

## Representative Legal Matters

Andy Moody

### Energy

- Advising an energy company on an ICSID arbitration relating to certain claims arising from the termination of a gas sale contract owned by a government, which led to the shutting down of a state of the art “gas to liquids” plant.
- Obtaining an award for a US engineering and manufacturing company in arbitration proceedings arising out of the funding and operation of a joint venture between our client and a Middle Eastern company. We have also acted for our client in court proceedings to enforce the award in various jurisdictions and were successful in defending our client in parallel court proceedings.
- Advising an international oil major in English High Court proceedings related to an offshore oil spill in Nigeria.
- Advising a major US company in relation to a joint venture in Saudi Arabia. The arbitration is subject to English law, is seated in Dubai and is governed by the ICC Rules.
- Advising an international oil major in an arbitration over the sale of assets in Cameroon – This arbitration is subject to English procedural and substantive law and is governed by the LCIA Rules.
- Advising two BVI holding companies in respect of a shareholder dispute in a major listed Russian oil company – The arbitration was governed by the LCIA Rules and involved numerous freezing injunctions obtained from various courts around the world.
- Advising two leading global port and cargo inland services providers, based in The Netherlands and France respectively, and the JV English company on an ICC arbitration relating to a USD 1 billion port project in Ghana.
- Advising an international oil major in a dispute with another oil major over a long term sale agreement for natural gas liquids from the North Sea – The arbitration was subject to English procedural and substantive law and involved factually complicated arguments of unjust enrichment and breach of contract.
- Advising as counsel in three ICSID arbitrations representing both investors and a state.
- Advising a Japanese trading house in an arbitration with a Russian energy company over the sale of emission reduction units under the Kyoto Protocol – This arbitration was subject to English procedural and substantive law and was governed by the LCIA Rules.
- Advising a leading Indian oil company in an ad hoc international arbitration over the sale and purchase of fuel oil – The arbitration was subject to English procedural and substantive law and was governed by the LMAA Rules.
- Advising three Dutch holding companies in their Energy Charter Treaty ICSID claim against Azerbaijan.

- Advising Sweden's largest agribusiness in an ad hoc international arbitration over the sale and purchase of bio ethanol – This arbitration was subject to English procedural and substantive law and was governed by the LMAA rules.
- Advising a major Australian financial institution in a dispute involving the sale and purchase of a bulk liquid storage facility for the petrochemical industry in the UK.
- Advising the Government of Georgia in its successful defence in an ICSID arbitration, subject to Georgian law, commenced by a consortium of international construction and project finance companies in relation to the construction and operation of a hydro power station outside Tblisi, Georgia.
- Advising Svenska Petroleum Exploration AB in English High Court proceedings to enforce an ICC award against two defendants.
- Defending an energy company in an English High Court case – The dispute was over certain licenses to develop onshore gas fields in the UK and was a result of the collapse of Enron.
- Advising Drax Power Limited on claims with counterparties arising as a result of Drax's restructuring.

## **Financial institutions**

- Advising an Indian multinational information technology company and its subsidiary on an LCIA arbitration with a European bank relating to a contract for the outsourcing and transformation of the bank's retail banking business.
- Advising a Ukrainian Bank in relation to a worldwide freezing order obtained from the English High Court in support of an LCIA arbitration – The worldwide freezing order was against the primary defendant in the arbitration and twenty-nine of his connected companies and was enforced in nine jurisdictions around the world.
- Advising European Bank for Reconstruction and Development (EBRD) in two arbitrations related to a loan provided to a project in Armenia – The arbitrations are subject to English procedural and substantive law, are governed by the UNCITRAL Rules and have the LCIA as appointing authority.
- Advising a Brazilian re-insurer in an ad hoc arbitration subject to English procedural and substantive law relating to a potential exposure of over a billion US dollars.
- Advising EBRD in an international arbitration subject to English procedural law and Czech substantive law – This arbitration was governed by the UNCITRAL rules and had the LCIA as appointing authority.
- Advising EBRD in an international arbitration subject to English procedural law and Bulgarian substantive law – This arbitration was governed by the UNCITRAL rules and had the LCIA as appointing authority.
- Advising EBRD on general litigation matters in relation to its new EBRD electronic document management system as well as further general advisory work.

