

# *ARAZI, Roland*

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## **DEGREES**

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ATTORNEY AT LAW (1958). DOCTORATE IN LAW AND SOCIAL SCIENCES (1969). Both degrees granted by the Universidad de Buenos Aires.

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## **EXERCISE OF MAGISTRACY**

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- Appointed Judge of First Instance in Civil and Commercial Judicial Department of San Isidro, Province of Buenos Aires, October 11th, 1972; confirmed on September 11th, 1974.
  - Appointed Judge of the Court of Appeals in Civil and Commercial Judicial Department of San Isidro, Buenos Aires, April 18th, 1975; until April 2005 when he resigned.
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## **UNIVERSITY PROFESSOR**

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### **1. SCHOOL OF LAW AT THE UNIVERSITY OF BUENOS AIRES:**

He started his career as a professor in 1967 as Second Assistant at the Chair of Procedural Law II, whose chair professor was Julio H. Esclapez. He obtained this position by tender according to Resolution N. 1063/67. On December 19th, 1969 he was promoted to First Assistant in the same Chair, with chairman Clement A. Diaz (Resolution N.12607/69). On July 15th, 1973 he was appointed Assistant Professor according to Resolution 105/73. By means of Resolution 2033 dated December 23rd, 1987 he was appointed Regular Professor, obtaining the 1st place in the respective tender. He was then appointed Acting Professor in the Department of Procedural Law and Forensic Practice (Resolution 4127/92). On November 9th, 1994 he was appointed Regular Professor of the subject Procedural Law of the Procedural Law and Forensic Practice Department in the University of Law and Social Sciences by the Superior Board of the University of Buenos Aires, in accordance with the Jury's nomination in the tender called for that effect. He was appointed Consultant Acting Professor by the Academic Board in

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the University of Buenos Aires.

Professor in courses for graduated students from 1989 to 2005.

**2. ARGENTINE MINISTRY OF EDUCATION:**

He chaired the examination boards as a representative of that Ministry, for the acceptance of graduate students from the universities of Belgrano, Museo Social Argentino, del Salvador, and Moron.

**3. UNIVERSIDAD DEL SALVADOR:**

- Regular Professor in Civil and Commercial Law, from April 1st, 1979 to March 31st, 1985, when he resigned.

- Professor of the Specialization Course in Procedural Law.

- Professor in the Ph.D. courses.

**4. UNIVERSIDAD NOTARIAL ARGENTINA:**

Acting Professor in the postgraduate courses of study (1987; ceased by resignation).

**5. UNIVERSIDAD DE BELGRANO:**

-FORMER PROFESSOR OF CIVIL AND COMMERCIAL LAW until 2007 when he resigned.

-FORMER PROFESSOR OF PROCEDURAL LAW IN THE Ph.D. AREA from 1992 until 1994 when he resigned. Department of Law Director.

**6. UNIVERSIDAD AUSTRAL:**

CHAIR PROFESSOR IN PROCEDURAL LAW II from 1998 to 2003; ceased by resignation.

**7. UNIVERSIDAD NACIONAL DEL NORDESTE:**

DIRECTOR OF THE SPECIALIZATION COURSE IN PROCEDURAL LAW. Years 1999-2000 and 2001-2002

**8. PROFESSOR AT GRADUATE LEVEL COURSES** in the Universidad Nacional de Mar del Plata, del Salvador, Notarial Argentina, Universidad Austral, Universidad Nacional del Comahue; Universidad Nacional del Nordeste; Pontificia Universidad Católica del Perú, etc.

**9. HONORARY PROFESSOR** of the Universidad Nacional de San Antonio Abad del Cuzco, Peruvian Republic.

**10. DIRECTOR OF THE ESCUELA JUDICIAL DE BUENOS AIRES**, organized by the Universidad Nacional de San Martín and the Fundación de Estudios Superiores e Investigación [High Studies and Investigation Foundation].

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**PUBLICATIONS AND LEGAL BOOKS****BOOKS**

