

## Nigel Rawding KC

SILK: 2016 | CALL: (SOLICITOR: 1984)

✉ [arbitralenquiries@twentyessex.com](mailto:arbitralenquiries@twentyessex.com)

☎ +44 (0)20 7842 6700



### Overview

Nigel is recognised as a leading practitioner in international arbitration, having practised at Freshfields for many years (including 30 years as a partner in the firm's international arbitration practice). Nigel is based in London, having previously worked with Freshfields in New York and Hong Kong. He is a member of the ICC UK Commission on Arbitration and former Director of the LICA.

He joined Twenty Essex as a full-time arbitrator in May 2021.

His arbitration experience includes numerous ad hoc, ICC, LCIA and UNCITRAL and other arbitrations as counsel as well as ICC, LCIA and DIFC-LCIA arbitrations sitting as arbitrator. He has also represented clients in a wide variety of UK High Court commercial litigation cases.

Nigel is an experienced solicitor-advocate (Higher Rights, Civil) and was appointed KC in 2016 in recognition of his advocacy skills.

Nigel has been consistently recognised as a leading practitioner in publications such as *Chambers & Partners* and *The Legal 500*, described as being 'of the highest class' when working as counsel in arbitration proceedings, and also noted for 'all-round litigation skills'.

### Publications

- Co-author of 'Arbitration World (Global Overview chapter)', *Sweet & Maxwell*, 5<sup>th</sup> edition, 2015
- Co-author of 'Arbitration in England (Procedural Overview chapter)', *Wolters Kluwer*, 2013
- Co-author of 'The Freshfields Guide to Arbitration: Clauses in International Contracts', *Kluwer Law International*, 3<sup>rd</sup> edition, 2010

### Professional memberships

- ICC Commission on International Arbitration
- Served for many years as a member of the LCIA Board of Directors

### Education

- Manchester Grammar School, UK,
- University of Cambridge, UK, BA Hons in Law
- College of Law, Chester (solicitors professional qualification)

## Illustrative experience

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His practice at Freshfields, included representing:

- an international telecoms operator in multiple proceedings in Nigeria in respect of a several \$US billion shareholder dispute involving UNCITRAL Rules arbitration proceedings seated in Lagos, with related Court proceedings in Nigeria and the Netherlands;
- CT-Mobile in its high-profile shareholder dispute concerning a 25% stake in the Russian telecoms company Megafon (then valued at in excess of \$US 2.5 billion). The case involved arbitration and related civil and criminal proceedings in Sweden, Russia, the Netherlands, the Bahamas, the BVI, Bermuda and elsewhere; and multiple applications for urgent interim court orders, including freezing orders, search and seizure orders, disclosure orders and receivership orders;
- a leading Indian industrial company in a shareholder dispute with a partner in the telecoms sector referred to LCIA Rules arbitration in London;
- a high net worth individual in LCIA Rules arbitration proceedings arising out of an investment in Ukraine;
- a technology provider in a joint venture dispute in the financial services industry referred to LCIA Rules arbitration in London;
- a multinational pharmaceuticals company in ICC Rules arbitration proceedings involving a licensing dispute with an Asian distributor;
- a European gas importer in a series of pricing disputes under long term gas supply contracts referred to ICC Rules and UNCITRAL Rules arbitration in Switzerland and the Netherlands respectively;
- a multi-national chemicals producer in a dispute under a New York law- governed long term supply contract with a European counterpart, referred to ICC Rules arbitration in London;
- an international mining company in a dispute with the Government of Argentina, relating to the application of an export withholding taxes on the shipment of copper concentrates;
- a UK industrial company and a US consumer products company in separate ICC Rules arbitration proceedings involving an Indian partner and distributor respectively;
- a major international food and drink conglomerate in disputes arising out of an Indian joint venture, including ICC proceedings and related Indian actions;
- a Bermuda insurance carrier in several disputes referred to Bermuda Form *ad hoc* arbitration proceedings in London;
- a Russian businessman in a long-running ICC Rules arbitration arising out of a SPA transaction in the European banking sector;
- a member of a European banking consortium in a post-acquisition dispute in the financial services sector referred to ICC Rules arbitration in Paris;
- an Israeli bank in a dispute arising out of a financial services transaction in Ukraine referred to LCIA Rules arbitration;
- a US-owned private equity house in a post-acquisition dispute in the aerospace sector referred to expert determination;
- a US-headquartered private equity buyer in a pre-completion dispute with a European seller of a marketing sector business in anticipation of a LCIA Rules arbitration;
- a large UK retailer in a cross-border M&A dispute with a private equity consortium referred to ICC Rules arbitration;
- a leading pharma sector client in two (unrelated) license agreement disputes governed by ICC Rules arbitration in London and Geneva venues respectively;
- a private equity-owned portfolio company in a post-disposal dispute with an African Tax authority;
- court-appointed Receivers in a multi-jurisdictional fraud case in the financial services sector involving proceedings in England, Cyprus, the BVI and other off shore jurisdictions.

## Recent arbitral appointments

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- Sole arbitrator in ICC arbitration (Expedited Procedure Provisions) concerning the supply of equipment and services in the nuclear industry.
- Co-arbitrator in LCIA arbitration concerning asset recovery investment, including issues of insolvency, parallel proceedings and witness protection.

- Presiding arbitrator in ICC arbitration (Vienna seat) concerning post-M&A warranty claims, including issues arising out of related criminal investigations / parallel proceedings in other jurisdictions.
- Co-arbitrator in LCIA arbitration concerning claims for commission in the oil services sector, including issues arising out of related criminal investigations / parallel proceedings in other jurisdictions.
- Sole arbitrator in LCIA arbitration concerning claims arising out of the conduct of an investment treaty arbitration.
- Co-arbitrator in DIAC arbitration (Dubai seat) concerning the supply of goods in the steel industry.
- Chair in LCIA arbitration arising out of claims under a services agreement in the natural gas industry in South Asia.
- Presiding arbitrator in ICC arbitration involving claims and counterclaims under a share sale and purchase agreement in the African banking sector.
- Party-nominated arbitrator in DIAC arbitration (DIFC seat) in a dispute in the Middle East oil and gas sector.

## Recommendations

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Absolutely superb and has razor-sharp advocacy skills. [Chambers Europe 2021](#)

He's a very good advocate - very articulate and personable. [Chambers UK 2021](#)

Extremely experienced and wonderful to work with. [Chambers Europe 2020](#)

He is a very good advocate with excellent judgement - clients really love him and he has the perfect temperament." [Chambers UK 2020](#)

... gets right into the detail from the start, is very involved in the tactical decisions and is very quick at picking everything up and coming to a sensible commercial view. [Chambers Europe 2019](#)