

# Luke Pearce KC

SILK: 2023 | CALL: 2007

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Languages: French (proficient); Portuguese (proficient); Spanish (conversational)



## Overview

Luke took silk in March 2023. He has a broad practice covering all aspects of commercial law, regularly appearing in Courts of all levels and before arbitral tribunals under a variety of rules.

Luke is ranked in the legal directories in the categories of (1) commercial dispute resolution; (2) banking and finance; (3) energy; (4) international arbitration; (5) shipping; and (6) commodities. In 2021 he was shortlisted by Chambers UK for the award of 'International Arbitration Junior of the Year', and was also shortlisted on several occasions by both the Legal 500 and Chambers UK for the award of 'Shipping Junior of the year'. He was previously identified by Legal Week as one of their "Stars of the Bar".

Luke's current or recent cases include the high profile *Al Sadeq v Dechert* litigation; the Supreme Court case of *Halliburton v Chubb*; and numerous high value confidential arbitrations.

He is described in the directories as being "*incredibly bright*"; a "*brilliant advocate*"; "*unflappable under pressure*"; and having "*an excellent way with clients*".

Before coming to the Bar, Luke taught contract law and Roman law at Worcester College, Oxford. He also taught contract law at King's College, London.

## Publications

"Rescission, *Restitutio in Integrum* and Termination Agreements"

## Professional memberships

- Commercial Bar Association
- Young Fraud Lawyers Association

## Education

- University of Oxford, Worcester College, Bachelor of Civil Law, Distinction
- University of Oxford, Worcester College: BA in Jurisprudence, Double First (ranked second in the university)

## Prizes, scholarships, awards

- Lord Mansfield Scholarship, Lincoln's Inn (2006)
- Bruce Reynolds Prize for the best performance in the BCL, Worcester College, Oxford (2006)
- Hardwicke Entrance Award, Lincoln's Inn (2005)
- Martin Wronker Prize (*Proxima Accessit*) for obtaining the second highest first in law finals, Oxford University (2005)
- Henriques Prize, Worcester College, Oxford (2005)

"Foakes v Beer and Promissory Estoppel: a Step Too Far" (2008) KLJ 630

## Example cases

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- *Al Sadeq and Quzmar v Dechert and others* – acting for the defendants in very high-profile claims arising out of alleged torture and other mistreatment said to have been carried out in the course of an investigation into a fraud in Ras Al Khaima. The case has been the subject of numerous hearings and judgments, including an important and wide-ranging decision of Murray J on legal professional privilege ([2023] EWHC 795 (KB)).
- *Halliburton v Chubb* [2020] UKSC 48 – acting for the LCIA in landmark Supreme Court appeal concerning the test for the removal of arbitrators on the grounds of lack of impartiality (with Charles Kimmins KC).
- Private equity dispute (2018-2020) – acting for the claimant in a multi-billion dollar, multi-jurisdictional private equity fraud dispute involving proceedings in Hong Kong, Cayman and Nevis, and arbitrations under the ICC and HKIAC rules (with Lord Goldsmith KC and Charles Kimmins KC).
- *Nautica Marine v Trafigura Trading* [2020] EWHC 1986 (Comm) – acting (as sole counsel) in 3 day commercial court trial concerning the question whether negotiations for a charterparty had led to a binding contract, raising important issues as to the effect of "subjects" in charterparty negotiations.
- *The Swedish Club v Connect Shipping ("MV Renos")* [2019] UKSC 29; [2018] EWCA Civ 230; [2016] EWHC 1580 (Comm) – acted for the Defendant insurers in the Supreme Court, Court of Appeal, and first instance, in a claim for an indemnity of about US\$15 million under a marine insurance policy (with Michael Ashcroft KC). The case raises important issues relating to the law of constructive loss and the time in which a notice of abandonment must be served.
- *Orexim v Mahavir Port and Terminal Private Ltd* [2018] EWCA Civ 1660: appeared as sole counsel in Court of Appeal and first instance in successful jurisdiction challenge in connection with a claim under s 423 Insolvency Act 1986.
- *Bou Simon v BGC Brokers* [2018] EWCA Civ 1525: appeared as sole counsel in Court of Appeal and first instance in case concerning a claim for a loan agreement, raising issues as to the proper approach to the implication of terms. Succeeded in overturning first instance judgment on appeal.
- *The Songa Winds* [2018] EWCA Civ 1901: appeared in Court of Appeal in important case concerning the operation of letters of indemnity issued for the discharge of cargo absent bills of lading (with Timothy Young KC).
- "*The RBS Rights Issue Action*" – acted (as sole counsel) for a group of institutional investors in the claim against RBS arising out of the £12 billion Rights Issue in April 2008 (instructed by Mishcon de Reya). Previously acted (with Philip Marshall KC and Thomas Raphael) for the "RBS action group" claimants (instructed by Bird & Bird).
- *MSC v Cottonex* [2016] EWCA Civ 789: appeared in Court of Appeal and at first instance in case concerning the right to affirm a contract following a repudiatory breach of contract (with Steven Berry KC in the Court of Appeal, and as sole counsel at first instance).
- *Global Maritime Investments v OW Supply & Trading* [2015] EWHC 2690 (Comm): appeared as sole counsel in successful claim for various declaratory relief in relation to a series of derivatives contracts.
- *OMV Petrom v Glencore* [2015] EWHC 666 (Comm): appeared for the successful defendants in four-week trial concerning a c.US\$90 million fraud claim against Glencore arising out of the supply of oil to Romania in the mid-1990s.
- "*The Alexandros T*" [2013] UKSC 70: appeared in Supreme Court appeal concerning the operation of Articles 27 and 28 of the Brussels Regulation.
- *Lomas v Firth Rixson* [2012] EWCA Civ 419: appeared in Court of Appeal in important case concerning the construction of certain provisions of the 1992 International Swaps and Derivatives Association Master Agreement.

