

Philip Edey KC

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Languages: French (conversational)



Overview

Philip is co-Head of Chambers. He is a specialist lead advocate whose practice focuses on commercial disputes both in court and arbitration.

He is ranked in the leading directories for civil fraud, commercial dispute resolution, banking and finance, international arbitration, insurance, shipping, and commodities. He has considerable experience in relation to freezing injunctions. Philip is also particularly noted for his cross-examination skills.

Philip's current and recent cases include acting for one of the defendants to the claim brought by the Kuwaiti Public Institution for Social Security to recover over US\$800 million alleged to have been paid in bribes to its former Director General; for an Indian bank defending fraud claims brought against it both in England and ADGM for over US\$5 billion; for a prominent high-net-worth individual in relation to fraud claims for around US\$500 million brought against him and others by two banks; and for Dechert and the individual defendants sued by two prisoners in Ras Al Khaimah who allege that the defendants are responsible for their alleged mistreatment. He also recently acted for certain policyholders in the test case brought by the FCA against insurers who denied that their business interruption cover protected the policyholders against the consequences of the COVID-19 pandemic.

Most of Philip's work has a strong international element, with his clients coming from all around the world. The cases on which he is instructed often raise complex jurisdictional and conflict of laws issues, including the interplay between proceedings in court and arbitration, and claims under foreign law (including, recently, of

Professional memberships

- Commercial Bar Association

Education

- University of Oxford: BA in Jurisprudence, First Class; MA

various Arab countries, New York, Ukraine and Russia).

He has acted as lead counsel before the High Court, Court of Appeal and Supreme Court of England and Wales, as well as in many arbitrations seated both in England and overseas. Philip also accepts appointments as arbitrator.

Example cases

- *PIFSS v Al Wazzan and others* [2024] EWHC 480 (Comm): representing a Bahamian Foundation against allegations of dishonestly receiving the proceeds of bribes in the context of wider claims seeking to recover over US\$800 million in alleged bribes.
- *NMC v Shetty, Manghat and Bank of Baroda*: representing Bank of Baroda defending claims for fraudulent trading and under Abu Dhabi law for over US\$5 billion, arising out of the collapse of the NMC healthcare group.
- *PJSC National Bank and PJSC Bank Otkritie v Boris Mints and others* [2022] 1 WLR 3099 and [2023] EWHC 118: representing the prominent Russian businessman Boris Mints in defending claims for over US\$500 million against him by two Russian banks for alleged fraudulent conspiracy in relation to the restructuring of loans.
- *Al Sadeq and Quzmar v Dechert, Neil Gerrard and others* [2024] EWCA Civ 28: representing the defendants to these claims by two individuals who are currently imprisoned in Ras Al Khaimah following their conviction there for fraud offences but allege that they were mistreated in detention and wrongly convicted, and that the defendants are responsible for such.
- *FCA v Arch and other insurers* [2020] EWHC 2448 (Comm): successfully acted for certain policyholder SMEs who were given permission to intervene in the test case brought by the FCA against a number of insurers who denied that they provided insurance cover in relation to business interruption losses caused by the COVID-19 pandemic.
- *Sabbagh v Khoury* [2019] EWCA Civ 1219: acted for appellants on their successful (in significant part) appeal in respect of an anti-arbitration injunction granted by Robin Knowles J in relation to a foreign-seated arbitration on vexatious and oppressive grounds ([2018] EWHC 1330 (Comm)).
- *FSDEA v dos Santos and others* [2018] EWHC 2199 (Comm): acted for 18 corporate defendants successfully challenging jurisdiction in respect of fraud claims against them in relation to management of US\$5 billion of the Angolan Sovereign Wealth Fund's money; and obtaining discharge of a US\$3 billion worldwide freezing and proprietary injunction.
- *Sodzawiczny v Ruhan* [2018] EWHC 1908 (Comm): acted for two of the defendants seeking to discharge a freezing injunction successfully seeking a stay, under s 9 Arbitration Act 1996, of claims against them for fraudulent misappropriation of over US\$20 million.
- *PAO Tatneft v Ukraine* [2019] EWHC 3740 (Ch); [2019] EWHC 1543 (Comm); and [2018] EWHC 1797: acting for Ukraine in seeking to resist enforcement of US\$112m award in relation to claim under bilateral investment treaty.
- *Sabbagh v Khoury* [2017] EWCA Civ 1120: acted for some of the defendants on their appeal in relation to their challenge to jurisdiction and application for a stay under s 9 Arbitration Act 1996 in relation to claims for over \$500 million for conspiracy to misappropriate shares and other assets.
- *Newland Shipping v Toba and Others* [2017] EWHC 1416 (Comm): acted for Middle Eastern defendant successfully obtaining relief from sanctions, challenging jurisdiction and setting aside a default judgment in relation to claim for conspiracy to steel a cargo of oil.
- *Libyan Investment Authority v Goldman Sachs* [2016] EWHC 2530 (Ch): joint lead advocate for the LIA in its claim to set aside equity derivative trades entered into with Goldman Sachs and for the return of the US\$1.2 billion premium paid on the grounds of undue influence (including improper inducements).
- *Shagang Shipping Co Ltd v HNA* [2016] EWHC 1103 (Comm): acted for defendant seeking to resist payment of US\$68 million under guarantee provided in respect of performance of charterparty on the basis that the charterparty was procured by bribery to which individuals had confessed to the police in China, though the claimant alleged that those confessions resulted from torture.
- *Hut Group v Nobahar-Cookson* [2016] EWCA Civ 128; [2014] EWHC 3842 (QB) – acted for claimant at trial in relation to claim for breach of financial/accounting warranties in share purchase agreement and defending counterclaim for alleged fraudulent breach of different SPA warranties; and then in successfully resisting appeal.

