

Rising Star: Latham's Samuel Pape

By **Caroline Simson**

Law360 (August 6, 2025, 4:04 PM EDT) -- Samuel Pape helped lead a Latham & Watkins LLP team that secured victory for the Republic of Colombia in three separate investment treaty arbitrations initiated by Canadian mining companies that were collectively seeking more than \$1 billion, earning him a spot among the international arbitration attorneys under age 40 honored by Law360 as Rising Stars.

The biggest case of his career:

Pape worked as part of the legal teams that scored a trio of victories in 2024 for Colombia in arbitrations that focused on the country's mining ban in its high-altitude wetlands in the Andes, known as páramos, which are an important source of fresh water for the country's population. Latham represented Colombia alongside state counsel.

That February, an international tribunal nixed Red Eagle Exploration Ltd.'s claims against Colombia seeking some \$130 million. The company had alleged in the proceeding that the mining ban destroyed its gold mining project and breached an underlying treaty's prohibition on expropriation and the customary international law minimum standard of treatment.

Several months later, another tribunal rejected a \$180 million claim asserted by Montauk Metals Inc., which alleged that Colombia had failed to compensate it for losses associated with the company's large-scale gold mining project.

And in perhaps the biggest victory of all, a tribunal that July declined to order Colombia to pay damages with respect to a \$1.1 billion claim asserted by Eco Oro Minerals Corp. Although the tribunal had previously concluded that Colombia breached an underlying treaty in the dispute, the arbitrators nevertheless concluded by a 2-1 margin that Eco Oro had failed to show it was owed any damages.

Pape told Law360 that the three cases — brought by well-funded claimants, each represented by a different law firm — were particularly challenging,

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Samuel Pape
Latham & Watkins

Age: 38

Home base: London

Position: Partner

Law school: College of Law, London

First job after law school: Trainee lawyer with Debevoise

and not just because they were all pending at the same time. He noted that the cases raised interesting issues of public international law and treaty interpretation, as well as complex technical mining and damages issues.

"What was interesting in the way we met the challenge in our advocacy was cutting through the complexity of all these issues ... and appealing to the tribunals' inherent sense of justice and fairness through one simple point, which is that when these claimants invested, they knew — or should have known, through due diligence — that their investments would be impacted by the state's legitimate concern for protecting the environment and biodiversity through its policy," Pape said. "Therefore, because they had assumed the risk of that, they had no cause to complain and to sue."

His most interesting case:

Pape was a leading member of a cross-office Latham team that was able to secure a \$32 million damages award for U.S. investment fund Mason Capital LP in a dispute stemming from a South Korean government bribery scandal that allegedly underpinned the \$8 billion merger of two Samsung affiliates in 2015. The award was subsequently affirmed by a court in Singapore in March and was paid by South Korea last month.

A Permanent Court of Arbitration tribunal concluded in April 2024 that South Korea had violated an underlying treaty by interfering with the 2015 merger of Samsung C&T Corp. and Cheil Industries Inc., which South Korean government officials allegedly pushed through at a loss for investors under pressure from Samsung's owners.

Mason Capital and Mason Management LLC were shareholders in Samsung's construction arm, Samsung C&T, and Samsung Electronics Inc.

Pape told Law360 that the case was particularly interesting in that it raised issues relating to corruption. Although such issues come up regularly in investor-state arbitration as a defense asserted by respondent countries, it's unusual for the allegations to focus on government action, he said.

Moreover, the case related to investments and listed shares, which is also unusual.

"It's perhaps somewhat surprising because obviously investment funds, pension funds [and] asset managers invest in shares all over the world or in companies with operations all over the world that are affected by state measures," Pape said. "There aren't many cases that are brought, and that may be because often the investment is too small to warrant investigation of these measures and whether a claim might arise. But I think it's interesting, and it's something we might see more and more of as investors in those sectors — fund managers — become more aware of the possibility of bringing cases in certain instances."

His proudest moment as an attorney:

Pape said his proudest moment came a few years ago, when he first sat next to a more junior associate at a hearing and saw that lawyer perform their first ever cross-examination, which he said was "stellar." This cross-examination was one he had helped the other lawyer prepare for, and Pape said it showed that the attorney was up to the challenge.

"This has happened several times since then, but I can say that it just makes me very proud to be able to give that opportunity that I was given to develop as an advocate," he said. "We go through rigorous

training on a regular basis to develop oral advocacy skills with actors and arbitrators giving feedback ... but I think nothing beats the real thing, in terms of the confidence that helps you build."

Pape added: "In my career, I was very fortunate to be given that kind of opportunity from [Latham partner] Sophie Lamb KC, who's a tremendous advocate, but also a wonderful mentor and teacher, and also [former Latham partner] Claudia Salomon and [Latham partner] Fernando Mantilla-Serrano, to name just a few. It makes me proud to be able to offer that, as well."

What motivates him:

When Pape sees injustice in the world, he said, he feels obligated to address it. That's particularly true in the context of international arbitration, which he said he views as a "remarkable success and vector of peace" in that it allows for the peaceful resolution of disputes that in the past might have resulted in armed conflict.

"It can be a pro bono client who has had their rights trampled on because they had no access to legal representation ... but it applies equally to a party to a deal where the counterparty has decided not to fulfill their obligations, [who] will raise bogus arguments or come up with a complicated scheme that they think no tribunal will see through," Pape said.

"In all of those situations, I feel that as a lawyer, I'm able to use the experience and expertise I've been able to develop through my education ... to harness that feeling against injustice, and bring about the right outcome for my clients," he added.

--As told to Caroline Simson. Editing by Amy French.

Law360's Rising Stars are attorneys under 40 whose legal accomplishments belie their age. A team of Law360 editors selected the 2025 Rising Stars winners after reviewing more than 1,100 submissions. Attorneys had to be under 40 as of April 30, 2025, to be eligible for this year's award.