## General commercial

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- *Pisante v Logothetis* [2022] EWHC 161 (Comm) – acted for the defendants in two week commercial court fraud trial arising out of an investment in the shipping market. Led by David Allen KC.
- *Al Sadeq and Quzmar v Dechert and others* – acting for the defendants in very high-profile claims arising out of alleged torture and other mistreatment said to have been carried out in the course of an investigation into a fraud in Ras Al

Khaima. The case has been the subject of numerous hearings and judgments, including an important and wide-ranging decision of Murray J on legal professional privilege ([2023] EWHC 795 (KB)).

- *Halliburton v Chubb* [2020] UKSC 48 – acting for the LCIA in landmark Supreme Court appeal concerning the test for the removal of arbitrators on the grounds of lack of impartiality (with Charles Kimmins KC). The case arose out of an insurance claim following the Deepwater Horizon oil spill.
- 2020 UNCITRAL arbitration – acting for respondents in a multi-billion dollar dispute arising out of the operation of a Zambian copper mine. The case is set down for 7 weeks of hearings in 2021 and 2022.
- Private equity dispute (2018-2020) – acting for the claimant in a multi-billion dollar, multi-jurisdictional private equity fraud dispute involving proceedings in Hong Kong, Cayman and Nevis, and arbitrations under the ICC and HKIAC rules (with Lord Goldsmith KC and Charles Kimmins KC).
- 2018 ICDR arbitration – acting for the respondent in a claim for c.\$500 million arising out of an investment in a venture capital fund, raising issues of fraud and breach of fiduciary duty (with Philip Edey KC). Appearing at five-day hearing in San Francisco.
- *Orexim v Mahavir Port and Terminal Private Ltd* [2018] EWCA Civ 1660; [2017] EWHC 2663 (Comm) – appeared as sole counsel, both at first instance and in the Court of Appeal, in a successful application challenging the court’s jurisdiction to hear a claim under s.423 of the Insolvency Act 1986 to set aside an alleged fraudulent transaction.
- *BGC Brokers v Bou Simon* [2018] EWCA Civ 1525; [2017] EWHC 204 (QB) – appeared as sole counsel, both at first instance and in the Court of Appeal, in a claim for the recovery of a sum of £336,000 said to be due under a loan agreement, raising questions as to the proper approach to implied terms, and the relevance of deleted terms from draft agreements.
- 2018 ad-hoc arbitration – appearing for the Respondent in a two-day arbitration of a claim for \$3.8 million said to be due under a loan agreement.
- 2017-2018 ICC, LMAA, and SMA arbitrations – acting (as part of a five counsel team) in a complex, multi-jurisdictional dispute between a BVI commodities company and a Venezuelan state owned entity, raising issues of breach of contract, fraud and corruption. The dispute includes a Swiss seated ICC arbitration, a London seated LMAA arbitration and a US seated SMA arbitration. Luke has appeared (and conducted part of the advocacy) in hearings in each of these arbitrations.
- *Haidar v RM Auctions* (2017-) – acting (as sole counsel) for RM Auctions (trading as RM Sotheby’s) in a claim for damages for the loss of a vintage Ferrari.
- *Vodafone v TOP Optimised Technologies* (2017-) – acting for Vodafone in a claim for an alleged breach of a non-disclosure agreement, raising various conflicts of laws issues (with Thomas Raphael KC).
- “*The RBS Rights Issue Action*” – acted (as sole counsel) for a group of institutional investors in the claim against RBS arising out of the £12 billion Rights Issue in April 2008 (instructed by Mishcon de Reya). Previously acted (with Philip Marshall KC and Thomas Raphael) for the “RBS action group” claimants (instructed by Bird & Bird).
- 2016 ICC arbitration – acting (as sole counsel) for the defendant in a three-day arbitration arising out of a riot at a Guinean Iron Ore mine.
- *Canmoor Asset Management v Heref Chiswick* (Chancery Division, 2015-2016) – acting for the defendants in a claim in the Chancery division concerning sums said to be due under an asset management agreement (led by Duncan Matthews KC). The case settled following a successful summary judgment application, and the hearing of an appeal.
- *OMV Petrom v Glencore* [2015] EWHC 666 (Comm) – acting for the successful claimant in a c.\$90 million fraud claim against Glencore arising out of the supply of oil to Romania in the mid-1990s (with Duncan Matthews KC and Andrew Fulton). The case resulted in a four-week trial before Flaux J and was listed by *The Lawyer* magazine as one of the top 20 cases of 2015.
- “*The Alexandros T*” [2014] 1 Lloyd’s Rep 223; [2013] 1 Lloyd’s Rep 217 – acted (with Iain Milligan KC and Michael Ashcroft KC) before the Court of Appeal and Supreme Court in this heavy, multi-party litigation concerning the operation of the lis pendens provisions of the Judgments Regulation.
- 2012 LCIA arbitration – claim against an African state for damages under a Concession Agreement (with Christopher Butcher KC and Tom Weisselberg).
- 2012 LCIA arbitration – claim for damages and specific performance under a JOA concerning the operation of an oil-field off the coast of Nigeria (with Charles Kimmins KC).
- 2012 ICC arbitration – claim for around US\$16 million under a contract for the construction of a methanol production plant in Egypt (with Philip Edey KC).
- *Chvetsov v Matuzny* [2011] EWHC 248 (QB) – acted for the successful claimant in a claim for the recovery of shares in a Russian company under a loan agreement (with Mark Templeman KC).

