

PROFILE



Partner
Head, Commercial Arbitration and Alternative Dispute Resolution
Head, Immigration
Co-Head, Dispute Resolution
Co-Head, Restructuring and Insolvency
Martinez Vergara & Gonzalez Sociedad, Manila, Philippines
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Qualifications
University of the Philippines, Bachelor of Laws (1996)
Ateneo de Manila University, B.S. Legal Management (1992)
Admission to Bar (1997)

Language
English and Filipino

SHIRLEY F. ALINEA

ABOUT SHIRLEY

Shirley's areas of practice include dispute resolution, specialising in debt restructuring (rehabilitation and liquidation), as well as arbitration and other alternative modes of dispute resolution of commercial disputes. Shirley has been engaged in her fields of specialisation for more than fifteen years. Shirley is the Co-Head of the Martinez Vergara & Gonzalez Sociedad's Dispute Resolution Group, and heads the Firm's specialised practice of immigration.

In the field of rehabilitation and liquidation, Shirley has advised and represented creditors in various proceedings, including some high-profile cases.

In the field of arbitration and other alternative modes of dispute resolution, Shirley has advised and represented clients in various ad hoc and institutional arbitrations before local and international arbitration centres. She has also assisted clients in court proceedings filed in relation to arbitrations. She is a known expert and lecturer in the field of commercial arbitration.

In the field of immigration, she advises clients, including international companies, on visa applications to bring foreign workers into the Philippines. The team also acts alongside the firm's corporate department to advise on labour implications of transactions.

Shirley is currently a member of the Board of Trustees of the Philippine Dispute Resolution Center, Inc. (PDRCI). She is also currently the Center's Deputy Secretary General, the Chairman of its Training and Education Committee, and the Chairman of its Committee tasked to review and update PDRCI's current

arbitration rules. She is also the representative of PDRCI with the Asia-Pacific Forum for International Arbitration.

Shirley is also an accredited arbitrator of the PDRCI, the Intellectual Property Office of the Philippines, and the Office of Alternative Dispute Resolution. She is likewise a member of Philippine International Center for Conflict Resolution and the Dispute Resolution Board Foundation.

Shirley has been appointed as a sole arbitrator, chairperson and member in both PDRCI and *ad hoc* arbitrations.

Before joining the Firm in 2009, Shirley was a partner at Quisumbing and Torres (Baker & McKenzie). She is a member of the Order of the Purple Feather, the honour society of the University of the Philippines College of Law.

EXPERIENCE

Dispute Resolution

- Acted as counsel to private companies in institutional and *ad hoc* commercial arbitration proceedings against government instrumentalities and other private parties, and as counsel to private companies in construction arbitration proceedings before the Construction Industry Arbitration Commission.
- Represented clients in proceedings filed before the regular courts in relation to arbitrations soon to be commenced, arbitrations already commenced, and post-arbitral award proceedings.
- Appointed as arbitrator in PDRCI and *ad hoc* commercial arbitrations.
- Acted as counsel to a foreign bank in consumer complaint proceedings before the Bangko Sentral ng Pilipinas (BSP).

Debt Restructuring and Insolvency

- Acted as counsel to a secured creditor private company in initiating a forced conversion of a rehabilitation proceeding to a liquidation proceeding, including the eventual liquidation and distribution of remaining assets of the insolvent debtor company.

Immigration

- Regularly advises clients in the processing of applications for Special Work Permits (SWP), Alien Employment Permits (AEP), Provisional Work Permits (PWP), Special Non-Immigrant or 47(a)(2) Visas and Temporary/Permanent Resident or 13(a) Visas of ADP's foreign employees assigned in the Philippines for short- and long-term assignments, as well as in downgrading the work visas of its foreign employees upon cessation of their assignments.
- Represented clients in deportation proceedings, processed applications for removal of clients from the Bureau of Immigration's blacklist, and advised and assisted clients in relation to naturalization concerns and proceedings.

Intellectual Property

- Acted as counsel to Philippine Payments Management, Inc. (PPMI), the official Payment System Management Body (PSMB) of the Philippines under the National Retail Payment System (NRPS) Framework of the BSP, in trademark registration and maintenance.

- Acted as counsel to Michael Allen Cacnio, a world-renowned Filipino brass sculptor, in the maintenance and registration of his trademarks.

Data Privacy and Security

- Acted as counsel to a foreign bank in cases of supposed data breach filed with the National Privacy Commission.