## Transportation

- Acting for the Anaklia Development Consortium on an investor-state arbitration arising out of the Anaklia port, the largest and most important infrastructure project on the Black Sea. We are advising on a claim against Georgia for wrongful termination of the Investment Agreement entered into for the construction, development and operation of the deep-sea port. The Georgian government took unlawful steps to destroy the project for improper political motivations after our client had invested over USD 75 million. The case is an ICC arbitration seated in Geneva and subject to Georgian law.
- Advising an international provider of vehicle monitoring and enforcement services in an arbitration claim regarding breach of contract and non-payment of debt in relation to a project in Saudi Arabia. The arbitration was governed by the UNCITRAL Rules and had the LCIA as appointing authority.
- Advising a US international aircraft leasing company in three related LCIA arbitrations and one ICC arbitration concerning the leasing of certain aircraft – Three of the arbitrations were subject to English procedural and substantive law and the fourth was subject to English procedural law but California substantive law.

## Food and drug

- Advising a leading beverages company on arbitrations in Stockholm (SCC) and Hong Kong (HKIAC) arising out of the Russian Government's expropriation of our client's investment in a brewery company. Our client's deal with a Russian buyer following its decision to leave the Russian market after the Ukraine invasion was blocked and the company they were investing in was placed under the temporary management of the Russian state following a highly-publicised Presidential Decree, giving rise to various contractual disputes, particularly concerning licensing arrangements. Our client has also instructed us to represent it against Russia in an investment claim under the relevant BITs. There are also numerous court proceedings afoot in Russia and across multiple CIS jurisdictions connected to the dispute.
- Acting for a European biopharmaceutical company in an arbitration relating to the ownership of, and licensing rights to, certain technology subject to a patent obtained by our client. Our client is also pursuing a counterclaim. Our team conducted all oral and written advocacy prior to the parties deciding to settle.
- Advising a clinical research organisation in a dispute over a phase II drug trial using mobile environmental exposure chambers. This case involved allegations of dishonesty and included a worldwide freezing order.
- Advising UDG Healthcare Plc in a London seat ICC arbitration and connected claim before the English High Court against Indian parties in respect of a dispute over the sale and purchase of an international drug business.
- Advising Heinz in two international arbitration disputes and a potential high court claim in relation to the sale and purchase of consignments of beans.
- Advising Sweden's largest agribusiness and food supplier on various disputes, including an arbitration subject to English procedural and substantive law – This arbitration was subject to the LMAA Rules.

- Advising an Italian medical device manufacturer in an ICC arbitration with a US company over indemnities given in relation to the devices. The arbitration was subject to English procedural law and New York substantive law.

## **Mining**

- Advising on an LCIA administered arbitration governed by the UNCITRAL rules on behalf of a manufacturing company against a Central Asian state's asset management company relating to an investment in certain mining companies and involved pre-arbitration disputes regarding the seat of arbitration and a challenge to the appointment of an arbitrator.
- Advising a Georgian mining company in a dispute over a sale and purchase agreement – The arbitration was subject to English procedural and substantive law and was governed by the LCIA Rules.
- Advising a South African diamond company in an arbitration subject to English procedural law and Russian substantive law – This ad hoc arbitration was governed by the UNCITRAL Rules.
- Advising a Swiss investment company in a dispute with a Georgian copper core mine.

## **Further international experience**

- Acted as arbitrator in six LCIA arbitrations, one as chair of the Tribunal, and one ad hoc arbitration, all of which are located in London and subject to English procedural law.
- Sole arbitrator in an ad hoc London seat international arbitration between Russian and Georgian parties
- Acting in four separate LCIA arbitration proceedings under the UNCITRAL Arbitration Rules against two Uzbek state entities concerning the management of two Uzbek civil explosives companies in which the client is a major shareholder.
- Advising a large global charitable organisation on a dispute over a loan facility provided to a microfinance organisation in Bosnia.
- Advising Lithuanian investors in their ICSID claim against the Republic of Serbia in respect of a fertiliser plant located outside Belgrade.
- Advising a Dutch holding company in respect of a shareholder dispute in an online gaming company – The arbitration was governed by the ICC Rules.
- Advising a US technology company in a dispute with a UK technology company over certain software licence agreements – This arbitration was ad hoc and subject to English procedural and substantive law.
- Advising a major US chemical company in respect of a dispute with a Chinese company over intellectual property rights – This arbitration was governed by the SIAC Rules.
- Advising a Nevis offshore international trade company in an ad hoc international arbitration subject to English substantive law and Swiss procedural law.

- Advising Juventus Football Club S.p.A in English High Court proceedings to enforce a CAS award against a Premier League club.
- Advising Volvo on the enforcement in England of an arbitration award.