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1. **“LA PRUEBA EN EL PROCESO CIVIL”** [PROOF IN CIVIL PROCEDURE]; Ed. Cooperadora de Derecho Ciencias Sociales, Buenos Aires, 1976.
2. **“CÓDIGO PROCESAL CIVIL Y COMERCIAL. COMENTADO Y CONCORDADO”** [CIVIL AND COMMERCIAL CODE. WITH COMMENTS AND RECONCILED], Co-author, Carlos E. Fenochietto (attorney at law); Ed. Astrea, Buenos Aires, 1983; 1st reprinting, 1985; 2nd reprinting 1987; 2nd edition; 1993.
3. **“LA PRUEBA EN EL PROCESO CIVIL. TEORÍA Y PRÁCTICA”** [EVIDENCE IN CIVIL PROCEDURE. THEORY AND PRACTICE], Ed. La Rocca, Buenos Aires, 1986; 2nd reprinting; 1991. 2<sup>a</sup> edition revised and enlarged 1998.
4. **“ELEMENTOS DE DERECHO PROCESAL”** [ELEMENTS OF PROCEDURAL LAW]; Ed. Astrea, Buenos Aires, 1989; 2nd extended edition, 1990.
5. **“RÉGIMEN DEL CÓDIGO PROCESAL CIVIL Y COMERCIAL DE LA NACIÓN”** [RULES OF CIVIL AND COMMERCIAL CODE OF THE ARGENTINE NATION]; Co-author, Carlos Eduardo Fenochietto (attorney at law); Ed. Astrea, Buenos Aires, 1994.
6. **“DERECHO PROCESAL CIVIL Y COMERCIAL. Parte general y especial”** [CIVIL AND COMMERCIAL PROCEDURAL LAW. GENERAL AND SPECIAL AREAS OF STUDY]; Ed. Astrea, Buenos Aires, 1995 (two editions).
7. **“ENCICLOPEDIA JURÍDICA OMEBA”** [LEGAL ENCYCLOPEDIA OMEBA]; Ed. Driskill S.A., Appendix V, Buenos Aires, 1986, subject “Falta de legitimación” [Lack of legitimacy]; Appendix VI, Buenos Aires, 1990, voz “Divorcio” [Divorce].
8. **“ENCICLOPEDIA DE DERECHO DE FAMILIA”** [FAMILY LAW ENCYCLOPEDIA]; Ed. Universidad, Buenos Aires, 1991, Book 1, subject “Juicio de alimentos” [Maintenance].
9. **“ESTUDIOS DE DERECHO PROCESAL”** [PROCEDURAL LAW STUDIES]; Ed. Departamento de Publicaciones del Colegio de Abogados de San Isidro, Buenos Aires, 1991, subject “El ejercicio de la acción procesal: concepto de parte y de tercero” [The exercise of the procedural action: parties and third parties].
10. **Co-author of the book “CURSO DE DERECHO PROCESAL”** [PROCEDURAL LAW COURSE]; Ed. Abeledo-Perrot, Buenos Aires, 1978, (Chapter: “El proceso sucesorio” [Probate proceedings]).
11. **Co-author of “TEMAS DE CASACIÓN Y RECURSOS EXTRAORDINARIOS”** [APPEAL CASES AND EXTRAORDINARY RECOURSES]; Ed. Platense, La Plata, 1982, (Chapter “Fallos Plenarios” [Judgments dictated by the court in full session]).

- 12. Preface of the book written by the attorney-at-law Héctor Claudio Rosenblat “PROCEDIMIENTO DE EJECUCIÓN DE SENTENCIAS” [ENFORCEMENT OF JUDGEMENTS PROCEDURE], Ed. Ad-Hoc, 1994.**
- 13. Preface of the book written by Sergio Artavia “DERECHO PROCESAL CIVIL” [CIVIL PROCEDURAL LAW], edited in San José, Costa Rica, 1995.**
- 14. Preface of the book written by Omar Luis Díaz Solimine “EL BENEFICIO DE DEFENSA O DE LITIGAR SIN GASTOS” [THE BENEFIT OF DEFENSE OR LITIGATION WITHOUT EXPENSES], Ed. Astrea, 1995.**
- 15. Co-author of “ANTEPROYECTO DE REFORMAS AL CÓDIGO PROCESAL CIVIL Y COMERCIAL DE LA NACIÓN” [AMENDMENTS TO THE CIVIL AND THE COMMERCIAL ARGENTINEAN CODE DRAFT], together with Professors Augusto Mario Morello; Isidoro Eisner, and Mario Kaminker, requested by the Argentinean Ministry of Justice.**
- 16. Co-author of “LA RESPONSABILIDAD” [RESPONSIBILITY]. Tribute to Professor and attorney-at-law Isidoro H. Goldenberg (Chapter: “La responsabilidad en el proceso” [Responsibility in the proceedings]); Ed. Abeledo Perrot, Buenos Aires, 1995.**
- 17. Co-author of “LA PRUEBA” [THE EVIDENCE]. Tribute to Professor Santiago Sentís Melendo (Chapter: “Los principios procesales y la prueba” [Procedural principles and evidence]); Librería Editorial Platense, Buenos Aires, 1996.**
- 18. Co-author of “La legitimación” [LEGITIMATION]. Tribute to Professor and attorney-at-law Lino Enrique Palacio (Chapter: “La legitimación como elemento de la acción” [Legitimation as part of the legal action]); Ed. Abeledo Perrot, Buenos Aires, 1996.**
- 19. Coordinator and co-author of “DERECHO PROCESAL EN VÍSPERAS DEL SIGLO XXI. TEMAS ACTUALES” [PROCEDURAL LAW IN THE XXI CENTURY. CURRENT SITUATION]. Tribute to Professors Isidoro Eisner, and Alí Joaquín Salgado; Ed. Ediar, Buenos Aires, 1997.**
- 20. Preface of the book written by attorney-at-law Carlos Raúl Ponce “ESTUDIO DE LOS PROCESOS” [THE STUDY OF THE PROCESSES], Ed. Abaco, 1997.**
- 21. Director and co-author of “Medidas cautelares” [Precautionary measures]; Ed. Astrea, Buenos Aires, 1997; 2nd edition, extended and updated, Buenos Aires, 1999; 3rd extended and updated version, Buenos Aires, 2007.**
- 22. “DERECHO PROCESAL CIVIL Y COMERCIAL” [CIVIL AND COMMERCIAL PROCEDURAL LAW], Ed. Rubinzal y Culzoni, 2 volumes, Bs. As., 1999; 2nd updated edition, 2004.**