ACCOLADES

The Asia Pacific Legal 500

Dispute Resolution 2021 – Leading Individual for 2 consecutive years (2020 – 2021);
Recommended Lawyer for 6 consecutive years (2016-2021)

Immigration 2021 – Leading Individual

Intellectual Property 2021 – Recommended Lawyer

- *‘Practice head Shirley Alinea is an accredited arbitrator in intellectual property matters, and has a broad contentious practice that includes various types of commercial litigation.’*

APPOINTMENTS/MEMBERSHIPS

- Member, Integrated Bar of the Philippines
- Trustee, Philippine Dispute Resolution Center, Inc. (PDRCI)
- Deputy Secretary General, PDRCI
- Chair, Rules Revision Committee, PDRCI
- Chair, Education and Trainings Committee, PDRCI
- Accredited Arbitrator, PDRCI
- Accredited Arbitrator, Intellectual Property Office of the Philippines
- Accredited Arbitrator, Department of Justice, Office of Alternative Dispute Resolution
- Member, U.P. Women Lawyers Circle

SPEAKING ENGAGEMENTS

- Starting 2015, regular speaker in PDRCI bi-annual Commercial Arbitration Training seminars and webinars, initially on the topic of “Introduction to Arbitration” and later on the topic of “Consolidation, Multiple Contracts and Joinder of Parties.”
- Regular resource person for PDRCI Roadshows organized to promote alternative dispute resolution in different regions of the Philippines.
- Regular speaker for Mandatory Continuing Legal Education (MCLE) programs sponsored by private MCLE providers such as Legal Advantage (no longer existing), ACLEX (existing), ACCESS (existing) and Chan Robles (existing), starting the 1st until the current 6th compliance periods, on various topics on commercial arbitration.

- Assessor for oral assessment interviews of applicants for PDRCI accreditation as general commercial mediators, held on 4 September 2021.
- Observer and Moderator for role simulation break out exercises during PDRCI's first Sports Mediation Training, held via webinar on 9 to 13 August 2021.
- Resource Speaker and Assessor for the Department of Justice Office of Alternative Dispute Resolution's (DOJ-OADR) Comprehensive Course on Arbitration for National Government Agencies Webinar, held via webinar on 05 to 27 July 2021, on the topic "Interim Measures in Arbitration."
- Speaker, Philippine International Center for Conflict Resolution Inc., Module 1 of Arbitration Accreditation Course, 10 July 2021, on the topic of "Arbitration Submissions and Proceedings."
- Speaker, Trainor and Assessor, PDRCI File Counsel Training Webinar, held on 5 to 7 May 2021
- Resource Speaker and Assessor for the DOJ-OADR's Comprehensive Course on Arbitration for National Government Agencies, held via webinar on 21 April to 3 May 2021, on the topic "Interim Measures of Protection."
- Speaker for the Intellectual Property Office of the Philippine IP Academy's MCLE on IP and Mediation 2021 Program, held via webinar on 25 March 2021, on the topic "An Overview of the Mediation Process under the ADR Act and the Role of a Lawyer / Counsel in Mediation Proceedings."
- Panelist and Resource Person in the 2021 ICC Arbitration Rules National Launch Philippines, held on 27 January 2021.
- PDRCI representative and panelist in DOJ-OADR's Observance of the National ADR Day held via Zoom on 18 December 2020.
- Panelist for DOJ-OADR Webinar Series on Barangay Arbitration, held on 30 October 2020.
- Speaker and Assessor for PDRCI's First Commercial Mediation training webinar held on 14 to 18 September 2020.
- Resource Speaker for the DOJ-OADR's first Comprehensive Course on Arbitration Training held via webinar in July 2020 on the topic "Proceedings Pre-Constitution of the Arbitral Tribunal".
- Resource Speaker in the National HR Summit Philippines on the topic of "Data Privacy Act: Implementing Policies in the Workplace" held on 24 April 2018.
- Participant and Resource Person, Mock Arbitration conducted during the National Integrated Bar of the Philippines' Annual Plenary, held on 24 March 2017.
- Speaker in the Philippine Institute of Arbitrators and the Asia-Pacific Forum for International Arbitration's Symposium on Emerging Issues in International Arbitration, held on 23 March 2017.
- Resource Speaker for the Cooperative Development Authority's (CDA) Training Program on Arbitration held in 2014 in Metro Manila on the topics of "Pre-Arbitration Issues and Commencement of Arbitration" (Session 2), "Conducting the Arbitration Hearings" (Session 3) and the "Arbitral Award and Recourse" (Session 4).
- Resource Speaker for the Cooperative Development Authority's Training Program on the Arbitration of Cooperative Disputes held on 14 to 17 September 2011 in Surigao.