- *Bunge SA v Nidera BV* [2015] UKSC 43; [2015] 3 All ER 1082: acted for respondent on an appeal relating to the scope of the compensatory principle identified in *The Golden Victory* (and in particular when post-renunciation events must be taken into account in the calculation of damages) and the effect of the default clause in a standard GAFTA contract wording.

Commercial dispute resolution

Philip is ranked as a leading KC in relation to commercial dispute resolution (Chambers UK Bar 2023) and commercial litigation (The Legal 500 UK Bar 2023 and The Legal 500 Asia Pacific 2023: The English Bar). He was a nominee for the The Legal 500 Commercial Litigation QC of the year (2017). He has advised and acted as lead advocate in a wide variety of domestic and international commercial disputes including those involving:

- Fraud and other similarly serious allegations
- Share Purchase Agreements (including breach of warranty claims)
- Joint ventures and shareholder agreements
- Alleged derivative mis-selling by a bank
- A property management agreement
- Professional negligence (including financial services, insurance brokers, and solicitors)
- Construction projects (including sub-sea)
- Senior employee service contracts
- A debt collecting service agreement
- Carbon credit trading agreements
- Interim relief (including anti-suit and freezing injunctions)

Cases include:

- *PIFSS v Al Wazzan and others* [2024] EWHC 480 (Comm): representing a Bahamian Foundation against allegations of dishonestly receiving the proceeds of bribes in the context of wider claims seeking to recover over US\$800 million in alleged bribes.
- *NMC v Shetty, Manghat and Bank of Baroda*: representing Bank of Baroda defending claims for fraudulent trading and under Abu Dhabi law for over US\$5 billion, arising out of the collapse of the NMC healthcare group.
- *PJSC National Bank and PJSC Bank Otkritie v Boris Mints and others*: representing the prominent Russian businessman Boris Mints in defending claims for over US\$500 million against him by two Russian banks for alleged fraudulent conspiracy in relation to the restructuring of loans.
- *Al Sadeq and Quzmar v Dechert, Neil Gerrard and others*: representing the defendants to these claims by two individuals who are currently imprisoned in Ras Al Khaimah following their conviction there for fraud offences but allege that they were mistreated in detention and wrongly convicted, and that the defendants are responsible for such.
- *General Electric Co v Alpine US Bidco Inc* [2021] EWHC 45 (Ch): acted for Alpine on their successful application for a stay of Court proceedings pending an expert accounting determination of the closing payment due under an SPA.
- *Sabbagh v Khoury* [2019] EWCA Civ 1219: acted for appellants on their successful (in significant part) appeal in respect of an anti-arbitration injunction granted by Robin Knowles J in relation to a foreign-seated arbitration on vexatious and oppressive grounds ([2018] EWHC 1330 (Comm)).
- *FSDEA v dos Santos and others* [2018] EWHC 2199 (Comm): acted for 18 corporate defendants successfully challenging jurisdiction in respect of fraud claims against them in relation to management of US\$5 billion of the Angolan Sovereign Wealth Fund's money; and obtaining discharge of a US\$3 billion worldwide freezing and proprietary injunction.
- *Newland Shipping v Toba and others* [2017] EWHC 1416 (Comm) – acted for Middle Eastern Defendant successfully obtaining relief from sanctions, challenging jurisdiction and setting aside a default judgment in relation to claim for conspiracy to steal a cargo of oil.
- *LIA v Goldman Sachs* [2016] EWHC 2530 (Ch) – joint lead advocate for the LIA in its claim for US\$1.2bn against Goldman Sachs – equity derivatives – undue influence – unconscionable bargain.
- *Sabbagh v Khoury* [2017] EWCA Civ 1120; [2014] EWHC 3233 (Comm) – representing a number of defendants alleged to be involved in a conspiracy to deprive the claimant of over USD500m of assets, in relation to their challenge to the jurisdiction of the English court and application for a stay under s.9 of the Arbitration Act 1996.