- 23. "CÓDIGO PROCESAL CIVIL Y COMERCIAL DE LA NACIÓN"** [CIVIL AND COMMERCIAL ARGENTINEAN CODE], commented, and reconciled with the Provincial Codes, Ed. Rubinzal-Culzoni, 3 volumes, Santa Fé, 2001. Co-author: attorney-at-law Jorge A. Rojas.
- 24. "CÓDIGO PROCESAL CIVIL Y COMERCIAL DE LA NACIÓN"** [CIVIL AND COMMERCIAL ARGENTINEAN CODE], commented, and reconciled, (Compendium: volume 1) Ed. Rubinzal Culzoni, Santa Fé, 2003. Co-author: attorney-at-law Jorge A. Rojas.
- 25. Co-author of "LOS HECHOS EN EL PROCESO CIVIL"** [THE FACTS IN THE CIVIL PROCESS], Ed. La Ley, Buenos Aires, 2003. Chapter VII: EL SISTEMA DISPOSITIVO Y LOS HECHOS" [THE DISPOSITIVE SYSTEM AND THE FACTS].
- 26. Co-author of "Tratado de la buena fe en el derecho"** [TREATY ON GOOD FAITH IN LAW], Ed. La Ley, April 2004. Subject: "La buena fe y el esclarecimiento de los hechos en el Proceso" [Good faith and the clarification of the facts in the Process].
- 27. Preface of the book written by attorney-at-law Lorenzo Vidal " Nulidades. Acción autónoma de nulidad"** [Annulments. Null actions], Ed. Némesis, August 2004.
- 28. Preface of the book "Teoría general del derecho procesal"** [GENERAL THEORY OF PROCEDURAL LAW] by Adolfo A. Rivas, Ed. Lexis Nexis, June 2005.
- 29. Director and author of the book "Recursos ordinarios y extraordinarios"** [Ordinary and Extraordinary Recourses], Ed. Rubinzal Culzoni, November 2005.
- 30. Author of the book "Recursos Ordinarios y Extraordinarios en las Provincias de Córdoba, Corrientes, La Pampa, Mendoza, Santa Fe y Tierra del Fuego"** [Ordinary and Extraordinary Recourses in the provinces of Córdoba, Corrientes, La Pampa, Mendoza, Santa Fe, and Tierra del Fuego], Ed. Rubinzal Culzoni, June 2006.
- 31 Author of the book "Código Procesal Civil y Comercial de la Provincia de Río Negro"** [Civil and Commercial Procedural Code of the Province of Río Negro], with comments and reconciled with the Civil and Commercial Procedural Argentinean Code; Ed. Rubinzal Culzoni, 2007.
- 32. Director and co-author of "Medidas cautelares"** [Precautionary measures], 3rd edition; Astrea; May 2007.
- 33. Preface of the book "Tratado de la Prueba"** [Treaty on evidence] by Marcelo Sebastián Midón Coordinador, edit. Librería de la Paz, Resistencia, 2007.
- 34. Director y author of "Prueba ilícita y Prueba científica"** [Illegal evidence and scientific evidence], edit. Rubinzal Culzoni, June 2008.
- 35. Preface of the book "Derecho de Defensa en juicio"** [Legal Defense in trial], edit. Némesis, August 2008.

**35. Chapter XXXV of the work griten as a tribute to Minister Fix-Zamudio** “La Ciencia del Derecho Procesal Constitucional” [The Science of Constitutional Procedural Law] (12 volumes) on “Garantías constitucionales y prueba” [Constitutional Guarantees and evidence], Mexico, September 2008.

**36. Author of “La prueba en el proceso civil”** [Evidence in the Civil action], 3er edition, updated, Edit. Rubinzal Culzoni; October 2008.

**DOCTORAL THESIS:** “Recurso de revisión contra la cosa juzgada fraudulenta” [Revision Recourse against fraudulent res judicata]; presented at the School of Law and Social Sciences of the Universidad de Buenos Aires in 1969.

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#### WORKS IN SPECIALIZED MAGAZINES

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- 1)** Reformas urgentes y necesarias al Código Procesal Civil y Comercial de la Provincia de Buenos Aires [Urgent and necessary modifications to the Civil and Commercial Code in the Province of Buenos Aires], Sensus, volume VIII, page 1;
- 2)** Los recursos ordinarios en el Código Procesal [Ordinary recourses in the Procedural Code], Revista Jurídica de San Isidro, volume II, page 259;
- 3)** La prueba de confesión en el proceso civil [Confession as evidence in the civil process], Revista Jurídica de San Isidro, volume V, page 379;
- 4)** ¿Qué se debe probar en el proceso civil? [What should be proved in the civil procedure?], Revista Jurídica de San Isidro, volume VII, page 51;
- 5)** Intervención obligada de terceros [Mandatory third party intervention], Revista Jurídica de San Isidro, volume 10/11, page 201;
- 6)** Reformas al proceso de ejecución [Modifications in the execution process], Revista de Estudios Procesales de Rosario, nº 13, page 59;
- 7)** Fraude procesal y proceso fraudulento [Procedural fraud and fraudulent process], La Ley, volume 139, page 1224;
- 8)** La intervención de terceros en el proceso civil [Third party intervention in the civil process], La Ley, volume 152, page 931;

