



Andrew Guy Blackwood QC

Called: 1997 Silk: 2014
guy.blackwood@quadrantchambers.com

Practice Overview

Guy has a comprehensive commercial practice, which includes large contractual disputes, international arbitration, insurance & reinsurance, banking & finance, civil fraud, energy & utilities, public international law including bilateral investment treaty arbitration, commodities and shipping.

The breadth of Guy's practice is evident from the recent cases in which he has been instructed, including *Taurus v SOMO* [2017] UKSC 64 (Supreme Court, 21/22 March 2017, enforcement, sovereign immunity, Guy represented the successful arbitral creditor), *The B Atlantic* [2018] UKSC 26 (Supreme Court, March 2018, war risks insurance, Guy represented the successful insurers) and *Bilta v SVS* (Financial List, alleged dishonest assistance in carbon trading).

Guy was one of **The Lawyer's Hot 100 for 2016**, which noted the "fantastic" year which Guy had in 2015, involving major victories in Court and in arbitration.

In Chambers & Partners, Guy has been praised highly: "*Produces high-quality advice, displaying enthusiasm for the issues involved and a level of creative problem solving that is seldom found in others.*" (2019)

What the directories say

'A good performer in commodities arbitration including GAFTA and LME matters.'
(Legal 500 2019)

'Works incredibly hard and his written and oral advocacy are of the highest order.'
(Legal 500 2019)

'Very user friendly and always available, my go-to silk on insurance/reinsurance related matters.'
(Legal 500 2019)

"Produces high-quality advice, displaying enthusiasm for the issues involved and a level of creative problem solving that is seldom found in others."
(Chambers UK 2019)

"Very impressive. He has a very strong courtroom presence."
(Chambers UK 2019)

... "Tremendously successful"... "he has a very laid-back advocacy style, which judges and tribunals find attractive."...

(Who's Who Legal, 2018)

... "A very hard-working QC who is willing to go the extra mile for his clients. He is also an excellent cross-examiner"...

(Chambers UK, 2018)

... "He knows how to pitch his cross-examination to impress the judge or arbitrator"...

(Legal 500, 2017)

... "A superb QC, very sharp and among the premier performers in shipping and trading matters"...

(Legal 500, 2017)

... "He excels in his forensic cross-examination of witnesses"...

(The Legal 500, 2016)

... "Skilled in commodities work, particularly carbon trading matters"...

(The Legal 500, 2016)

... "He is quiet and modest despite very obviously being an intellectual powerhouse. He is exceptionally ethical, courageous on his feet and someone who has a charming manner with the bench." "Excellent, and very good particularly when on the offensive"...

(Chambers UK, 2016)

... "very thorough, very hardworking"...

(Chambers UK, 2016)

... "a truly professional performer ... responsive, user-friendly, and a great asset to any team"...

(Chambers UK, 2014)

... "he is very helpful and an extremely diligent and thorough advocate. He is a truly professional performer whose hard work pays off in excellent results for our clients"...

(Chambers UK, 2014)

... "measured and precise..."; "...extremely hard-working"...

(Chambers UK, 2013)

... "attracts praise for his particular expertise in carbon trading disputes..."; "...a preferred choice for marine work"...

(The Legal 500, 2013)

... "extremely responsive, confident and persuasive..."; "...admired for winning over his audiences in tribunals"...

(Chambers UK, 2012)

... "a popular name for insurance and reinsurance disputes"...

(Chambers UK, 2012)

... "a very good rapport with solicitors and is very clever..."; "...excellent"...