- *The Hut Group v Cookson* [2016] EWCA Civ 128; [2014] EWHC 3842 (QB) – acted for claimant at trial in relation to claim for breach of financial/accounting warranties in share purchase agreement and defending counterclaim for alleged fraudulent breach of different SPA warranties; and then in successfully resisting appeal.
- *Enercon GmbH v Enercon (India)* [2012] 1 Lloyd's Rep.519 – acting for the defendant in obtaining the discharge of an anti-suit and freezing injunction against it in relation to a dispute arising out of joint venture relating to the manufacture and sale of wind turbines in India.
- *Masri v Consolidated Contractors International* [2011] 2 CLC 566 (CA) – successfully represented the judicial administrators of CCI before the Court of Appeal which discharged a receivership order made against them.
- The Buncefield litigation [2009] 2 Lloyd's Rep. 1 – successfully defending one of the main Defendants against claims put at over £1 billion.
- *Sea Emerald v Prominvest* [2008] EWHC 1979 (Comm) – representing Ukrainian bank successfully defending claim under a guarantee.

Arbitration

Philip is ranked as a leading KC in relation to international arbitration (Chambers UK Bar 2023 and The Legal 500 UK Bar 2023). Philip was International Arbitration Junior of the Year (Chambers and Partners 2008).

Philip has acted as advocate in numerous arbitrations including before ICC, LCIA, LMAA, FOSFA, ARIAS and ad hoc tribunals in disputes relating to amongst other things:

- Investments in venture capital funds
- Share purchase agreements
- Shareholder agreements / joint ventures
- Alleged industrial espionage
- Share agreements/joint ventures
- Oil and gas production agreements
- A telecoms project in the Middle East
- Insurance (including Bermuda form) and reinsurance
- Commodities
- Charterparties
- Shipbuilding

In addition, Philip has extensive experience of appearing in Court in disputes relating to arbitrations including on arbitration appeals under s.68 and s.69 of the Arbitration Act 1996 and in relation to the enforcement of foreign awards, the appointment of arbitrators, the jurisdiction of the tribunal and anti-suit injunctions in support of or to restrain arbitration.

Recent court cases relating to arbitration include:

- *PAO Tatneft v Ukraine* [2020] EWHC 3161 (Comm); [2019] EWHC 3740 (Ch); [2019] EWHC 1543 (Comm); and [2018] EWHC 1797: acting for Ukraine in seeking to resist enforcement of US\$112m award in relation to claim under bilateral investment treaty, with issues including meaning of “investment” in BIT, whether the investment was made in accordance with Ukrainian law, issue estoppel, waiver and apparent bias.
- *Sabbagh v Khoury* [2019] EWCA Civ 1219: acted for appellants on their successful (in significant part) appeal in respect of an anti-arbitration injunction granted by Robin Knowles J in relation to a foreign-seated arbitration on vexatious and oppressive grounds ([2018] EWHC 1330 (Comm)).
- *Sodzawiczny v Ruhan* [2018] EWHC 1908 (Comm): acted for two of the defendants seeking to discharge a freezing injunction successfully seeking a stay, under s 9 Arbitration Act 1996, of claims against them for fraudulent misappropriation of over US\$20 million.

Philip also accepts appointments as arbitrator.