## Banking

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- *Dove v HBOS* (Chancery Division, 2019-) – acting for claimant (the former owner of a reusable nappy business) in claim against HBOS in conspiracy and deceit arising out of the operation of its “Impaired Asset Office” in the mid-2000s (with Paul Lowenstein KC).
- Private equity dispute (2018-2020) – acting for the claimant in a multi-billion dollar, multi-jurisdictional private equity fraud dispute involving proceedings in Hong Kong, Cayman and Nevis, and arbitrations under the ICC and HKIAC rules (with Lord Goldsmith KC and Charles Kimmins KC).
- 2018 ICDR arbitration – acting for the respondent in a claim for c.\$500 million arising out of an investment in a venture capital fund, raising issues of fraud and breach of fiduciary duty (with Philip Edey KC). Appearing at five-day hearing in San Francisco.
- “*The RBS Rights Issue Action*” – acted (as sole counsel) for a group of institutional investors in the claim against RBS arising out of the £12 billion Rights Issue in April 2008 (instructed by Mishcon de Reya). Previously acted (with Philip Marshall QC and Thomas Raphael) for the “RBS action group” claimants (instructed by Bird & Bird).
- *Global Maritime Investments v OW Supply & Trading* [2015] EWHC 2690 (Comm) – acted (as sole counsel) for the successful claimant in a claim for declaratory relief relating to a series of derivatives contracts arising out of the insolvency of the defendant.
- *LBIE v Dekabank* – instructed by Herbert Smith for the Defendants in a claim for around €100 million arising out of various repurchase agreements (with David Quest QC).
- *Lomas v Firth Rixson* [2012] EWCA Civ 419 – the leading authority on the loss and netting provisions in the 1992 ISDA Master Agreement (with Charles Kimmins QC).
- *Pioneer Freight Futures v TMT (No 2)* [2011] 2 CLC 225 – decision of Gloster J on the meaning of the netting provisions in the 1992 ISDA Master Agreement (with Charles Kimmins QC).
- *Pioneer Freight Futures v TMT (No 1)* [2011] 1 CLC 885 – decision of Gloster J on the meaning of the loss provisions in the 1992 ISDA Master Agreement (with Charles Kimmins QC).
- “The Rascals litigation” – instructed by the joint administrators of Lehman Brothers International (Europe) in the “Rascals” litigation, which resulted in the judgment of Briggs J in *Re The Administration of Lehman Brothers (Europe)* [2010] EWHC 2914 (Ch).