(The Legal 500, 2012)

Commercial Dispute Resolution

'Leading Silk' (Chambers UK, 2019)

Guy is involved in a wide range of commercial litigation, much of which is related to or involves contractual disputes, investment disputes, civil fraud, banking & finance, private equity, loan note valuation, derivatives, energy, insurance, mining and EU law concerning illegal state aid. Recent cases include:

Commercial litigation:

- **Taurus Petroleum v State Oil Ministry of Iraq**, [2017] UKSC 64 (Supreme Court), [2016] 1 Lloyd's Rep. 42 (Court of Appeal), [2014] 1 Lloyd's Rep. 432 (Commercial Court). An important case concerning the extent of state immunity granted to Central Banks of oil producing countries, enforcement against debts owed under letters of credit, the proper law of letters of credit and the situs of the debt owed by the issuing bank. Guy acted Taurus together with Gordon Pollock QC in the Supreme Court.
- **Bilta and others v. SVS Securities and others, Financial List**, 30 day trial to be scheduled, alleged dishonest assistance in the carbon trading market
- **Talos Capital v. JCS Investment** [2014] EWHC 3977 (Comm). Guy acted as lead counsel for the well-known hedge fund Talos in this dispute with a number of Irish Investors, who sued Talos in New York claiming US\$100 million. Guy successfully obtained summary judgment and a permanent anti-suit injunction for Talos before Flaux J in the Commercial Court restraining the New York proceedings, which were brought to a halt.
- **Energy Venture Partners v. Malabu Oil & Gas** [2012] EWHC 853 (Comm) - Cooke J. Guy acted for J P Morgan in its successful application for costs incurred by reason of a freezing injunction and in resisting successfully allegations of contempt of Court which were levelled at the bank.
- **Energy Venture Partners v. Malabu Oil & Gas** [2011] EWHC 2215 (Comm) - Steel J. Guy acted for J P Morgan in this complex and high value litigation. The sum of US\$1.3 billion was paid into an account with the bank, held to the order of the Federal Government of Nigeria. Issues included the effect of a Mareva injunction on those moneys and sovereign immunity. The case was described by Steel J as "extraordinary" and one which the Court approached with "a long spoon".
- **The Secretary of State for Justice v. Topland Group PLC, Andrew Smith and others** [2012] EWHC 1280 (QB). Guy acted for the second defendant in a claim brought by the Secretary of State for Justice against the Topland Group and Mr Smith in which the Secretary of State made allegations including fraud by bribery and breach of fiduciary duty. These allegations concerned the circumstances in which the Secretary of State came to renew the lease on First Avenue House, which houses the Family Courts. The claim exceeded £20 million. The case settled shortly before trial, having been set down for 25 days after an application by the Secretary of State to amend his pleadings and to adduce fresh expert and factual evidence was dismissed.
- Guy was instructed in the **BTA Bank v. Abylazov** litigation for one of the defendants against whom allegations of dishonest assistance were made in connection with the alleged misappropriation of US\$300 million worth of "AAA" rated securities.
- Guy acted for the successful defendant brokers in **Allen v. Miles Smith PLC** [2011] All ER (D) 149 (Dec). A claim was advanced for ownership of a portfolio on the basis of facts which were found to be untrue. The case also involved several allegations of forgery.

- **Dornoch v. Westminster** [2009] 2 Lloyd's Rep. 191 (phase 1); [2009] 2 Lloyd's Rep. 420 (phase 2). Guy acted on behalf of the successful underwriters in this major commercial dispute. Issues considered by the Court include impeachment of transactions defrauding creditors under section 423 of the Insolvency Act 1986, conflicts of law and renvoi, the situs of a registered vessel, abandonment, the extent of underwriters' proprietary rights in a vessel on payment of CTL and election (equitable lien, trust).
- **International Finance Corporation v. Chevron** [2007] 2 All ER (Comm) 305 - equitable purchaser's lien in topside modules.
- **International Finance Corporation v. DSNL and others** [2005] EWHC 534 (Comm) - worldwide freezing injunction, contempt, committal, sentencing in absentia.
- **International Finance Corporation v. DSNL and others** 21.03.05 - revolving loan and guarantee agreement, summary judgment for US\$20 million.

Commercial enforcement

Guy is probably one of the most experienced practitioners in commercial enforcement at the Bar. He has experience of garnishment (third party debt orders), appointing receivers by way of equitable execution and writs of fi fa among other means of satisfying judgments and awards.