Banking

Philip Edey KC is ranked as leading KC in relation to Banking & Finance (Chambers UK Bar 2023 and The Legal 500 UK Bar 2023). He has advised and acted in many banking cases including in relation to:

- Investments in venture capital funds
- Loan agreements
- Guarantees
- Derivatives (including ISDA, CDOs, equity, OTC Index Options)
- Debt buy back agreements
- Currency trading
- Gold trading
- The purchase of a mortgage book

Recent examples of cases include:

- *NMC v Shetty, Manghat and Bank of Baroda*: representing Bank of Baroda defending claims for fraudulent trading and under Abu Dhabi law for over US\$5 billion, arising out of the collapse of the NMC healthcare group.
- *PJSC National Bank and PJSC Bank Otkritie v Boris Mints and others*: representing the prominent Russian businessman Boris Mints in defending claims for over US\$500m against him by two Russian banks for alleged fraudulent conspiracy in relation to the restructuring of loans.
- *FSDEA v dos Santos and others* [2018] EWHC 2199 (Comm): acted for 18 corporate defendants successfully challenging jurisdiction in respect of fraud claims against them in relation to management of US\$5 billion of the Angolan Sovereign Wealth Fund's money; and obtaining discharge of a US\$3 billion worldwide freezing and proprietary injunction.
- *Libyan Investment Authority v Goldman Sachs* [2016] EWHC 2530 (Ch): joint lead advocate for the LIA in its claim to set aside equity derivative trades entered into with Goldman Sachs and for the return of the US\$1.2 billion premium paid on the grounds of undue influence (including improper inducements).

Civil fraud

Philip is ranked as a Leading Silk in relation to Civil Fraud (Chambers UK Bar 2023) and has advised and acted as advocate in many cases involving allegations of fraud and similarly serious conduct, including allegations of:

- Deceit and fraudulent breach of warranty in relation to a share purchase agreement
- Fraud in the procurement of an arbitration award
- Conspiracy to misappropriate assets
- Bribery and torture
- Fraudulent bills of lading
- Deceit in connection with the sale of derivatives
- Fraudulent inspection reports

Philip's recent cases include:

- *PIFSS v Al Wazzan and others* [2024] EWHC 480 (Comm): representing a Bahamian Foundation against allegations of dishonestly receiving the proceeds of bribes in the context of wider claims seeking to recover over US\$800 million in alleged bribes.
- *NMC v Shetty, Manghat and Bank of Baroda*: representing Bank of Baroda defending claims for fraudulent trading and under Abu Dhabi law for over US\$5 billion, arising out of the collapse of the NMC healthcare group.
- *PJSC National Bank and PJSC Bank Otkritie v Boris Mints and others*: representing the prominent Russian businessman Boris Mints in defending claims for over US\$500m against him by two Russian banks for alleged fraudulent conspiracy in relation to the restructuring of loans.
- *Sabbagh v Khoury* [2019] EWCA Civ 1219; [2018] EWHC 1330 (Comm); [2017] EWCA Civ 1120; and [2014] EWHC 3233

(Comm) – representing a number of defendants alleged to be involved in conspiracy to deprive the claimant of over US\$500m of assets in relation to interlocutory hearings relating to jurisdiction, s.9 of the Arbitration Act 1996 and anti-arbitration injunctions.

- *FSDEA v dos Santos and others* [2018] EWHC 2199 (Comm): acted for 18 corporate defendants successfully challenging jurisdiction in respect of fraud claims against them in relation to management of US\$5 billion of the Angolan Sovereign Wealth Fund's money; and obtaining discharge of a US\$3 billion worldwide freezing and proprietary injunction.
- *Newland Shipping v Toba and others* [2017] EWHC 1416 (Comm) – acted for Middle Eastern Defendant successfully obtaining relief from sanctions, challenging jurisdiction and setting aside a default judgment in relation to claim for conspiracy to steal a cargo of oil.
- *LIA v Goldman Sachs* [2016] EWHC 2530 (Ch) – joint lead advocate for the LIA in its claim for US\$1.2bn against Goldman Sachs – equity derivatives – undue influence – unconscionable bargain – improper inducements.
- *Hut Group v Nobahar-Cookson* [2016] EWCA Civ 128; [2014] EWHC 3842 (QB) – acted for claimant at trial in relation to claim for breach of financial/accounting warranties in share purchase agreement and defending counterclaim for alleged fraudulent breach of different SPA warranties; and then in successfully resisting appeal.
- *Shagang Shipping v HNA Group* [2014] EWHC 2241 (Comm) – representing a major Chinese company seeking to resist payment of over US\$60m under a guarantee, in case involving allegations of bribery in relation to the underlying charterparty and of torture by Chinese police to extract confessions of bribery.
- *BHP v Dalmine (CA)* [2003] All ER (D) 258 – representing Italian manufacturer of steel pipes for underwater gas pipeline who had produced fraudulent inspection reports for the pipes.