- 9)** Cosa Juzgada: algunas cuestiones vinculadas con los sujetos, el objeto y la causa [Res judicata: some issues related to subjects, object and matter], La Ley, 1978-D-1233;
- 10)** Problemas procesales que suscita la depreciación monetaria [Procedural issues raised by the currency depreciation], La Ley, 1979-C-986;
- 11)** Potestades y deberes de los jueces en el proceso civil [Powers and duties of judges in civil proceedings], La Ley 1981-A-869;
- 12)** El proceso en rebeldía (necesidad de su reforma) [Default during the process (necessity of its modification)], La Ley, 1982-A-681;
- 13)** Propuesta para mejorar el estudio del Derecho Procesal [A proposal to improve the study of Procedural Law], La Ley, December 18th, 1984;
- 14)** La excepción de falta de legitimación para obrar (efectos de la sentencia que la declara procedente) [The exception of lack of legitimation to act (effects of the verdict that declares the act valid)], La Ley, 1985-A-953;
- 15)** Los medios de prueba en el proceso civil [Different kinds of proof in the civil process], La Ley, 1985-E-495;
- 16)** Disposiciones procesales de la ley 23515 (matrimonio civil y divorcio) [Procedural stipulations of Act 23515 (civil marriage and divorce)], La Ley, 1988-E-1138;
- 17)** Pluralidad de partes en el proceso civil (litis consorcio e intervención de terceros) [Multiple parties in the civil procedure (joinder of parties and third parties intervention)], La Ley, 1988-E-1120;
- 18)** Pacto ejecutivo y tarjeta de crédito [“pactum de cambiando” and credit card], Revista del Banco de la Nación Argentina, 990;
- 19)** Intervención de terceros en el Proceso [Third parties intervention in the Process], magazine named Revista Doctrina y Jurisprudencia, Ed. Colegio de Abogados de Lomas de Zamora, nº 39, page 67;
- 20)** El juicio de alimentos en la ley y la jurisprudencia [Maintenance: law and jurisprudence], La Ley, 1991-A-681;
- 21)** Bibliographic note in the book “Caducidad de Instancia” [Instance expiration] by attorney-at-law Isidoro Eisner and collaborators, La Ley 1992-A-1002;
- 22)** Conclusiones del VI Encuentro Panamericano de Derecho Procesal [Conclusions of the Sixth Panamerican Conference of Civil Procedural Law], held in Tabasco, Mexico, La Ley Actualidad, 1992;

- 23)** Chapter II (“El Juez” [The Judge]) in the XVI National Congress of Procedural Law, La Ley Actualidad, February 27th, 1992;
- 24)** Conclusiones del VII Encuentro Panamericano de Derecho Procesal [Conclusions of the VII Panamerican Conference of Procedural Law], held in Colima, Mexico, La Ley Actualidad, May 19th, 1992;
- 25)** Ejecución de saldos deudores provenientes de tarjetas de crédito [Execution of defaulting balance arising out of credit cards], La Ley 1993-C-760;
- 26)** Diligencias preliminares. Requisitos para su procedencia [Preliminary proceedings. Legal Requirements], La Ley, 1994-D-450;
- 27)** Rechazo “in límine” de la demanda [Motion “in límine” refusal], La Ley 1994-B-1152;
- 28)** Notes on the Anteproyecto de Reformas al Código Procesal Civil y Comercial de la Nación [Draft regarding the Modification to the Argentinean Civil and Commercial Codes], Rev. J.S. nº 9, June 1994, page 11;
- 29)** Responsabilidad de los Jueces, del Estado y de los Abogados [Responsibilities of judges, lawyers, and the State], El Derecho, 160-743;
- 30)** “Acerca del recurso de apelación en el Anteproyecto de reformas de 1993 al Código Procesal Civil y Comercial de la Nación” [About the remedy of appeal in the Modification Draft in 1993 of the Civil and Commercial Argentine Procedural Code], in collaboration with the professors Augusto Mario Morello, and Mario E. Kaminker, El Derecho, 160-848;
- 31)** Bibliographic note in the book “La intervención voluntaria de terceros en el proceso” [Voluntary intervention of third parties in the process] by Atilio Carlos González; La Ley, 1994-E-1461;
- 32)** El tercero adherente simple [The simple adherent third party], note to judicial judgement, La Ley, 1995-C-442;
- 33)** Mediación, audiencia preliminar y prueba en la ley 24.573 [Mediation, preliminary audience and evidence in Act 24573], La Ley, 1996-A-1254;
- 34)** Bases para reformular los principios fundamentales de la actividad probatoria [Bases to reformulate the fundamental principles of evidential activity], Revista Jurídica Delta, nº 12, page 5;
- 35)** Consejo de la Magistratura of the Province of Chubut, Judicial Doctrine, 1997-2-1015;
- 36)** El futuro de la Abogacía [The future of the legal profession], La Ley, 1997-E-1390;



- 37)** Efectos de la confesión judicial provocada [Effects of the provoked judicial confessions], note to judicial judgement published in La Ley Litoral, November 1997, page 1063;
- 38)** Cosa juzgada y negligencia [Res judicata and negligence], note to judicial judgement published in La Ley Bs. As., June 1998, page 573;
- 39)** Tutela anticipada [Anticipated custody], note to judicial judgement published in Revista de Derecho Procesal Ed. Rubinzal Culzoni, Nº 1, page 385;
- 40)** Acción de revisión de cosa juzgada írrita [Null and Void res judicata revision], Revista de Derecho Procesal, Ed. Rubinzal Culzoni, Nº 2;
- 41)** Recurso de inaplicabilidad de la ley [Inapplicability of the law], Revista de Derecho Procesal, Ed. Rubinzal Culzoni Nº 3, pages 223 y ss.;
- 42)** El ocaso de las teorías sobre carga de la prueba [The end of the theories on the burden of the proof] published in Revista La Ley, 2000-A-1041;
- 43)** Prueba del daño moral [Proof of distress], Revista de Derecho de Daños, Ed. Rubinzal Culzoni, Nº 6, pages 103 y ss.;
- 44)** La prueba de testigos en el Proceso de Daños [The witness proof in Damages Proceses], Revista de Derecho de Daños, Ed. Rubinzal Culzoni;
- 45)** Litisconsorcio: clases y efectos [Joint litigation: clases and effects], note to judicial judgment in Revista “El Derecho”, El Derecho, 187-550;
- 46)** Tribunales de Ejecución [Execution Courts], Revista de Derecho Procesal, Ed. Rubinzal-Culzoni Nº 6;
- 47)** Prueba ilícita. Declaración de menores de catorce años y de testigos excluidos en el proceso civil [Illegal proof. Declaration of fourteen-year-old minors and excluded witnesses in the civil procedure], Jurisprudencia Argentina, 2001-III-1063;
- 48)** Abuso del Derecho en el proceso. Deberes del juez para impedirlo [Abuse of law in the process. Duties of the Judie to prevent it], Revista Jurídica de San Isidro, Nº 28, October 2001, pages. 9 y ss.;
- 49)** Bibliographic comment to the book “El Proceso Civil moderno” [The modern civil process], by Augusto Mario Morello in La Ley, 2002-B-1242;
- 50)** Reformas al Código Procesal Civil y Comercial de la Nación (Ley 25.488). Supresión del proceso sumario [Modifications to the National Civil and Commercial Procedural

