



## Natalie Moore

Called: 2007

natalie.moore@quadrantchambers.com

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### Practice Overview

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Natalie has a broad commercial practice with particular experience in international commerce and shipping. She regularly appears in the Commercial Court and in arbitration, both as sole and junior counsel.

Natalie is ranked by Chambers UK Bar 2019 as a leading junior barrister. She is described as: "Very switched-on and enthusiastic. She is hard-working, easy to deal with and personable." ... "An excellent junior and a strong team player." (Chambers 2019) Recent commentary recognises that "She has a razor sharp legal mind, is very commercially minded and is an excellent advocate" (Legal 500 2019).

Significant cases include:

- **Ark Shipping Company LLC v Silverburn Shipping (IOM) Ltd (The "ARCTIC")** [2019] EWCA Civ 1161 - Natalie and Simon Rainey QC (neither of whom appeared below) acted for the successful appellant in the Court of Appeal in this important ruling on the classification of the charterers' obligation to keep a vessel in class under a bareboat charter. Simon and Natalie successfully overturned the Judge's decision that the term was a condition. The Court of Appeal held that the obligation was an innominate term and that the owners were not entitled to terminate for breach of this obligation in the absence of a repudiatory breach.
- **Lukoil Asia Pacific PTE Ltd v Ocean Tankers (PTE) Ltd (THE "OCEAN NEPTUNE")** [2018] 1 Lloyd's Rep Plus 31 Natalie acted for the Claimant charterers on their s 69 appeal from an arbitration award on a demurrage time bar. The arbitrators decided that a claim brought by owners for time lost waiting for charterers' orders was not time barred. Natalie overturned the decision, successfully arguing that the owners' claim was a claim for demurrage and therefore time barred by reason of the owners' failure to provide the required supporting documents within the time limit specified in the demurrage time bar clause in the charterparty.
- **Fair Wind Navigation SA & others v Ace Seguradora SA** In October 2017, Natalie obtained a final anti-suit injunction restraining the defendant insurers from pursuing a contractual claim brought in Brazil under two bills of lading against a non-party to the bills. The case involved difficult issues relating to "quasi-contractual" injunctions and the jurisdictional gateways.
- **Spar Shipping AS v Grand China Logistics Holding (Group) Co Ltd** [2016] EWCA Civ 982. Natalie appeared with Simon Rainey QC and Nevil Phillips in the Court of Appeal in the leading case on whether payment of hire is a condition of a time charter.
- **Access Bank Plc v Rofos Navigation Ltd** [2013] EWHC 3861 (Comm); [2013] EWHC 748 (Comm); [2013] EWHC 230 (Comm); [2013] EWHC 441 (Comm); [2012] EWHC 4065 (Comm). Natalie acted for the Claimants who were seeking to recover their losses arising out of a fraud relating to an import finance facility. She appeared with [Robert Thomas QC](#) in a string of applications in the Commercial Court, obtaining and maintaining various forms of interlocutory relief including a worldwide freezing injunction, an anti-suit injunction and orders

for cross-examination on asset disclosure.

- **Antonio Gramsci v Recoletos** [2011] 1 Lloyd's Rep 647; [2012] 2 Lloyd's Rep 365; [2013] 2 Lloyd's Rep 295. Natalie appeared with [Simon Rainey QC](#) and [Robert Thomas QC](#) on behalf of the Claimants in a series of cases which involved consideration of entirely new principles of 'piercing the corporate veil', developed by the Claimants' team and successfully advanced for the first time in this litigation.

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## What the directories say

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**"She has a first-class mind and is commercially astute."**

(Legal 500 Asia Pacific, 2020)

**"She is a very good up-and-coming junior. She's meticulous, friendly and a good team player who has very good organisational skills."**

(Chambers UK, 2020)

**"Natalie Moore is what you look for in a junior: she is responsive, user-friendly and knows the law."**

(Chambers UK, 2020)

**"An intelligent and persuasive advocate and is equally impressive advising on paper or in conference."**

(Legal 500, 2020)

**"She has a first-class mind, is commercially astute and a skilled and persuasive advocate."**

(Legal 500 Asia Pacific, 2019)

**"She has a razor sharp legal mind, is very commercially minded and is an excellent advocate."**

(Legal 500 2019)

**"Very switched-on and enthusiastic. She is hard-working, easy to deal with and personable." "An excellent junior and a strong team player."**

(Chambers UK 2019)

**..."Extremely bright, very hard-working and dependable. Easy to work with and provides good support throughout the development of a case. Capable of dealing with factually heavy cases and pays great attention to detail."...**

(Chambers UK, 2018)

**..."Very clever, thorough and reliable"; "A rising star, she is bright, tough and good on her feet. She can stand up to any QC."...**

(Chambers UK & Global Editions 2017)

**..."A young junior who is developing and making a name for herself ... [she is] on the majority of the really good cases and is getting a lot of attention from silks."...**

(Chambers UK, 2016)

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## Shipping & Maritime

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Natalie is recommended in Chambers & Partners UK Bar and Global editions as a leading junior for shipping.