## Private international law

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- *Orexim v Mahavir Port and Terminal Private Ltd* [2018] EWCA Civ 1660; [2017] EWHC 2663 (Comm) – appeared as sole counsel, both at first instance and in the Court of Appeal, in a successful application challenging the court’s jurisdiction to hear a claim under s.423 of the Insolvency Act 1986 to set aside an alleged fraudulent transaction.
- *Vodafone v TOP Optimised Technologies* (2017-) – acting for Vodafone in a claim for an alleged breach of a non-disclosure agreement, raising various conflicts of laws issues (with Thomas Raphael KC).
- *Global Maritime Investments v OW Supply & Trading* [2015] EWHC 2690 (Comm) – acted (as sole counsel) for the successful claimant in a claim for declaratory relief relating to a series of derivatives contracts arising out of the insolvency of the defendant. The case raised issues as to the proper approach to the construction of jurisdiction clauses.
- “*The Alexandros T*” [2014] 1 Lloyd’s Rep 223; [2013] 1 Lloyd’s Rep 217 – acted (with Iain Milligan KC and Michael Ashcroft KC) before the Court of Appeal and Supreme Court in this heavy, multi-party litigation concerning the operation of the lis pendens provisions of the Judgments Regulation.
- *Ecom v Mosharaf* [2013] EWHC 1276 (Comm) – acted (as sole counsel) for the successful claimant in an application for an anti-suit injunction and related declaratory relief to prevent the defendant from pursuing proceedings in Bangladesh in breach of an arbitration clause.
- *Navig8 Pte Ltd v Al-Riyadh Co for Vegetable Oil Industry* [2013] EWHC 328 (Comm) – acted as sole counsel in a case raising important issues relating to jurisdiction, anti-suit injunctions, and claims for declaratory relief.
- *Star Reefers v JFC* [2012] EWCA Civ 14 – acted for the Respondent in an appeal to the Court of Appeal relating to the circumstances in which non-contractual anti-suit injunctions can be granted and the meaning of vexatious conduct (with Charles Kimmins KC).
- *Star Reefers v JFC* [2011] 2 Lloyd’s Rep 215 – acted for the successful respondent to a jurisdiction challenge raising an important question relating to the proper law of guarantees (with Charles Kimmins KC).
- *Golden Ocean v Salgaocar* [2012] EWCA Civ 265 – appeal to the Court of Appeal concerning a jurisdiction challenge raising issues as to the application of s.4 of the Statute of Frauds 1677 and the proper law of a warranty of authority (with Charles Kimmins KC).

## Civil fraud

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- *Pisante v Logothetis* [2022] EWHC 161 (Comm) – acted for the defendants in two week commercial court fraud trial arising out of an investment in the shipping market. Led by David Allen KC.
- *Al Sadeq and Quzmar v Dechert and others* – acting for the defendants in very high-profile claims arising out of alleged torture and other mistreatment said to have been carried out in the course of an investigation into a fraud in Ras Al Khaima. The case has been the subject of numerous hearings and judgments, including an important and wide-ranging decision of Murray J on legal professional privilege ([2023] EWHC 795 (KB)).
- *Dove v HBOS* (Chancery Division, 2019-) – acting for claimant (the former owner of a reusable nappy business) in claim against HBOS in conspiracy and deceit arising out of the operation of its “Impaired Asset Office” in the mid-2000s (with Paul Lowenstein KC). Also instructed on other related cases.
- Private equity dispute (2018-2020) – acting for the claimant in a multi-billion dollar, multi-jurisdictional private equity fraud dispute involving proceedings in Hong Kong, Cayman and Nevis, and arbitrations under the ICC and HKIAC rules (with Lord Goldsmith KC and Charles Kimmins KC).
- 2018 ICDR arbitration – acting for the respondent in a claim for c.\$500 million arising out of an investment in a venture capital fund, raising issues of fraud and breach of fiduciary duty (with Philip Edey KC). Appearing at five-day hearing in San Francisco.
- 2017-2018 ICC, LMAA, and SMA arbitrations – acting (as part of a five counsel team) in a complex, multi-jurisdictional dispute between a BVI commodities company and a Venezuelan state owned entity, raising issues of breach of contract, fraud and corruption. The dispute includes a Swiss seated ICC arbitration, a London seated LMAA arbitration and a US seated SMA arbitration. Luke has appeared (and conducted part of the advocacy) in hearings in each of these arbitrations.
- *Orexim v Mahavir Port and Terminal Private Ltd* [2018] EWCA Civ 1660; [2017] EWHC 2663 (Comm) – acting for the defendant to a substantial claim raising various allegations of fraud and a claim for the setting aside of a transaction under s.423 of the Insolvency Act 1986. Appeared as sole counsel in a successful jurisdiction challenge at first instance and in the Court of Appeal.
- *OMV Petrom v Glencore* [2015] EWHC 666 (Comm) – acting for the successful claimant in a c.\$90 million fraud claim against Glencore arising out of the supply of oil to Romania in the mid-1990s (with Duncan Matthews KC and Andrew Fulton). The case resulted in a four-week trial before Flaux J and was listed by The Lawyer magazine as one of the top 20 cases of 2015.
- *Kerr v Nuttall* (2015) – acting for the defendant/counterclaim in a dispute arising out of an aborted investment in a sports management company. The case raises allegations of fraudulent misrepresentation.