Code (Act 25488. Summary process abolition)], published in Revista del Colegio Público de Abogados de la Capital Federal, Nº 57, page 32;

**51)** Emergencia y proceso [Emergency and process] (with Jorge A. Rojas) Public Law Magazine, publishing company Rubinzal-Culzoni, 2002-1, pages 383 and subsequent pages;

**52)** El Derecho frente a la emergencia pública [The law against public emergency], El Derecho, 197-768;

**53)** Los deberes de los jueces en la reforma procesal (ley 25.488) [The duties of the judges in the procedural reform. Act 25488], El Derecho, 199-884;

**54)** Las Escuelas Judiciales [The Judicial Schools], Magazine "El Reporte", (official publication of the Judicial Training School in the Province of Chubut), Nº 8, page 1;

**55)** El vicio de error como causal de revisión de la cosa juzgada írrita [Error as a revision of void res judicata]; note to court sentence of the Argentinean Supreme Court of Justice, in Lexis Nexis, Jurisprudencia Argentina, 2003-III-766;

**56)** Jueces, abogados, medios de comunicación. Nuevos desafíos [Judges, lawyers, media. New challenges]; published in Revista del Colegio de Magistrados y Funcionarios del Departamento Judicial de San Isidro, Province of Buenos Aires, nº 14, page 9;

**57)** Capacitación y Reforma Cultural [Training and Cultural Reform], Magazine "El Reporte" (publicación oficial Publishing of the Judicial Training School of the Province of Chubut);

**58)** Deberes y facultades de los jueces en el pensamiento del Dr. José Ramiro Podetti [Rights and duties of the judges according to attorney-at-law José Ramiro Podetti], published in Revista de Derecho Procesal, extraordinary exemplar in honor to J. R. Podetti; Ed. Rubinzal Culzoni, April 2004;

**59)** La demanda y su contestación en el sistema de la ley 25488 [The complaint and the answer to a complaint]; published in Revista de Derecho Procesal, Ed. Rubinzal-Culzoni, year 2004-2.

**60)** "Procesos urgentes" [Summary process], co-authored with attorney-at-law Augusto M. Morello, published in Jurisprudencia Argentina, 2005-1, fascicle XIII, page 3.

**61)** "Arbitraje Nacional e Internacional" [National and International Arbitration], Revista La Ley, dated August 19th, 2005;

**62)** "La Prueba en el Juicio de Filiación" [Proof in Filiation Actions], Revista de Derecho Procesal, Edit. RubinzalCulzoni, Nº 2-2005;

**63)** “Los Derechos individuales homogéneos en la reforma a la ley 24.240 (ley 26.361): legitimación y cosa juzgada” [Homogeneous Individual Rights in the Reform to Act 24240 (Act 23361): legitimation and res judicata], published in Lexis Nexis, Jurisprudencia Argentina, 2008-III dated July 16th, 2008;

**64)** “Tutela inhibitoria” [Restraining orders on Custody], published in Revista de Derecho Procesal, Rubinzal Culzoni, 2008-2;

**66)** “El Derecho Procesal Ambiental” [The Environmental Procedural Law], published in Revista de Derecho de Daños, 2008-3.

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### CONFERENCES AND COURSES

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Facilitated several conferences and courses at the following Schools of Law: Buenos Aires, Belgrano, Mar del Plata, Morón, del Museo Social Argentino, and Nacional de Cuyo; in Lawyer Associations like Colegio de Abogados de Buenos Aires, San Isidro, Lomas de Zamora, Morón, La Matanza, and San Martín, all of which are located in the Province of Buenos Aires; in the Lawyers association Asociación de Abogados del Alto Paraná located in El Dorado, Province of Misiones; in the Lawyers Association named Asociación de Abogados de Puerto Madryn, Province of Chubut; in the Judiciary Association Asociación de Magistrados y funcionarios de Morón and of San Isidro, both located in the Province of Buenos Aires; at the Colegio de Profesionales de Ciencias Económicas in the Province of Buenos Aires; in the Colegio de Abogados in General Roca, Province of Río Negro and in the Colegio de Marcos Suárez, in the Province of Córdoba; in the Judiciary Association Asociación de Magistrados y Funcionarios de la Justicia nacional, etc. Director of the Post-graduate Course in the Lawyers Association School called Colegio de Abogados in San Isidro, year 1994. In the Universidad Nacional de San Antonio Abad del Cuzco and in the Universidad de Lima, Peruvian Republic: Seminar Professor of International Civil and Civil-Procedural Law (from October 16th to October 18th, 1995).