Energy and natural resources

Philip Edey KC has advised and acted as advocate on a range of energy related disputes, for and against many of the world's major energy companies and traders, including in relation to:

- The explosion at the Buncefield oil storage facility.
- oil and gas exploration and production agreements.
- oil and gas joint operating agreements (including issues in relation to under/over-lifting; sole risk projects; back-in dates/penalties; and other accounting issues).
- Long term oil supply contracts.
- The construction of an under-sea gas pipeline.
- The construction of a petroleum export terminal in Nigeria.
- Bunkering disputes.
- Carbon emission reduction credit trading.
- Insurance claims relating to energy and natural resource projects.
- The refurbishment of oil rigs.
- The sinking of an oil rig.
- An Indian wind-turbine business.
- Sale and purchase, carriage of, and COAs relating to a range of hydrocarbons, other fuels and other natural resources (raising quality, contamination and pollution, amongst other, issues).

Many of Philip's cases are the subject of arbitration and therefore confidential but reported cases include:

- *Enercon GmbH v Enercon (India)* [2012] 1 Lloyd's Rep.519 – acting for the defendant in obtaining the discharge of an anti-suit and freezing injunction against it in relation to a dispute arising out of joint venture relating to the manufacture and sale of wind turbines in India.
- *The Mercini Lady* [2011] 1 Lloyd's Rep.442 (CA).
- *The Buncefield litigation* [2009] 2 Lloyd's Rep. 1 – successfully defending the joint venture between Total and Chevron against claims put at over £1 billion.
- *Konkola Copper Mines v Coromin* [2006] 2 Lloyd's Rep.446.
- *Petromec v Petrobras* [2004] 1 Lloyd's Rep.629 (CA).

- *BHP v Dalmine* (CA) [2003] All ER (D) 258 – representing Italian manufacturer of steel pipes for underwater gas pipeline.
- *Iran Continental Oil v IRI* (CA) [2002] EWCA Civ.1024 – refurbishment of oil rig – proper law of contract.

Insurance and reinsurance

Philip is ranked as a leading KC in relation to insurance and reinsurance (Chambers UK Bar 2023; WWL 2023; and The Legal 500 UK Bar 2023) and was Insurance Junior of the Year (Chambers, 2007). With regard to his insurance work, he has been described as “a very polished advocate” (Chambers UK Bar 2023).

Philip has advised and acted as advocate in court and arbitration in relation to many insurance and reinsurance disputes including in relation to:

- Bermuda form
- Business interruption (including in relation to COVID-19)
- Casualty business
- D&O insurance
- Fidelity
- Liability
- Long-tail business
- Marine
- Personal accident
- Professional indemnity
- Property

Issues on which he has advised or which have arisen in cases in which Philip has acted as advocate include:

- Avoidance
- Aggregation
- Breach of warranty
- Abandonment
- Brokers’ negligence
- Time bar
- Coverage
- Fraud
- Constructive total loss
- Rectification
- Follow-the-settlements clauses
- Quantification of recoverable losses
- Jurisdiction

Although many of Philip’s cases are heard in confidential arbitrations, his reported cases include:

- *FCA v Arch and other insurers* [2020] EWHC 2448 (Comm): successfully acted for certain policyholder SMEs who were given permission to intervene in the test case brought by the FCA against a number of insurers who denied that they provided insurance cover in relation to business interruption losses caused by the COVID-19 pandemic.
- *Dornoch v Westminster BV* [2009] 2 Lloyd’s Rep. 191 – marine insurance – abandonment – constructive trust.
- *Allianz v Aigaion* [2008] 2 Lloyd’s Rep.595 – marine insurance – premium payment warranties.
- *Faraday v Cop Re* [2007] Lloyd’s Rep. IR 23 – whether a settlement agreement was a “without prejudice” agreement for the purposes of a follow-the-settlements clause in a reinsurance contract.

- *KCM and ARH v Coromin* – claim under insurance in respect of losses arising from collapse of Zambian copper mine – difference in conditions cover.
- *Travelers Casualty v Sun Life Assurance* [2007] Lloyd’s Rep. IR 619 – breach of warranty in relation to insurance against risk of costs incurred by reason of review of past business required by FSA.
- *IMG v Simmonds* [2004] Lloyd’s Rep. IR 247 – contingency insurance – cancelled cricket tournament between India and Pakistan – avoidance – breach of warranty.
- *Swiss Re v United India* [2004] I. L. Pr. 4 – jurisdiction in relation to dispute under a reinsurance contract.
- *Demetra K (CA)* [2002] 2 Lloyd’s Rep. 581 – rectification of insurance contract.
- *HIH v Chase* [2003] 2 Lloyd’s Rep. 61 (HL); [2001] 2 Lloyd’s Rep. 483 (CA) – film finance insurance – scope of clause purporting to limit insurers’ rights of avoidance.
- *HIH v New Hampshire (CA)* [2001] 2 Lloyd’s Rep. 161 – film finance insurance – whether term a warranty – whether remedy for breach of warranty excluded.
- *Imperio v Heath (CA)* [2001] 1 WLR 112 – breach of fiduciary duty – time bar.
- *Kingscroft v Nissan (CA)* [1999] Lloyd’s Rep. IR 603 – insurance pool – reinsurance – avoidance.