## Shipping

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- *Nautica Marine v Trafigura Trading* [2020] EWHC 1986 (Comm) – acting (as sole counsel) in 3 day commercial court trial concerning the question whether negotiations for a charterparty had led to a binding contract, raising important issues as to the effect of “subjects” in charterparty negotiations.
- 2020 LMAA arbitration – acting (as sole counsel) for the respondent to a 3 day LMAA arbitration concerning a claim for demurrage. The case involved delays at the discharge port in circumstances where a cargo of wheat was discovered to be heavily contaminated with soya beans.
- *The Swedish Club v Connect Shipping (“MV Renos”)* [2019] UKSC 29; [2018] EWCA Civ 230; [2016] EWHC 1580 (Comm) – acted for the Defendant insurers in the Supreme Court, Court of Appeal, and first instance, in a claim for an indemnity of about US\$15 million under a marine insurance policy (with Michael Ashcroft KC). The case raises important issues relating to the law of constructive loss and the time in which a notice of abandonment must be served.
- *Harmony v Caravel* [2019] EWHC 1037 (Comm) – acting for the respondent to an application for an interim mandatory injunction under a letter of indemnity given in connection with the discharge of cargo absent original bills of lading (with Timothy Young KC).
- 2018 LMAA arbitration – acted (as sole counsel) in three-day arbitration concerning a claim for damages under an MOA for the sale of a ship. The main issue in the case was whether the ship had been delivered with contaminated bunkers on board.
- *Songa Winds* [2018] EWCA Civ 1901; [2018] EWHC 397 (Comm) – acting (with Timothy Young KC) both at first instance and in the Court of Appeal in a claim for relief under a letter of indemnity for delivery of cargo without production of bills of lading.
- 2017 LMAA arbitration – appearing (with Christopher Hancock KC) in a six-day arbitration arising out of an alleged breach of a safe port warranty.
- 2017 LMAA arbitration – appearing (as sole counsel) in an urgent arbitration raising various issues arising out of an ITF



boycott of a vessel.

- *L v A* [2016] EWHC 1789 – acted (as sole counsel) for the successful appellant in a section 69 appeal concerning the scope of a contractual indemnity under a charterparty.
- *Navig8 v South Vigour* [2015] EWHC 32 (Comm) – acted for the Claimants in a claim for around \$10 million arising out of an alleged repudiation of a time charterparty (with Andrew Baker KC).
- “*The Alexandros T*” [2014] 1 Lloyd’s Rep 223; [2013] 1 Lloyd’s Rep 217 – acted (with Iain Milligan KC and Michael Ashcroft KC) before the Court of Appeal and Supreme Court in this heavy, multi-party litigation concerning the operation of the lis pendens provisions of the Judgments Regulation.
- *A v B* (2013, Commercial Court) – Successfully obtaining an urgent injunction for the inspection of a vessel (sometimes known as a “Vasso Order”) in a contested application in the Commercial Court. The injunction was granted in connection with an arbitration under s.44 of the Arbitration Act 1996, and so the proceedings were heard in private.
- 2013 LMAA arbitration – acting (with Charles Kimmins KC) in a claim brought under a refund guarantee relating to a shipbuilding contract, raising issues of illegality arising out of the backdating of the underlying contract.
- 2013 LMAA arbitration – acting as sole counsel for the successful claimant in a claim for damages for the wrongful termination of a charterparty.
- 2012 LMAA arbitration – acting for the successful claimant in a claim for a declaration that a time charterparty was validly terminated by reason of a delay in delivery, and a counterclaim for damages for repudiation of the charterparty (with Philip Edey KC).
- *Star Reefers v JFC* [2011] EWHC 2204 (Comm) – acted for the claimant owner in commercial court proceedings against the guarantor of a charterer’s obligations under two long-term charterparties (with Charles Kimmins KC). The case raised important questions relating to the measure of damages for early redelivery under a time charter.
- *Golden Ocean v Salgaocar* [2012] EWCA Civ 265 – appeal to the Court of Appeal concerning a jurisdiction challenge raising issues as to the application of s.4 of the Statute of Frauds 1677 and the proper law of a warranty of authority (with Charles Kimmins KC).
- Regularly instructed in a wide range of shipping disputes, including disputes under charterparties, COAs, bills of lading, and shipbuilding contracts. Also instructed on numerous applications for freezing injunctions in the shipping context.