Director of Course facilitated in the Instituto de Estudios Judiciales de la Suprema Corte de Justicia de la Provincia de Buenos Aires [Institute of Judicial Studies of the Supreme Court of Justice of the Province of Buenos Aires].

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### MEMBERSHIPS

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- Director of the Instituto de Derecho Procesal del Colegio de Abogados de San Isidro [Procedural Law Institute of the Lawyers Association in San Isidro] (from 1970 up-to-date);
- Member of the Instituto de Derecho Procesal de Rosario [Procedural Law Institute in Rosario];
- Member of Centro de Estudios de Derecho Procesal de la Ciudad de Buenos Aires [Center of Studies of Procedural Law of the City of Buenos Aires];
- Member of Instituto Panamericano de Derecho Procesal [Panamerican Institute of Procedural Law];
- Member of the Consejo Académico de la Fundación Ciencias Jurídicas y Sociales (CIJUSO) [Academic Board of the Legal and Social Sciences Foundation];
- President of the Fundación de Estudios Superiores e Investigación (FUNDESI) [High Studies and Investigation Foundation];
- Member of Instituto Iberoamericano de Derecho Procesal [Iberoamerican Institute of Procedural Law]; Member of the Asociación Internacional de Derecho Procesal [International Association of Procedural Law];
- Honorary President of the Asociación Argentina de Derecho Procesal [Argentinean Association of Procedural Law].

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## PARTICIPATION IN CONFERENCES

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1) Primeras Jornadas de Derecho Procesal del Litoral Argentino [First Conference on Procedural Law in the Argentinean Littoral], Rosario, Province of Santa Fe, September 1969; 2) Reunión Provincial de Asociaciones de Abogados [Province Meeting of Lawyers Associations], Tandil, December 1969; 3) Primeras Jornadas de Derecho Procesal de San Isidro [First Conference on Procedural Law in the San Isidro], October 1970 (Secretary General); 4) Primera Conferencia sobre la Reforma Judicial [First Conference on Judicial Reform], Mar del Plata, August 1973; 5) Terceras Jornadas de Derecho Procesal del Litoral Argentino [Third Conference on Procedural Law in the Argentinean Littoral], Posadas, Province of Misiones, 1973; 6) Segundas Jornadas Rioplatenses de Derecho [Second Conference on Argentinean Law], Punta del Este, Uruguay, April 1977 (Member of Comité Académico); 7) X Congreso Nacional de Derecho Procesal [X Conference on Argentinean Procedural Law], Salta, 1979; 8) IV Jornadas Científicas de la Magistratura Argentina [IV Scientific Conferences of the Argentinean Judiciary], Mar del Plata, September 1980; 9) XI Congreso Nacional de Derecho Procesal [XI National Conference on Procedural Law], La Plata, 1981; 10) Terceras Jornadas Rioplatenses de Derecho [Third Conference on Argentinean Law], San Isidro, Province of Buenos Aires, October

1981 (Member of Comité Académico and Chairman of the Comisión de Derecho Procesal [Procedural Law Committee]); 11) Primeras Jornadas Bonaerenses de Derecho Civil, Comercial y Procesal [First Conference in Buenos Aires of Civil, Commercial and Procedural Law], Junín, Province of Buenos Aires, 1984; 12) Cuartas Jornadas Rioplatenses de Derecho [Fourth Conference on Argentinean Law], Punta del Este, Uruguay, November 1986 (Member of Comité Académico and Chairman of the Comisión de Derecho Procesal [Procedural Law Committee]); 13) Primeras Jornadas Interdisciplinaria de profesionales con actuación en la Justicia [First Interdisciplinary Conference on Professionals of the Judiciary], San Isidro, Province of Buenos Aires, November 1988 (special guest and expositor); 14) Primeras Jornadas de Derecho Procesal Civil del Noroeste del Chubut [First Conference on Civil Procedural Law of the Northwestern Chubut], December 1988 (special guest and expositor); 15) Quinta Jornadas Rioplatenses de Derecho [Fifth Conference on Argentinean Law], San Isidro, Province of Buenos Aires, 1989 (Member of Comité Académico and President of the Comisión de Derecho Procesal [Procedural Law Committee]); 16) Jornadas de Derecho Procesal Bancario [Conference on Banking Procedural Law], Bahía Blanca, Province of Buenos Aires, 1989 (special guest and expositor); 17) XV Congreso Nacional de Derecho Procesal [XV National Congress on Procedural Law], Córdoba, 1989 (special guest and presenter); 18) Primeras Jornadas de Derecho Procesal de la Universidad de Belgrano [First Conference on Procedural Law of the Universidad de Belgrano], October 1989 (President of the Conference and expositor); 19) Interdepartamental Congress on the automobile legal regime, Morón, Province of Buenos Aires, November 1989 (Member of the Honorary Committee); 20) VI Encuentro Panamericano de Derecho Procesal [VI Panamerican Encounter on Procedural Law], Villahermosa, Tabasco, México, October 1990 (special guest and expositor); 21) VII Encuentro Panamericano de Derecho Procesal [VII Panamerican Encounter on Procedural Law], Colima, México, May 1991 (special guest, presenter and general relator); 22) XVI Congreso Nacional de Derecho Procesal [XVI National Congress of Procedural Law], Buenos Aires, 1991 (Member of the Organizing Executive Committee and relator of topic II); 23) Sexta Jornadas Rioplatenses de Derecho [Sixth Conference on Argentinean Law], Punta del Este, Uruguay, 1991 (Member of the Comité Académico and relator of the Procedural Law Committee); 24) VIII Encuentro Panamericano de Derecho Procesal [VIII Panamerican Encounter on Procedural Law], Córdoba, June 1992 (special guest, expositor and participant of the group of experts on “Nuevas propuestas para la solución de controversias civiles y comerciales: a) mediación; b) conciliación; c) arbitraje”) [New alternatives to civil and commercial dispute resolution: a) mediation; b) conciliation; c) arbitration]; 25) IX Encuentro del Instituto Panamericano de Derecho Procesal [IX Panamerican Encounter on Procedural Law], San José, Costa Rica, June 1994 (general expositor in the subject “Influencia del Comercio Internacional en el Arbitraje”) [Influence of the International Commerce in Arbitration]; 26) VII Jornadas Procesales del Colegio de Procuradores de los