Commodities

Philip is ranked as a leading KC in relation to commodities (Chambers UK Bar 2023; WWL 2023 and The Legal 500 UK Bar 2023).

Philip has advised and acted as advocate in numerous commodity disputes both in arbitration (including FOSFA and GAFTA) and Court. Those disputes have included ones relating to the sale/purchase and carriage of:

- Grains
- Oil / petroleum products of all sorts
- Soybeans
- Steel
- Acids
- Waste
- Fruit
- Scrap Metal and iron

Although many of Philip’s disputes have been the subject of confidential arbitrations, his reported cases include:

- *Newland Shipping v Toba and others* [2017] EWHC 1416 (Comm) – acted for Middle Eastern Defendant successfully obtaining relief from sanctions, challenging jurisdiction and setting aside a default judgment in relation to claim for conspiracy to steal a cargo of oil.
- *Bunge v Nidera* [2015] 2 Lloyd’s Rep. 469 (Supreme Court); [2014] 1 Lloyd’s Rep. 404 (CA); and [2013] 1 Lloyd’s Rep. 621 – arbitration appeals in relation to a dispute under a GAFTA contract relating to the Prohibition and Default Clauses (the case is now going to the Supreme Court).
- *Mercini Lady (No.2)* [2013] 1 Lloyd’s Rep. 360 – successfully representing claimant in claim for damages for selling gasoil which was not of satisfactory quality.
- *Mercini Lady (No.1)* [2011] 1 Lloyd’s Rep. 442 (CA) and [2009] 2 Lloyd’s Rep. 679 – successfully represented the claimant on preliminary issues (and then on appeal) relating to the implication of terms into a gasoil sale contract.
- *The Hang Ta* [2011] 2 Lloyd’s Rep. 278 – successfully represented the claimant seller in demurrage dispute under sale contract.
- *Thai Marpan v Louis Dreyfus* [2011] 2 Lloyd’s Rep. 704 – successfully represented the respondent to a s.69 appeal from a GAFTA award relating to the repudiation of a sale contract.

Shipping

Philip is ranked as a leading KC in relation to shipping (Chambers UK Bar 2023 and The Legal 500 2023).

Philip has advised and acted in relation to numerous shipping disputes both in court and arbitration arising out, for example:

- Charterparties (time, voyage and bareboat)
- COAs
- FFAs
- Shipbuilding contracts
- Ship sale contracts
- Contracts for the supply of bunkers
- Bills of lading

The types of issue with which Philip has dealt include:

- Contamination of cargo
- Dangerous cargo
- Unsafe ports
- Unseaworthiness
- Hire and off-hire
- The Hague Rules
- Demurrage
- Repudiation of long term contracts
- Calculation of damages
- Jurisdiction
- Bunker supply
- Limitation of liability
- Salvage and general average

Although many of Philip's shipping cases are heard in confidential arbitration, his reported cases include:

- *The Fortune Plum* [2013] 2 Lloyd's Rep.618 – representing charterers under long-term time charter on s.69 appeal, having won arbitration in which charterers alleged to have repudiated the charter.
- *BW Gas v JAS Shipping* [2010] 2 Lloyd's Rep.626 (CA) – representing bareboat charterers of a new-build on their appeal relating to the obligations of the disponent owners on delivery.
- *The Zenovia* [2009] 2 Lloyd's Rep.139 – acting for time charterers on their s.69 appeal relating to the re-delivery obligations of owners having given notice of intended re-delivery.
- *MSC Napoli* – acting for owners in the limitation and liability proceedings arising out of the casualty in January 2007.
- *Sea Emerald v Prominvest* [2008] Lloyd's Rep. Plus 96 – representing Ukrainian bank defending claim under a refund guarantee given in respect of a shipbuilding contracts.
- *The Doric Pride* [2005] 2 Lloyd's Rep.470 and [2006] 2 Lloyd's Rep.446 (CA) – successfully representing charterers in relation to off-hire claim at first instance and before the Court of Appeal.
- *The Jalagouri* [1999] 1 Lloyd's Rep.903 and [2000] 1 Lloyd's Rep.515 (CA) – successfully representing charterers in relation to off-hire claim at first instance and before the Court of Appeal.
- *Cory Brothers v Baldan* [1997] 1 Lloyd's Rep.424 – representing freight-forwarding agent in relation to dispute as to payment of freight with their freight-forwarding agents.
- *The Laconian Confidence* [1997] 1 Lloyd's Rep.139 – representing owners on an arbitration appeal in relation to off-hire under Cl.15 of the NYPE charter form.