## Commodities

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- 2019 LCIA arbitration – acting for the respondents to a claim for c.\$100 million for the alleged breach of an offtake agreement for the supply of coal (with Paul Key KC).
- 2017-2018 ICC, LMAA, and SMA arbitrations – acting (as part of a five counsel team) in a complex, multi-jurisdictional dispute between a BVI commodities company and a Venezuelan state owned entity, raising issues of breach of contract, fraud and corruption. The dispute includes a Swiss seated ICC arbitration, a London seated LMAA arbitration and a US seated SMA arbitration. Luke has appeared (and conducted part of the advocacy) in hearings in each of these arbitrations.
- *Trafigura Beheer BV v Renbrandt* [2017] EWHC 3100 (Comm) – appearing (as sole counsel) in a successful summary judgment application for negative declaratory relief in connection with a contract for the sale of gasoil.
- *Libero Commodities SA v Alexandre Augustin* [2015] EWHC 1815 (Comm) – acted (as sole counsel) for the successful appellant in this s.69 appeal raising issues as to the construction of time bar provisions in arbitration agreements, and the operation of price fixation clauses in commodities contracts.
- *MSC v Cottonex* [2016] EWCA Civ 789; [2015] EWHC 283 (Comm) – appeared at first instance (as sole counsel) and in the Court of Appeal (led by Steven Berry KC) for the Defendant in a claim for in excess of \$1 million by way of “container demurrage”. The case raises important issues of law relating to the right to affirm a contract following a repudiatory breach, and the applicability of the doctrine of mitigation to a demurrage clause.

## Insurance and reinsurance

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- *The Swedish Club v Connect Shipping* (“MV Renos”) [2019] UKSC 29; [2018] EWCA Civ 230; [2016] EWHC 1580 (Comm) – acted for the Defendant insurers in the Supreme Court, Court of Appeal, and first instance, in a claim for an indemnity of about US\$15 million under a marine insurance policy (with Michael Ashcroft KC). The case raises important issues relating to the law of constructive loss and the time in which a notice of abandonment must be served.
- *Allied Chemicals Carriers v Talbot Underwriting* (“Chemstar Venus”) – acting for claimants in a Commercial Court claim for approximately £1.9 million under a marine insurance policy following the hijack of a vessel by pirates in the Gulf of Aden (with Philip Edey KC).
- *Chelsea Building Society v Chubb Insurance* – instructed for the Defendant insurers in a £9 million claim in the

Commercial Court under an insurance contract, involving questions as to the proper construction of a deductible provision, and a claim for rectification (with Christopher Hancock KC).

