to Guatemala](#) • 2014

- [Observaciones y Recomendaciones de la Delegación de Abogados Comerciales de Distintos Países de América Que Viajaron a Guatemala en Representación del Colegio de Abogados de la Ciudad de Nueva York](#), 2013 (in Spanish)
- Q&A: Hunter T. Carter, *New York Law Journal*, November 1, 2013
- [Caso Ríos Montt: Un termómetro del clima de negocios en Guatemala](#), *Plaza Pública*, August 14, 2013
- [Aseguran sentencia a Ríos Montt por genocidio fortalece al Estado guatemalteco](#), *La Gente*, August 13, 2013
- Gay marriage debate with conservative Colombian Senator, Edgar Espindola, *W Radio Colombia*, April 17, 2013 (in Spanish)
- Will Supreme Court Punt on Gay Marriage Case?, *Lawyers.com*, March 26, 2013
- Hunter Carter, a lawyer who sponsors IACHR complaint against Chile: The AVP is a form of discrimination, *The Clinic*, March 25, 2013
- [Senadores y sociedad civil analizan con experto internacional el matrimonio igualitario y el AVP](#), *MOVILH*, March 12, 2013
- Mexican Supreme Court: American Cases Demand Marriage Equality, *Buzzfeed.com*, February 18, 2013
- Speaker, Concluyó el 3^{er} Congreso de Ética, Transparencia y Compliance Anti-corrupción: La corrupción en política y el fraude corporativo, entre los principales temas, 2013
- Same-Sex Marriage in Chile, *Americas Quarterly*, June 7, 2012
- [Guest Column: Train Leaves the Station, Slowly](#), *Financial Times*, May 8, 2012
- Conference Moderator, Exporting to Russia Forum, ArentFox Schiff New York Office, October 6, 2011
- A Proposed New Arbitration Law is Circulating Among Circles in Colombia, *Latin American Law & Business Report*, July 13, 2011
- Preventing Piracy or Creativity? The Ley Lleras Colombia's Version of the Digital Millennium Copyright Act, *Latin American Law & Business Report*, May 4, 2011
- Report on Private Equity Developments and Related Legal Issues in Brazil, Colombia and Mexico, *Latin American Law & Business Report*, October 18, 2010
- The Colombia Law & Business Forum (Conference Chair) Investors conference with 80 participants and 14 presenters, Colombian American Association, October 14, 2010
- Conference Moderator, Urubismo What Is It and What Does It Mean For Colombia and the Region, *New York City Bar*, May 2010
- Private Equity in Latin America, Conference Sponsored by New York City Bar Association, Speaker and Author of Dispute Resolution Chapter, May 2010
- [Report on Private Equity Developments and Related Legal Issues in Brazil, Colombia and Mexico](#), New York State Bar Association, May 2010
- [Report and Recommendations on Marriage Rights For Same-Sex Couples and Marriage](#), New York State Bar Association, May 2009
- The [Colombia Law and Business Post](#), which covers subjects such as FCPA, the OFAC list, foreign arbitration, legal stability contracts, and IFC investment in Colombia

Recognitions

Hunter has been consistently recognized as one of the Top 100 Lawyers in Latin America by *Latinvex* and is a multiple award-winning advocate for the LGBTI+ community.

Life Beyond The Law

Hunter and his husband, Cesar Augusto Zapata, enjoy "re-wilding" woodlands in the Hudson Valley with their English Pointer, Duke.

Bar Admissions

[District of Columbia](#)

[New York](#)

[Virginia](#)

Court Admissions

[Supreme Court of the United States](#)

[US District Court, Eastern District of New York](#)

[US District Court, Southern District of New York](#)

[US Court of Appeals, District of Columbia Circuit](#)

[US Court of Appeals, 4th Circuit](#)

[US Court of Appeals, 2nd Circuit](#)

[US District Court, District of Columbia](#)