Private international law

The majority of the cases on which Philip Edey KC is instructed to advise or act as advocate raise issues as to proper law and/or jurisdiction.

Philip's reported cases include:

- *PAO Tatneft v Ukraine* [2018] EWHC 1797: acting for Ukraine in its challenge to the Court's jurisdiction over a claim seeking to enforce a US\$112 million award in relation to claim under bilateral investment treaty.
- *Sabbagh v Khoury* [2014] EWHC 3233 (Comm); [2017] EWCA Civ 1120 – representing a number of defendants alleged to be involved in a conspiracy to deprive the claimant of over USD500m of assets, in relation to their challenge to the jurisdiction of the English court and application for a stay under s.9 of the Arbitration Act 1996.
- *Enercon GmbH v Enercon (India)* [2012] 1 Lloyd's Rep.519 – acting for the defendant in obtaining the discharge of an anti-suit injunction against it in relation to a dispute arising out of joint venture relating to the manufacture and sale of wind turbines in India.
- *Dornoch v Westminster BV* [2009] 2 Lloyd's Rep. 191 – marine insurance – proper law for determining incidence of proprietary interests in a vessel.
- *KCM v Coromin (No.2)* [2006] 2 Lloyd's Rep. 446 – whether to override exclusive jurisdiction clause where risk of inconsistent judgments.
- *Swiss Re v United India* [2004] I. L. Pr. 4 – jurisdiction in relation to dispute under a reinsurance contract.
- *Iran Continental Oil v IRI (CA)* [2002] EWCA Civ.1024 – refurbishment of oil rig – proper law of contract – Article 4(2) of the Rome Convention.

Recommendations

Philip is a top-notch silk, one of the best in his field. He has gravitas and charm as well as deep legal knowledge that is second-to-none. He exercises great judgement and has consummate client skills. He has a magic touch in court and is very strong on paper as well as orally, where the court listens to what he says. Superb. [The Legal 500 UK Bar 2024](#)

Philip Edey is very smooth, absolutely masterful. An amazingly attractive advocate. [Chambers UK Bar 2024](#)

Philip is quick on his feet and a confident performer. [The Legal 500 UK Bar 2024](#)

Clever and has the ear of the tribunal - he has great depth of experience. [The Legal 500 UK Bar 2024](#)

Philip is a fantastic advocate, who is extremely client friendly and a total pleasure to work with. [Chambers UK Bar 2024](#)

Philip is an excellent senior silk, who is clever, decisive and has an excellent court manner. He is also a very good team leader. [The Legal 500 UK Bar 2024](#)

Probably the best there is. Reasoned, logical and slick. [The Legal 500 UK Bar 2024](#)

He is outstanding: very switched on and strong on complex jurisdictional issues. [Chambers UK Bar 2024](#)

He is one of the smoothest advocates at the Bar and very, very hard-working. [Chambers UK Bar 2024](#)

Philip is extremely diligent, client-friendly and has an excellent manner with the court. [Chambers UK Bar 2024](#)

Philip Edey is a very charming and persuasive advocate. His advocacy is his particular strength. Philip is delightful to work with and is a great team player. [Chambers UK Bar 2024](#)

He is one of the best in the field. [Chambers UK Bar 2024](#)

Philip does a lot of high-profile work and is extremely good. [Chambers UK Bar 2024](#)

Philip is a very experienced performer, a tough opponent and a good barrister. [Chambers UK Bar 2024](#)

He is an amazing silk and absolutely top-draw. [Chambers UK Bar 2024](#)

A clever and authoritative advocate who Tribunals respect. [The Legal 500 UK Bar 2023](#)

Philip is quite simply a superb advocate. His manner is calm and measured while at the same time dynamic and intensely analytical. Outside court he is an excellent tactician who is not afraid of the detail, and has a very good client manner. He is

one of the leading lights of the commercial Bar. [The Legal 500 UK Bar 2023](#)