## International arbitration

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- *Halliburton v Chubb* [2020] UKSC 48 – acting for the LCIA in landmark Supreme Court appeal concerning the test for the removal of arbitrators on the grounds of lack of impartiality (with Charles Kimmins KC).
- 2020 UNCITRAL arbitration – acting for respondents in a multi-billion dollar dispute arising out of the operation of a Zambian copper mine. The case is set down for 7 weeks of hearings in 2021 and 2022.
- Private equity dispute (2018-2020) – acting for the claimant in a multi-billion dollar, multi-jurisdictional private equity fraud dispute, including appearing arbitrations under the ICC and HKIAC rules (with Lord Goldsmith KC and Charles Kimmins KC). Appearing in numerous substantial hearings in both London and Hong Kong.
- 2019 LCIA arbitration – acting for the respondents to a claim for c.\$100 million for the alleged breach of an offtake agreement for the supply of coal (with Paul Key KC).
- 2018 ICDR arbitration – acting for the respondent in a claim for c.\$500 million arising out of an investment in a venture capital fund, raising issues of fraud and breach of fiduciary duty (with Philip Edey KC). Appearing at five-day hearing in San Francisco.
- 2018 LMAA arbitration – acted (as sole counsel) in three-day arbitration concerning a claim for damages under an MOA for the sale of a ship. The main issue in the case was whether the ship had been delivered with contaminated bunkers on board.
- 2018 ad-hoc arbitration – acting for the Respondent in a claim for \$3.8 million said to be due under a loan agreement (with Andrew Dinsmore).
- 2017-2018 ICC, LMAA, and SMA arbitrations – acting (as part of a five counsel team) in a complex, multi-jurisdictional dispute between a BVI commodities company and a Venezuelan state owned entity, raising issues of breach of contract, fraud and corruption. The dispute includes a Swiss seated ICC arbitration, a London seated LMAA arbitration and a US seated SMA arbitration. Luke has appeared (and conducted part of the advocacy) in hearings in each of these arbitrations.
- 2016 ICC arbitration – acting (as sole counsel) for the defendant in a three-day arbitration arising out of a riot at a Guinean Iron Ore mine.
- *L v A* [2016] EWHC 1789 – acted (as sole counsel) for the successful appellant in a section 69 appeal concerning the scope of a contractual indemnity under a charterparty.
- *Agrocorp International v Larus Australia* (Commercial Court, 16 November 2015) – acted (as sole counsel) for the successful respondent to an application under s.68 of the Arbitration Act challenging an arbitration award on the ground of serious irregularity. The case raised issues as to the extent to which arbitrators are obliged to bring points which appear to have been missed to the attention of the parties.
- *Libero Commodities SA v Alexandre Augustin* [2015] EWHC 1815 (Comm) – acted (as sole counsel) for the successful appellant in this s.69 appeal raising issues as to the construction of time bar provisions in arbitration agreements, and the operation of price fixation clauses in commodities contracts.
- *Sierra Fishing Company v Hasan* [2015] EWHC 140 (Comm) – acted as sole counsel for the successful applicant in an application under s.24 of the Arbitration Act 1996 for the removal of an arbitrator on the ground of apparent bias.
- *A v B* (2013, Commercial Court) – successfully obtaining an urgent injunction for the inspection of a vessel (sometimes known as a “Vasso Order”) in a contested application in the Commercial Court. The injunction was granted in connection with an arbitration under s.44 of the Arbitration Act 1996, and so the proceedings were heard in private.
- 2013 LMAA arbitration – acted for the successful defendant in a claim brought under a refund guarantee relating to a shipbuilding contract, raising issues of illegality arising out of the backdating of the underlying contract (with Charles Kimmins KC).
- 2013 LMAA arbitration – acting as sole counsel for the successful claimant in a claim for damages for the wrongful termination of a charterparty. The case raised the question whether a charterer was entitled to reject delivery of a vessel on the ground that the holds were not ready to receive the intended cargo.
- 2012 LCIA arbitration – claim against an African state for damages under a Concession Agreement (with Christopher Butcher KC and Tom Weisselberg).
- 2012 LCIA arbitration – claim for damages and specific performance under a JOA concerning the operation of an oil-field off the coast of Nigeria (with Charles Kimmins KC).
- 2012 ICC arbitration – claim for around US\$16 million under a contract for the construction of a methanol production plant in Egypt (with Philip Edey KC).

- Instructed on numerous applications for injunctive relief under s.44 of the Arbitration Act 1996.

## Energy and natural resources

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- *Apache UK Investment Ltd v Esso Exploration and Production UK Ltd* [2021] 4 WLR 85 – acted for the claimant in this important case concerning the decommissioning of offshore installations under the Petroleum Act 1998. Led by David Allen KC.
- 2020 UNCITRAL arbitration – acting for respondents in a multi-billion dollar dispute arising out of the operation of a Zambian copper mine. The case is set down for 7 weeks of hearings in 2021 and 2022.
- 2019 LCIA arbitration – acting for the respondents to a claim for c.\$100 million for the alleged breach of an offtake agreement for the supply of coal (with Paul Key KC).
- 2012 LCIA arbitration – claim for damages and specific performance under a JOA concerning the operation of an oil-field off the coast of Nigeria (with Charles Kimmins KC).

## Professional negligence

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- Instructed and assisted in various cases involving allegations of professional negligence, including solicitor's negligence.

