GARRIGUES

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Dispute Resolution: Litigation and Arbitration

João is the partner in charge of the Dispute Resolution: Litigation and Arbitration practice area in Portugal, leading, since 2009 and at national level, a team of dispute resolution lawyers based in Lisboa and Porto. He joined Garrigues Portugal in 2005 counting over 25 years' experience exclusively dedicated to this area of practice, advising and acting for national and international clients from a wide range of business areas. As a dispute resolution lawyer he has, in the course of his career, developed extensive experience in handling a vast number of high-profile cases settled either by court litigation or by arbitration (domestic and international arbitration). João graduated from the Lisbon School of Law (Catholic University of Portugal) and is a member of the most significant professional associations in this area of practice. He has also published several articles and papers on his field of work and has been consistently highlighted by the most prestigious international legal directories in the Dispute Resolution practice area.

Experience

João initiated his professional career in 1994 at Abreu, Cardigos & Associados. In 2001, he joined Andersen´s Legal Portuguese Law Firm as a Senior Associate and, since 2005, with the incorporation of Garrigues Portugal, he has developed his activity in the Dispute Resolution: Litigation and Arbitration practice area at Garrigues Portugal. In 2009, João was promoted to partner at Garrigues and, since then, he is the head partner in charge of this area of practice at national level (Lisboa and Porto).

His practice has focused on advising and representing companies on commercial, corporate and M&A, finance, real estate and construction disputes, with particular emphasis on complex and high-value disputes, many of them with a strong international component (cross-border disputes). He has extensive experience in court litigation and arbitration, acting as counsel in commercial domestic and international arbitrations (both ad-hoc and under the rules of national and international arbitral institutions).

He also offers regular pre-litigation advice and litigation risk assessment to his clients on the matters of his focus, namely advising on strategies to prevent, avoid or mitigate litigation risks and, if the dispute is unavoidable, how to face it in the best possible conditions.

Furthermore, he is the local partner appointed by Garrigues to assist and represent the Portuguese office in professional compliance matters (regulatory and AML).

Academic background

- Advanced course “Accounting for Lawyers” at Lisbon School of Law (Portuguese Catholic University).
- Advanced course “Current issues in Corporate Law” at Lisbon School of Law (Portuguese Catholic University).
- Law degree at Lisbon School of Law (Portuguese Catholic University).

Memberships

- Portuguese Bar Association.
- Circle of Litigation Lawyers (founding member).
- Portuguese Arbitration & ADR Committee of ICC.
- Portuguese Arbitration Association.
- Spanish Club of Arbitration.
- Concórdia.

Distinctions

João has been consistently recognized by leading legal directories such as Chambers & Partners in its Chambers Global and Europe’s edition and Legal 500.

Some client testimonials and quotes from legal directories:

- “*He is an excellent and experienced litigator who inspires great confidence*” (Chambers & Partners).
- "*He stands out for his work quality and vast experience*" (Chambers & Partners).
- "*He has many years of experience and provides us with exceptional legal advice*" (Chambers & Partners).
- “*Sources laud department head João Duarte de Sousa for his accessibility, high-quality work and excellent results*” (Chambers & Partners).
- “*He is very flexible and adapts himself to the client’s needs very easily*” (Chambers & Partners).
- “*Garrigues fields a solid and responsive team. The technically very good João Duarte de Sousa..*” (Legal 500).

Publications

Autor and co-author of various articles and papers:

- "May a partner unilaterally withdraw from the "aval" (guarantee) granted on a blank promissory note after leaving the company?" (*). Jornal Económico. 23/01/2025.
- “The mortgage (and judicial sale) is no longer what it used to be” (*). Jornal Económico. 09/08/2021.

- “The Helms-Burton Act and the European Union” (*). Jornal de Negócios. 30/05/2019.
- "Intra-Community Investment Arbitration: amber alert!” (*). Advocatus. 01/05/2018.
- “Third Party Funding” (*). Jornal Económico. 13/10/2017.
- “The New Portuguese Arbitration Law: An Overview of its major innovations” (co-authorship). Spain Arbitration Review, nº 15. 2012.
- “From law to attitude” (*). Advocatus. March 2012.
- “Overview of Class Actions in Iberian and Latin American Law” (**) (co-authorship). Affinitas. 2008.

He also regularly publishes articles and papers in Garrigues publications:

- "Judicial sale of a mortgaged property with a rural lease after the mortgage does not cause the lease to lapse". Garrigues. 13/12/2024.
- Portuguese Constitucional Court: Caixa Geral de Depósitos loses advantage over the enforceability of its contracts". Garrigues. 26/01/2024.
- “Guide to restructuring tools and insolvency proceedings – Spain, Portugal and Latin America” (co-authorship). Garrigues. November 2020.
- “Joinder of third parties in International Arbitration”. Garrigues International Arbitration Newsletter. October 2020.
- “Arbitration in Portugal – An Overview”. Garrigues International Arbitration Guides. 2019.
- “Intra-EU investment arbitration: amber alert!”. Garrigues International Arbitration Newsletter. May 2018.

(*) Originally published in Portuguese. See Portuguese CV for more information.
(**) Originally published in Spanish. See Spanish CV for more information.