An incredibly good trial advocate, who is very effective at cross-examination. Good at both trial and appellate work, he absorbs information like a sponge and is a very persuasive advocate. [Chambers UK Bar 2023](#)

Philip is a formidable lawyer and arguably the best advocate of his generation. He always over prepares, is client friendly and is always available to listen and discuss. [The Legal 500 UK Bar 2023](#)

Philip is an all-round go-to silk. [Chambers UK Bar 2023](#)

A clever and forceful advocate. [The Legal 500 UK Bar 2023](#)

An incredibly good trial advocate, who is very effective at cross-examination. [Chambers UK Bar 2022](#)

He is a cut above his peers and very easy to work with. [The Legal 500 UK Bar 2022](#)

Excellent on his feet, a quick thinker, and instinctively reads the courtroom and judges very well. He has been against the most experienced heavyweights at the Bar, is never intimidated, and is exceedingly clever. [The Legal 500 UK Bar 2022](#)

He is totally on top of everything and he exudes confidence and charm. [Chambers UK Bar 2022](#)

He is a fierce advocate, a fantastic team player with no airs and graces, and a first choice for the most complex disputes. [The Legal 500 UK Bar 2022](#)

Philip is extraordinary in terms of getting all the aspects of the case. He is very proactive and really quite brilliant in his analysis of cases. [Chambers UK Bar 2022](#)

He has the quickest brain, is very user-friendly and is a top advocate. [The Legal 500 UK Bar 2022](#)

Philip is very skilled in thinking outside the box and finding creative legal arguments that succeed. [Chambers UK Bar 2022](#)

He is client-friendly, a brilliant strategist and without a doubt one of the most distinguished commercial barristers in London. [The Legal 500 UK Bar 2022](#)

A fierce advocate and a fantastic team player, he is a quick thinker and instinctively reads the courtroom very well. [The Legal 500 UK Bar 2022](#)

The complete package as an advocate. He untangles complicated issues and gives straightforward advice. [Chambers UK Bar 2021](#)

He is tenacious in Court and an exceptional advocate. [The Legal 500 UK Bar 2021](#)

He's a fantastic barrister with a very sharp mind and very good with clients. [Chambers UK Bar 2021](#)

He has the ear of the court and a commanding presence. [Chambers UK Bar 2021](#)

Conscientious and hardworking, he is also a joy to work with. [The Legal 500 UK Bar 2021](#)

He is very hands-on, analytically sharp and leaves no stone unturned. [Chambers UK Bar 2021](#)

A very approachable counsel. [The Legal 500 UK Bar 2021](#)

He has a razor-sharp intellect. [Chambers UK Bar 2021](#)

Absolutely fantastic. He is extremely tactical, a fierce advocate, sharp, efficient and responsive. [Chambers UK Bar 2021](#)

A highly capable counsel who is easy to work with and highly knowledgeable. [The Legal 500 UK Bar 2021](#)

A fiercely intelligent silk. [The Legal 500 UK Bar 2020](#)

Fearless. [Chambers UK Bar 2020](#)

He is exceptional and very approachable. [The Legal 500 UK Bar 2020](#)

A good man to have on side in a legally difficult case. He's very willing to work as part of a team and always brings added intellectual weight. [Chambers UK Bar 2020](#)

A top-notch advocate. [The Legal 500 UK Bar 2020](#)

A man of remarkable intellect who offers exceptional client service. [Chambers UK Bar 2020](#)

Absolutely superb. [The Legal 500 UK Bar 2020](#)

An amazing advocate at trial. [Chambers UK Bar 2020](#)

Hugely popular for international arbitration. [The Legal 500 UK Bar 2020](#)

Absolutely brilliant and completely committed. [Chambers UK Bar 2020](#)

He has a razor-sharp intellect. [Chambers UK Bar 2020](#)

Phenomenal cross-examiner. [Chambers UK Bar 2020](#)

Extremely articulate and poised in his advocacy, and someone who always has interesting perspectives on a case. [Chambers UK Bar 2019](#)

Polished, calm and effective. [Chambers UK Bar 2019](#)

A real star as a leader and an intellectual heavyweight who is recommended for difficult cases. [The Legal 500 UK Bar 2018](#)

He has an absolutely first-rate intellect and is a brilliant advocate. [The Legal 500 2018](#)

He's a hardcore litigator with an absolutely first-rate intellect, who's a great cross-examiner. [Chambers UK Bar 2018](#)