Tribunales de Barcelona [VII Procedural Conference of the Attorney Association of the Courts in Spain], Spain, December 16th and 17th, 1994 (special guest and lecturer on judicial auction); 27) XVIII Congreso Nacional de Derecho Procesal [XVIII National Congress of Procedural Law], Santa Fe, June 1995 (general lecturer of “Pruebas científicas” [Scientific Evidence]); 28) XIX Congreso Nacional de Derecho Procesal [XIX National Congress of Procedural Law], Corrientes, August 1997 (general expositor on “La reforma procesal civil. Bases presupuestos y propuestas para un Código General del Proceso” [Civil Procedural Reform. Grounds for a General Procedural Code]); 29) Special guest and general expositor in the III Jornadas del Foro de Estudios de Derecho Procesal [Third Conference of the Legal Studies of Procedural Law], Olavarria, 1997; 30) Special guest and general expositor in the XX Congreso Nacional de derecho Procesal [XX National Congress of Procedural Law], San Martín de los Andes, October 1999; 31) Chairman of the Internacional Conference “Jueces. Abogados. Medios de Comunicación. Nuevos Desafíos” [Judges. Lawyers. Media. New challenges], School of Law, Universidad de Buenos Aires, April 2001; 32) Special guest and chairman in the XXI Congreso Nacional de Derecho Procesal [XXI National Congress of Procedural Law], San Juan, June 2001; 32) Congreso Internacional de Derecho Procesal [International Conference of Procedural Law], Rome, May 16th to May 18th 2002: special guest and nacional expositor; 33) XVI Encuentro Panamericano de Derecho Procesal [XVI Panamerican Encounter on Procedural Law], Mexico, November 13th to 15th, 2002: special guest and expositor; 34) Special guest and chairman of the Panel in the XXII Congreso Nacional de Derecho Procesal [XXII National Congress of Procedural Law], Paraná, June 12th to June 14th 2003; 35) Special guest and general expositor in the XVII Encuentro Panamericano de Derecho Procesal [XVII Panamerican Encounter on Procedural Law]; Barranquilla, Colombia, April 2004; 36) Special guest and chairman of the panel in the second conference named Jornadas de Simplificación Procesal [Conference on Procedural Simplification], San Isidro, May 2004.

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## PRESENTATIONS IN CONFERENCES

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1) Fraude procesal [Fraudulent proceedings], in the first conference on Derecho Procesal del Litoral argentino [Procedural Law in the Argentinean Littoral]; 2) Revisión de la cosa juzgada [Revision of the res judicata], in the X Congreso Nacional de Derecho Procesal [X National Conference on Procedural Law]; 3) Intervención de terceros en el proceso [Third party intervention in the proceedings], in the terceras Jornadas Rioplatenses de Derecho [Third Conference of Argentinean Law]; 4) Improponibilidad objetiva de la demanda; rechazo “in límine” [Objective refusal of the legal action. Refusal of Motion “in límine”], in the XI Congreso Nacional de Derecho Procesal [XI National Congress of Procedural Law]; 5) Revisión de la cosa