Reported cases of note in which Guy has appeared in this field include the following:

- **Taurus Petroleum v. State Oil Ministry of Iraq, Supreme Court oral hearing 21 and 22 March, 2011**, [2016] 1 Lloyd's Rep. 42 (Court of Appeal), [2014] 1 Lloyd's Rep. 432 (Commercial Court), on appeal to the Supreme Court. Issuance of third party debt orders and receiver by way of equitable execution over debt owed by issuing bank under letters of credit.
- **International Finance Corporation v. Chevron** [2007] 2 All ER (Comm) 305 – writ of fi fa issued over topside modules; equitable purchaser's lien; priorities.

Commercial injunctions

Guy has long standing experience of obtaining and of setting aside freezing injunctions. Over the past 20 years, Guy has been involved in 2 or 3 freezing injunctions every year and in that time has seen most variations of order that can be made.

For an example of an unusual circumstance in which a freezing injunction was ordered, Guy was involved in **Archer Daniels Midland v Tarif Akhras** [2014] EWHC 1392 (Comm), which concerned the inter-relationship between UN sanctions over the family of President Assad of Syria and the jurisdiction to grant a worldwide freezing injunction.

Guy also has experience of more exotic forms of injunction, including orders made under section 423 of the Insolvency Act 1986, see **Dornoch v. Westminster** [2009] 2 Lloyd's Rep. 191 (phase 1); [2009] 2 Lloyd's Rep. 420 (phase 2).

International Arbitration

The majority of Guy's practice involves disputes under contracts which contain arbitration agreements and almost all of these disputes are international in nature. Most of the arbitral disputes in which Guy is involved are very high value in nature.

Much of Guy's time over the last 2 years has been taken up acting as lead advocate for the Hellenic Republic in a series of ICC and ICSID (ARB/16/20) arbitrations, the "Greek Submarines Arbitrations", which have been widely reported on in publications such as Global Arbitration Review. The following overview is taken from Global Arbitration Review:

ICC:

"The [Greek Submarines] dispute is already playing out in two ICC arbitrations, before tribunals chaired by Spain's Juan Fernández-Armesto, in which the amount in dispute is thought to exceed € 1 billion. Prinvest and Hellenic Shipyards first filed an ICC claim against Greece in 2013. In addition to Fernández-Armesto, the case is being heard by French arbitrator Laurent Aynès and Greek arbitrator Panayiotis Kornilakis. Greece filed a counterclaim against Prinvest and a number of other companies a year later, requesting compensation for the alleged breaches in the agreement for construction and delivery of the submarines. The panel hearing that case includes Swiss arbitrator Bernard Meyer and Austrian arbitrator Andreas Reiner."

ICSID:

"A Lebanese investor has filed an ICSID claim against recession-struck Greece after its navy took over one of the country's largest ship yards and the construction of submarines ordered by the state. Iskandar Safa, who co-owns Beirut-based shipbuilder Prinvest, submitted a request for arbitration on 13 June under the Lebanon-Greece bilateral investment treaty. The case has yet to be registered by ICSID but Safa issued a press release with details of the claim today (22 June). The claim relates to the Skaramangas commercial shipyard and naval base just outside Athens, which was created in 1937 to build warships. Prinvest acquired a 75 per cent stake in the yard's operator Hellenic Shipyards in 2010, under a set of contracts to which the Greek government was also a party. Safa alleges that Greece took effective control of the shipyard four years later, after passing a law allowing its navy to complete the construction of Type 214 submarines it had ordered. The submarines were completed at the yard using Hellenic Shipyard employees at no cost to the government."

Turning to **insurance & reinsurance**, in 2015 Guy successfully defended an energy insurer in arbitration, whose reinsurer had sought to avoid several energy treaties. In 2016 Guy was involved in a political risks insurance dispute concerning the activities of ISIL in Iraq and Guy is involved in a further reinsurance arbitration governed by the laws of Bahrain.

Guy also regularly appears as an advocate in Bermuda Form references and in arbitrations under the JELC clauses. Almost all of Guy's reinsurance and much of his direct insurance practice is in arbitration (he has recently been instructed in surplus treaty, excess of loss treaty, quota share, political risks and energy disputes). He is also one of the few counsel with experience of satellite in orbit insurance & reinsurance. Arbitral confidentiality prevents the naming of individual disputes in which Guy has been instructed.

