

Rising Star: King & Spalding's Agnès Bizard

By Emily Sawicki

Law360 (August 7, 2024, 2:02 PM EDT) -- Agnès Bizard of King & Spalding LLP successfully convinced the Paris Court of Appeal that an arbitral tribunal erred in concluding it could not hear a \$4 billion investment arbitration against Uruguay over an iron ore mining project, earning Bizard a spot among the international arbitration law practitioners under age 40 honored by Law360 as Rising Stars.

The biggest case of her career:

Two examples come to mind for Bizard when asked about the biggest case of her career: the largest by dollar amount, the \$4 billion investment arbitration against Uruguay, and the largest by workload, a North African construction matter in which Bizard was the lead damages lawyer and sole associate handling more than 900 pages of documents plus some 1,200 exhibits.

The Uruguay arbitration was "a very interesting question of treaty interpretation," Bizard said, calling it "an interesting case, intellectually speaking."

The North African arbitration, in which a Spanish conglomerate opposed a subsidiary for a North African national oil and gas company over a railway construction project in Algeria, presented the heaviest workload of Bizard's career, she said. The case resulted in a clear victory for King & Spalding's client, with a tribunal awarding the Spanish conglomerate €128 million (\$138.6 million) and ordering the opposing party to pay 80% of arbitration costs, Bizard said.

Whereas most construction arbitration cases involve three, four or five associates, Bizard explained, she handled this one alone.

"I was literally in charge of every aspect of the case: the drafting of the memorials, I worked with our counsel and technical experts for them to prepare the report. ... I was meeting with the clients, I was in charge of the correspondence with the tribunal," Bizard said. "And we had two

2024



Agnès Bizard
King & Spalding

Age: 39

Home base: Paris

Position: Counsel

Law school: École de Formation Professionnelle des Barreaux de la Cour d'Appel de Paris

First job after law school: International arbitration Associate at Orrick Herrington & Sutcliffe

hearings during which I delivered a substantial portion of the opening and a closing statement, as well as the cross-examination of the technical expert."

"So, it was a huge amount of work," Bizard continued. "I think I've never worked as much as in this case. I was second-slash-first chair, depending on the moment. It was very interesting and challenging."

Her proudest moment as an attorney:

Receiving heartfelt thanks from clients after delivering a successful result makes Bizard the proudest as an international arbitration attorney, she said.

"I had a hearing that I did all by myself — I was literally the only one, there was no partner — and it was successful ... after that, a client sent an email [noting] 'the very effective pleading done by Agnès; high up in the best pleadings I have seen in years,'" Bizard recalled. "I have to say, I was really smiling a lot when I received this email. It was really nice."

What motivates her:

From arguments and hearings to client meetings, Bizard said her practice is filled with interesting moments that keep her engaged. But what she likes most of all is building a case in quiet solitude.

"Frankly, what I find the most stimulating in my work is not when I'm showing up during a hearing. It's when I'm all by myself ... preparing for a memorial, and going through all the factual evidence, all the legal sources," Bizard said. "And then there is a moment when you feel that you found the right arguments — the arguments that you know will seriously harm your opposing party, and it's possibly the winning argument, and you carefully choose the right words to frame it in a strategic way to draft it in the memorial. Intellectually, that's very satisfying."

Why she's an international arbitration attorney:

Arbitration is a perfect blend of all Bizard's strengths and interests, making it a natural fit, she said.

Her practice includes both investment and commercial arbitration and both private and administrative law, and has allowed her to work on cases under not only French law but Algerian, American, New Guinean, Congolese and Spanish law, among others. She added that she has also gotten a glimpse into a diversity of industries, including mining, railway, solar and manufacturing.

Finally, there is the litigation aspect: Bizard is in it for the love of the fight.

"I'm definitely a litigator — I couldn't spend my career drafting contracts," Bizard said. "I like to argue. I like to defend my client against opposing parties. I like to show the tribunal that the winning argument is on our side, not the other side. I think there is something really appealing about the fighting aspect of arbitration."

What she predicts for the industry in the next 10 years:

Bizard stopped short of predicting how international arbitration practices may evolve over the next decade, and instead posed a question: "Which kind of arbitration practitioner [will] a client choose in the next 10 years?"

The marketplace for international arbitration has shifted over the past 30 or 40 years, Bizard said, moving from just "a handful" of practitioners in New York, Paris and London to "a world where the major law firms all have their arbitration departments," with offerings on almost every continent. Then, just in the past several years, a new wave of boutiques and individual practitioners have arisen that focus just on international arbitration.

"There is more and more competition, and more and more models," Bizard said.

"Toward which arbitration practitioner will a client turn and look at in the future?" Bizard contemplated. "Frankly, it's a question I don't have the answer to."

--As told to Emily Sawicki. Editing by Kristen Becker.

Law360's Rising Stars are attorneys under 40 whose legal accomplishments belie their age. A team of Law360 editors selected the 2024 Rising Stars winners after reviewing nearly 1,200 submissions. Attorneys had to be under 40 as of April 30, 2024, to be eligible for this year's award. This interview has been edited and condensed.

All Content © 2003-2024, Portfolio Media, Inc.