## Sports law

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- Advising tennis player in connection with anti-doping proceedings.
- Acting for wheelchair rugby league player in anti-doping proceedings.
- *Jones v UKAD* – SR/056/2020 – acting for a Welsh amateur rugby union player in appeal proceedings against a decision of the National Anti-Doping Panel imposing a four year sanction for an anti-doping rule violation, raising the issue of whether the Athlete should have been granted a reduction in his sanction as a result of a prompt admission.
- *RFU v Hihetah* – SR/NADP/182/2019 – acting for a rugby union player in proceedings before the National Anti-Doping Panel in respect of an anti-doping rule violation.
- Acting for an Ethiopian professional long distance runner in respect of proceedings brought by the Athletics Integrity Unit following a positive test for recombinant EPO following a half marathon.
- *Fury v UKAD* (2017) – acting for the boxers Tyson and Hughie Fury in connection with anti-doping proceedings brought against them by the UKAD (instructed by Morgan Sports Law).
- *Kerr v Nuttall* – acting for the defendants in a dispute arising out of an aborted investment in a sports management company.
- Assisted Sir Philip Otton in connection with an arbitration between a Premier League football manager and his former club.
- PGC, Sports Law, De Montford University.

## Recommendations

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Luke is incredibly bright and impressive on his feet, and he sees the good arguments and articulates them very clearly and persuasively. [The Legal 500 UK Bar 2024](#)

Really smart, agile, conscientious, and unflappable under pressure, Luke is impressive on his feet. [The Legal 500 UK Bar 2024](#)

Luke is an attentive, responsive and excellent barrister who is able to handle complex matters with ease. [Chambers UK Bar 2024](#)

His drafting and advocacy skills are excellent and he is a pleasure to deal with. [Chambers UK Bar 2024](#)

Analytical and great to deal with. He completely carries matters on his own shoulders, and is a future star of the bar. [Chambers UK Bar 2023](#)

He is well renowned in the market. [Chambers UK Bar 2023](#)



He is excellent in terms of quality of analysis and written work, and his advocacy is brilliant. [Chambers UK Bar 2023](#)

One of the brightest juniors around and a rising star. Very high quality written work and a polished advocate. [The Legal 500 UK Bar 2023](#)

Confident and easy to work with, he is one of the brightest juniors around, a polished advocate and a rising star. [The Legal 500 UK Bar 2023](#)

Luke is extremely bright and easy to deal with and has an excellent way with clients. [The Legal 500 UK Bar 2023](#)

Obviously highly intelligent but at the same time extremely calm and measured and a pleasure to work with. He is confident and assertive enough to deal with and impress difficult clients. [The Legal 500 UK Bar 2022](#)

He is an excellent technical lawyer who produces well-reasoned and comprehensive opinions. [The Legal 500 UK Bar 2022](#)

He is excellent in terms of quality of analysis and written work, and his advocacy is brilliant. [Chambers UK Bar 2022](#)

Luke is really user-friendly and on the ball." "He is well renowned in the market. [Chambers UK Bar 2022](#)

He completely carries matters on his own shoulders, and is a future star of the bar. [Chambers UK Bar 2022](#)

He is very sharp and intelligent, an upcoming star of the Bar. He is incisive in his thinking and has a presence that is reassuring for judges. [Chambers UK Bar 2021](#)

Very user-friendly and pro-active - he is a steady hand on cases and provides useful tactical insight on procedural matters and general case strategy. [The Legal 500 UK Bar 2021](#)

He is very smart, has seen a lot of cases and has made a name for himself. Luke gets into the detail and is on top of procedure. [Chambers UK Bar 2021](#)

His advices are very well-structured and coherent and always highlight the more complex and trickier aspects. [The Legal 500 UK Bar 2021](#)

A fantastic junior - highly intelligent and great to work with. [The Legal 500 UK Bar 2021](#)

He was incredibly helpful, very intelligent and gave excellent analysis. He's very quick to get up to speed and is a pleasure to work with. [Chambers UK Bar 2021](#)

His analytical mind is extraordinary and he is someone one wants on their side. [The Legal 500 UK Bar 2020](#)

An excellent junior counsel - very straightforward and efficient. [The Legal 500 UK Bar 2020](#)

His intellect, attention to detail and communication skills are very impressive. He delivers advice in a clear manner which clients really like. [Chambers UK Bar 2019](#)

Very strong, very user-friendly, he knows his stuff and gets to grips with the issues quickly. [The Legal 500 UK Bar 2020](#)

Incredibly intelligent, calm and considered. [Chambers UK Bar 2020](#)

Luke is careful, restrained and thorough. He makes complicated matters seem simple. [Chambers UK Bar 2020](#)

A highly impressive junior with an unflappable manner. [The Legal 500 UK Bar 2019](#)

He's a star. He is very thoughtful and very analytical. Whether he is solo or with a senior you just feel like you're in a safe pair of hands. [Chambers UK Bar 2018](#)

A master of detail, an outstanding advocate and a pleasure to work with. [Chambers UK Bar 2017](#)