Insurance & Reinsurance

Guy is listed as a Leading Silk in this field in Chambers & Partners 2017. He has experience of most classes of business, both direct and reinsurance and a significant proportion of his work involves related issues of professional negligence. In the last 12 months, Guy has been involved in a wide range of insurance and

reinsurance disputes, including incidents of piracy, destruction of property by Islamic State, events surrounding the “Arab Spring”, loss of power to an aluminium smelter in the Middle East and attempts by reinsurers to unwind loss-making energy treaties written many years ago (Guy represented the successful reassured in arbitration).

Guy is instructed in two major insurance trials, one reached the Supreme Court, the other the Court of Appeal, three energy reinsurance arbitrations, war risks claims and a(nother) piracy claim.

Atlas Navios-Navegação Lda v. Navigators Insurance Co Ltd and others (“The B Atlantic”) [2018] UKSC 26 Supreme Court , [2017] 1 W.L.R. 1303 (Court of Appeal), [2015] 1 Lloyd’s Rep. 117, Flaux J

Guy acted for the successful war risks underwriters in the Supreme Court

War risks trial in the Commercial Court heard at first instance by Flaux J following detention of vessel for drug smuggling. Allegations were made of political interference in the Venezuelan Judiciary and of perverse judgments being made by Venezuelan Judges (both sets of allegations were dismissed by Flaux J), but Flaux J found for the assured on a point of construction. Underwriters, who Guy represents, appealed to the Court of Appeal and were successful. Christopher Clarke LJ, giving leading judgment of the Court of Appeal reversed Flaux J on construction.

The Supreme Court decided that “persons acting maliciously” required an element of ill-will or spite, which was not present, that there was no basis for implying a qualification into the exclusion clause and that the excluded peril was a concurrent cause of the loss.

AXA Versicherung AG (successor to Albingia) v. Arab Insurance Group (B.S.C.) [2017] Lloyd’s Rep. I.R. 216 (Court of Appeal); [2016] 1 Lloyd’s Rep. Insurance & Reinsurance 1, Commercial Court, Males

Guy acted for the successful reassured.

The Court of Appeal judgment, Christopher Clarke LJ giving the leading judgment, gives important guidance on what needs to be pleaded and proved by an assured when challenging inducement in the context of an insurer’s attempt to avoid a contract of insurance.

The first instance judgment gives important guidance on how a court ought to assess hypothetical evidence, particularly where the events occurred many years ago. This will be an important issue when the effects of the New Insurance Act start to be considered by the Courts.

The reinsurance trial involved the attempted avoidance, by AXA, of two first loss energy reinsurance treaties on the grounds of material non-disclosure and misrepresentation. Guy Blackwood Q.C. cross-examined Albingia’s underwriter, Mr Holzapfel, and following that cross-examination Males J was not persuaded that material non-disclosures, which AXA was able to prove had occurred, had induced Albingia to write the treaties on the terms that it did. Reinsurers appealed but that appeal was dismissed by the Court of Appeal. In the circumstances, AXA’s claims failed and Guy was successful.

Guy appeared in the first reinsurance trial to come before the Court of the **Dubai International Financial Centre**, *Allianz v. Al Ain Ahlia*, in which the DIFC Court had to consider the nature of the “Arab Spring” in Egypt, and whether property damage had been caused by civil commotion amounting to popular rising. The case settled after full trial, which included factual evidence and expert geopolitical evidence.

Also this year Guy acted for the winning party in energy reinsurance arbitrations.

Other reported cases have included:

- **ACE European v. Chartis** [2012] 2 Lloyd's Rep. 117. Guy acted in this Commercial Court trial for the Defendant. Issues included the cause of damage to a power station and inherent vice.
- **Allen v. Miles Smith PLC** [2011] All ER (D) 149 (Dec). Guy acted for the successful defendant brokers. A claim was advanced for ownership of an insurance portfolio on the basis of facts which were found to be untrue. The case also involved several allegations of forgery.
- **Arash v. Groupama** [2011] 2 Lloyd's Rep. 607 (CA). Effect of European sanctions on the Islamic Republic of Iran on automatic renewal provisions in insurance contracts.
- **AXL Resources v. Antares Underwriting** [2011] Lloyd's Rep. IR 598. Effect of mysterious disappearance exclusion.
- **Dornoch v. Westminster** [2009] 2 Lloyd's Rep. 191 (phase 1); [2009] 2 Lloyd's Rep. 420 (phase 2). Guy acted on behalf of the successful underwriters in this major marine insurance dispute. Issues considered by the Court include conflicts of law and renvoi, the situs of a registered vessel, abandonment, the extent of underwriters' proprietary rights in a vessel on payment of CTL and election (equitable lien, trust) and impeachment of transactions defrauding creditors under section 423 of the Insolvency Act 1986
- **Harel Insurance v FirstCity Partnership** [2009] EWHC 256 (Comm). Guy acted on behalf of the successful broker in this dispute. Issues considered by the Court included the scope of brokers' funding as a concept and of a reference to expert determination
- **Allianz v. Aigaion** [2008] 2 Lloyd's Rep. 595 (first instance); (2008) CLC 1013 (CA) Guy acted on behalf of the successful reassureds in this reinsurance dispute. Issues considered by the Court included the effect of a premium payment warranty (and section 53 of the Marine Insurance Act 1906), offer and acceptance, acceptance by silence and uncertainty
- **Marc Rich v. Fortis** [2005] Lloyd's Rep. IR 396 - fraudulent claims, devices
- **Chris O' Kane v. Jonathan Jones (The Martin P)** [2004] 1 Lloyd's Rep. 389 Double insurance, insurable interest, authority of agents, contribution

Civil Fraud

Guy has been instructed many large commercial fraud cases, many of which have been in international arbitration.

Examples of Court cases include:

Bilta and others v. SVS Securities and others, Financial List, 30 day trial to be scheduled, alleged dishonest assistance in the carbon trading market. Guy acts as lead advocate for the first three defendants.

The Secretary of State for Justice v. Topland Group PLC, Andrew Smith and others [2012] EWHC 1280 (QB). Guy acted for one of the defendants in a claim brought by the Secretary of State for Justice against the Topland Group and Mr Smith in which the Secretary of State made allegations including fraud by bribery and breach of fiduciary duty. These allegations concerned the circumstances in which the Secretary of State came to renew the lease on First Avenue House, which houses the Family Courts. The claim exceeded £20 million. The case settled shortly before trial, having been set down for 25 days after an application by the Secretary of State to amend his pleadings and to adduce fresh expert and factual evidence was dismissed.

Guy was instructed in the **BTA Bank v. Abylazov** litigation for one of the defendants against whom allegations of dishonest assistance were made in connection with the alleged misappropriation of US\$300 million worth of "AAA" rated securities.

Guy acted for the successful defendant brokers in **Allen v. Miles Smith PLC** [2011] All ER (D) 149 (Dec). A claim was advanced for ownership of a portfolio on the basis of facts which were found to be untrue. The case also involved several allegations of forgery.

Banking & Financial Services

Guy has a wealth of experience in acting for investment banks, private equity firms and trading firms in a wide variety of proceedings. He has particular recent experience of complex finance arrangements, of construing the ISDA Master agreement, of equity loan note valuation and of derivatives.

Bilta and others v. SVS Securities and others, Financial List, 30 day trial scheduled for 2018, alleged dishonest assistance in the carbon trading market. Guy acts as lead advocate for the first three defendants

Talos Capital v. JCS Investment [2014] EWHC 3977 (Comm). Guy acted as lead counsel for the well-known hedge fund Talos in this dispute with a number of Irish Investors, who sued Talos in New York claiming US\$100 million. Guy successfully obtained summary judgment and a permanent anti-suit injunction for Talos before Flaux J in the Commercial Court, bringing the New York proceedings to a swift close.

Taurus Petroleum v State Oil Ministry of Iraq, [2017] UKSC 64 (Supreme Court), [2016] 1 Lloyd's Rep. 42 (Court of Appeal), [2014] 1 Lloyd's Rep. 432 (Commercial Court). An important case concerning the extent of state immunity granted to Central Banks of oil producing countries, enforcement against debts owed under letters of credit, the proper law of letters of credit and the situs of the debt owed by the issuing bank. Guy acted Taurus together with Gordon Pollock QC in the Supreme Court.