juzgada fraudulenta [Revision Recourse against fraudulent res judicata], in the cuartas Jornadas Rioplatenses de Derecho [Fourth Conferences on Argentinean Law]; 6) Pluralidad de partes en el proceso. Organización de la Justicia: reformulación de sistemas [Multiple parties in the proceedings. Justice organization: reformulation of legal systems]; both in the quintas Jornadas Rioplatenses de Derecho [Fifth Conferences on Argentinean Law]; 7) Intervención de terceros en el proceso laboral [Third-party intervention in labor proceedings], in the XV Congreso Nacional de Derecho Procesal [XV National Congress of Procedural Law]; 8) Examen crítico de la administración de justicia [Critical Examination of the Administration of Justice], in the VI Encuentro Panamericano de Derecho Procesal [VI Panamerican Encounter on Procedural Law]; 9) Situación internacional de la legislación procesal [Current status of the procedural legislation], in the VII Encuentro Panamericano de Derecho Procesal [VII Panamerican Encounter on Procedural Law]; 10) Duración exagerada de los procesos: causas y alternativas de solución [Proceedings overlength: causes and resolution alternatives], in the VIII Encuentro Panamericano de Derecho Procesal [VIII Panamerican Encounter on Procedural Law]; 11) Soluciones alternativas de los conflictos jurídicos (negociación, mediación, conciliación y arbitraje) en el XI Encuentro Panamericano de Derecho Procesal [alternative resolutions to judicial disputes (negotiation, mediation, conciliation, and arbitration)]; 12) Medios alternativos de solución de conflictos [Alternative Dispute Resolution], in the VII Jornadas bonaerenses de Derecho Civil, Comercial y Procesal [VII Conference in Buenos Aires on Civil, Commercial, and Procedural Law]; 13) La reforma procesal civil [Civil Procedural Reform], in the XIX Congreso Nacional de Derecho Procesal [XIX National Congress of Procedural Law]; 14) La Enseñanza del Derecho Procesal [Procedural Law Training], in the Encuentro Internacional de Profesores de Derecho Procesal [International Encounter of Procedural Law Professors], organized by the Universidad de Belgrano; 15) Revisión de la cosa juzgada fraudulenta [Revision Recourse against fraudulent res judicata], in the second Conferences named Jornadas Internacionales de Derecho Procesal celebradas en la Ciudad de la Lima [II International Conference on Procedural Law held in the City of Lima], Perú; 16) Proyectos de Reformas al Código Procesal Civil y Comercial [Draft Reforms to Civil Procedural and Commercial Law]; 17) Abuso del derecho [Abuse of Law], in the XXI Congreso Nacional de Derecho Procesal [National Congress of Procedural Law]; 18) La oralidad con miras al nuevo milenio, [Orality towards the new millenium] in the XVII Jornadas Iberoamericanas de Derecho Procesal [XVII Iberoamerican Conferences on Procedural Law], in San José, Costa Rica, October 18, 18 and 20, 2000 [SIC]; 19) Esecuzioni dei diritti e attuazione del provvedimenti [Law application], in the Congreso Internacional de Derecho Procesal [International Congress of Procedural Law], Rome, May 16th to 18th, 2002; 20) Las vías de impugnación de la cosa juzgada aparente o fraudulenta [Defence against apparent or fraudulent res judicata], in the XVIII Jornadas Iberoamericanas de Derecho Procesal (Montevideo, República Oriental del Uruguay [[XVIII

Iberoamerican Conferences on Procedural Law], October 16th to 18th, 2002); 21) Competencia de la Corte Suprema en las medidas cautelares [Supreme Court Competence regarding precautionary measures], in the XVI Encuentro Panamericano de Derecho Procesal [XVI Panamerican Encounter on Procedural Law] (México, November 13th, 14th and 15th, 2002); 22) Teoría General de los Medios de Impugnación y Control de Constitucionalidad [General Theory on the defendant's plea and constitutionality control], in the XVII Encuentro Panamericano de Derecho Procesal [XVII Panamerican Encounter on Procedural Law], Barranquilla, Colombia, April 2004.

Jury: Part of the Jury for the designation of associate professors for the subject Procedural Law in the Universities of: La Plata, Comahue, and of the Nordeste. For adjunct professors in the Universidad de Buenos Aires.

Participated in several juries for the thesis defense in the Doctorate Course at the School of Law of the Universidad de Buenos Aires and the Universidad Nacional de Rosario.

Designated Jury for the selection of the first prize 1997/8 to stimulate the best legal work (Colegio de Abogados de Mar del Plata)

Jury for the designation of judges at the Consejos de la Magistratura de la Nación; in the Province of Chubut, the Province of Formosa, and the Province of Buenos Aires.

Jury for the designation of Associate and Adjunct Professors at the Universidad Nacional del Litoral: June 26th and 27th, 2008.

Jury to designate the winners of the prize "Corte Suprema de Justicia de la Nación" [Argentinean Supreme Court of Justice] (2008)

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## OTHER ACTIVITIES

Member of the Comité Académico of the Post-graduate in Asesoría Jurídica de Empresas [Legal Counseling for Business Entities] (Universidad de Buenos Aires and Colegio de Abogados of San Isidro); Member of Comité Académico of the VIII Congreso Provincia de la Abogacía [VIII Conference Province of the Law] (La Plata, November 1997). Guest jurist to assess the Consejo de la Magistratura del Chubut [Magistracy Board of Chubut] (art. 192, inc. 1º Constitution of the Province of Chubut) for the designation of Judges of the Appealing Courts (July 1997).

Academic Adviser (article 16 Act 11868) the the designation of the "Derecho Procesal Civil" [Civil Procedural Law] in the selection process for the coverage to fill a vacancy in the Justice Department of the Province of Buenos Aires (1997).

Director of the magazine Revista de Derecho Procesal [Procedural Law Magazine], Editorial Rubinzal Culzoni (1998-1999).



Member of the Committee for the writing of a draft to Act 24573, resolution of the Department of Justice and human rights on December 26th, 2004.

Designated Consultant of the Committee for the sanction of the new Código Procesal Civil y Comercial [Civil ] of the Province of Río Negro, passed on November 2006.

Honorary President and Panelist in the XXIV Congreso Nacional de Derecho Procesal [XXIV National Conference on Procedural Law], Mar del Plata, November 8th to November 10th, 2007.

Evaluator in the CONEAU (Comisión Nacional de Evaluación y Acreditación Universitaria) [National Commission for University Evaluation and Accreditation].

Designated consultant for the reform of the Código Procesal Civil y Comercial [Civil and Commercial Procedural Code] of the Province of Santa Cruz (2008).

At present, member of the law firm “ARAZI, PRATO, MARIANI de VIDAL, MEROLA & Asociados” [ARAZI, PRATO, MARIANI de VIDAL, MEROLA & Associates].