Guy has acted on many occasions for banks advising them on whether or not to accede to payment requests and on their position in relation to freezing injunctions. Guy has experience of derivatives transactions (and construction of the ISDA Master Agreement), impeachment of transactions defrauding creditors under section 423 of the Insolvency Act 1986, enforcement (writs of fi fa, receivership, committal proceedings, writs of sequestration, third party debt orders, charging orders), security interests in assets, documentary credits and of insolvency.

Other cases in which Guy was instructed have included:

- **Energy Venture Partners v. Malabu Oil & Gas** [2011] EWHC 2215 (Comm) - Steel J. Guy acted for J P Morgan in this complex and high value litigation. The sum of US\$1.3 billion was paid into an account with the bank, held to the order of the Federal Government of Nigeria. Issues included the effect of a Mareva injunction on those moneys and sovereign immunity. The case was described by Steel J as "extraordinary" and one which the Court approached with "a long spoon".
- **Energy Venture Partners v. Malabu Oil & Gas** [2012] EWHC 853 (Comm) - Cooke J. Guy acted for J P Morgan in its successful application for costs incurred by reason of a freezing injunction and in resisting successfully allegations of contempt of Court which were levelled at the bank.
- **Dornoch v. Westminster** [2009] 2 Lloyd's Rep. 420 (phase 2) - impeachment of transactions defrauding creditors under section 423 of the Insolvency Act 1986

- **International Finance Corporation v. Chevron** [2007] 2 All ER (Comm) 305 - Guy acted for the World Bank in this dispute concerning equitable purchaser's lien in topside modules
- **Oliver v. Dubai Bank Kenya** [2007] EWHC 2165 - standby letter of credit, whether terms of documentary credit repugnant to UCP 500
- **International Finance Corporation v. DSNL and others** [2005] EWHC 534 (Comm) - worldwide freezing injunction, contempt, committal, sentencing in absentia
- **International Finance Corporation v. DSNL and others** 21.03.05 - revolving loan and guarantee agreement, summary judgment for US\$20 million.

Public International Law

Guy's practice includes an increasing amount of public international law and Guy has considerable experience of the law of sovereign immunity. Most of Guy's time at present is spent in arbitration acting for a foreign Government in a very large contractual dispute and a bilateral investment treaty dispute.

Much of Guy's time over the last 2 years has been taken up acting as lead advocate for the Hellenic Republic in a series of ICC and ICSID (ARB/16/20) arbitrations, the "Greek Submarines Arbitrations", which have been widely reported on in publications such as Global Arbitration Review. The following overview is taken from Global Arbitration Review:

ICC:

"The [Greek Submarines] dispute is already playing out in two ICC arbitrations, before tribunals chaired by Spain's Juan Fernández-Armesto, in which the amount in dispute is thought to exceed €1 billion. Prinvest and Hellenic Shipyards first filed an ICC claim against Greece in 2013. In addition to Fernández-Armesto, the case is being heard by French arbitrator Laurent Aynès and Greek arbitrator Panayiotis Kornilakis. Greece filed a counterclaim against Prinvest and a number of other companies a year later, requesting compensation for the alleged breaches in the agreement for construction and delivery of the submarines. The panel hearing that case includes Swiss arbitrator Bernard Meyer and Austrian arbitrator Andreas Reiner."

ICSID:

"A Lebanese investor has filed an ICSID claim against recession-struck Greece after its navy took over one of the country's largest ship yards and the construction of submarines ordered by the state. Iskandar Safa, who co-owns Beirut-based shipbuilder Prinvest, submitted a request for arbitration on 13 June under the Lebanon-Greece bilateral investment treaty. The case has yet to be registered by ICSID but Safa issued a press release with details of the claim today (22 June). The claim relates to the Skaramangas commercial shipyard and naval base just outside Athens, which was created in 1937 to build warships. Prinvest acquired a 75 per cent stake in the yard's operator Hellenic Shipyards in 2010, under a set of contracts to which the Greek government was also a party. Safa alleges that Greece took effective control of the shipyard four years later, after passing a law allowing its navy to complete the construction of Type 214 submarines it had ordered. The submarines were completed at the yard using Hellenic Shipyard employees at no cost to the government."

Taurus Petroleum v State Oil Ministry of Iraq [2017] UKSC 64 (Supreme Court), [2016] 1 Lloyd's Rep. 42 (Court of Appeal), [2014] 1 Lloyd's Rep. 432 (Commercial Court). An important case concerning the extent of state immunity granted to Central Banks of oil producing countries, enforcement against debts owed under letters of credit, the proper law of letters of credit and the situs of the debt owed by the issuing bank. Guy acted Taurus together with Gordon Pollock QC in the Supreme Court.

International Trade & Commodities

'Leading Silk' (Commodities, Legal 500, 2017)

The majority of Guy's commodities practice is in arbitration. Guy has acted in GAFTA arbitrations (most unusually for the Bar), LME arbitrations (copper and aluminium) RSA arbitrations and LIFFE disputes, among others whilst on the dry shipping side, his practice is very varied and includes charterparty and shipbuilding/ offshore construction disputes of many varieties. Court cases are few and far between in this field, because the vast majority of disputes are subject to confidential arbitration.

Court cases in which Guy has been involved include:

- **Bilta and others v SVS Securities and others, Financial List**, 30 day trial to be scheduled, alleged dishonest assistance in the carbon trading market. Guy acts as lead advocate for the first three defendants.
- **Archer Daniels Midland v Tarif Akhras** [2014] EWHC 1392 (Comm), major GAFTA trading dispute, inter-relationship between UN sanctions over the family of President Assad of Syria and the jurisdiction to grant a worldwide freezing injunction.
- **Dornoch v Westminster** [2009] 2 Lloyd's Rep. 191 (phase 1); [2009] 2 Lloyd's Rep. 420 (phase 2). Guy acted on behalf of the successful underwriters in this major marine insurance dispute arising from the collision of the WD Fairway with the MSC Joanna. Issues considered by the Court include impeachment of transactions defrauding creditors under section 423 of the Insolvency Act 1986, conflicts of law and renvoi, the situs of a registered vessel, abandonment, the extent of underwriters' proprietary rights in a vessel on payment of CTL and election (equitable lien, trust)
- **Antiparos v SK Shipping** [2008] 2 Lloyd's Rep. 237. Construction of clause 4(c) of the Asbatankvoy form.
- **Andromeda Marine v OW Bunker & Trading ("The Mana")** [2006] 2 Lloyd's Rep 319. Jurisdiction, negative declaratory relief, Brussels Convention, Article 17.
- **Fast Ferries One SA v Ferries Australia Pty Ltd.** [2000] 1 Lloyd's Rep. 534. Shipbuilding contract - termination.
- **The mv Derbyshire (2000)**. Re-opened formal investigation in the loss of the mv Derbyshire.

Energy & Natural Resources

Guy has a real depth of experience in energy disputes, almost all of which has been in international arbitration. He has considerable experience in the mining sector, including contractual disputes, in carbon trading, licensing disputes and insurance claims.

Guy acts as lead advocate for the first three defendants in **Bilta and others v SVS Securities and others, Financial List**, 30 day trial to be scheduled, alleged dishonest assistance in the **carbon trading** market.

Guy also has experience of the following, the majority of which has been in international arbitration:

- Expropriation of offshore assets.
- Licensing disputes.
- Contractual disputes (take or pay and joint venture agreements) in the oil and gas industries.
- Carbon trading disputes in the electricity markets.
- Telecoms.
- Share warranty claims in the oil and gas industry.
- Design defects in offshore structures and claims for CTLs.
- The operation of pipelines.
- Large insurance claims in the energy sector, including physical/ latent damage to offshore platforms, CTLs, loss of production and political risks.
- The construction of offshore structures.

Shipbuilding

Guy has been involved in a number of large offshore and ship construction cases in the last decade, the vast majority of which have been in arbitration. Guy also has in depth experience of related financial instruments, such as refund guarantees.