### **Dry Shipping**

Natalie regularly advises and acts in shipping matters in arbitration and in the Commercial Court. She has experience of all types of bill of lading, COA and charterparty disputes.

Significant cases include:

- **Ark Shipping Company LLC v Silverburn Shipping (IOM) Ltd (The “ARCTIC”)** [2019] EWCA Civ 1161 - Natalie and Simon Rainey QC (neither of whom appeared below) acted for the successful appellant in the Court of Appeal in this important ruling on the classification of the charterers' obligation to keep a vessel in class under a bareboat charter. Simon and Natalie successfully overturned the Judge's decision that the term was a condition. The Court of Appeal held that the obligation was an innominate term and that the owners were not entitled to terminate for breach of this obligation in the absence of a repudiatory breach.
- **Lukoil Asia Pacific PTE Ltd v Ocean Tankers (PTE) Ltd (THE “OCEAN NEPTUNE”)** [2018] 1 Lloyd's Rep Plus 31 - Natalie acted for the Claimant charterers on their s 69 appeal from an arbitration award on a demurrage time bar. The arbitrators decided that a claim brought by owners for time lost waiting for charterers' orders was not time barred. Natalie overturned the decision, successfully arguing that the owners' claim was a claim for demurrage and therefore time barred by reason of the owners' failure to provide the required supporting documents within the time limit specified in the demurrage time bar clause in the charterparty.
- **Spar Shipping AS v Grand China Logistics Holding (Group) Co Ltd** [2015] 1 All ER (Comm) 879; [2016] EWCA Civ 982 - Natalie (with [Nevil Phillips](#) and [Simon Rainey QC](#)) acted for the successful Claimant shipowners in a claim for US\$25 million under guarantees securing the charterers' performance under three long term time charters. In this landmark case, the Court of Appeal held that payment of hire was not a condition of a time charter and that *The Astra* [2013] EWHC 865 (Comm) was wrongly decided. The Court of Appeal dismissed the guarantors' appeal against the first instance decision of Popplewell J, holding that, even though the obligation to pay hire was not a condition, the charterers' history of late payment was renunciatory and the guarantors were therefore liable under the guarantees in respect of the charterers' liability for loss of bargain damages.
- Led by [Nevil Phillips](#) in a Commercial Court action arising out of a dispute under a time charter on the Shelltime 4 form. Natalie acted for the owners, defending a claim brought by the charterers for damages for repudiatory breach of charter by reason of the owners' alleged failure to take reasonable steps to obtain the release of the vessel from arrest by a third party in Estonia.
- Instructed as part of a team of counsel in a multi-million dollar charterparty dispute concerning the proper construction of the owners' obligations regarding the identity of the chartered vessel.
- Acted for the claimant owners against charterers in relation to damage to a vessel caused by the loss of a high value project cargo during carriage by sea.

### **Wet Shipping**

Natalie is frequently instructed in wet shipping and admiralty matters:

- Natalie is currently instructed on a number of general average cases arising out of pirate hijackings in the Indian Ocean

- Acted for the defendant shipowners in connection with a collision outside Lagos port
- Led by [Simon Rainey QC](#) in a limitation action in the High Court of Justice of the Isle of Man arising out of the collision between the BALTIC ACE and the CORVUS J in December 2012. Simon and Natalie knocked out a forum non conveniens challenge to the admiralty jurisdiction of the Isle of Man. The case reaffirms the right of shipowners to commence a limitation claim in the courts of their domicile.
- Natalie regularly appears in the Admiralty Court on behalf of banks and other financial institutions in connection with yacht financing agreements and mortgages.

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## Commercial Dispute Resolution

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Natalie's practice embraces a wide range of commercial work.

Significant cases include:

- **Spar Shipping AS v Grand China Logistics Holding (Group) Co Ltd** [2015] 1 All ER (Comm) 879; [2016] EWCA Civ 982. Natalie and [Nevil Phillips](#) successfully represented the Claimants in a five day Commercial Court trial concerning the validity and enforceability of three letters of guarantee provided by a Chinese company. The Defendant guarantors contended that they were not bound by the guarantees, alleging that the guarantees were issued without authority and in breach of Chinese foreign exchange laws. Natalie was also part of a team of counsel that held onto the judgment in the Court of Appeal.
- **Access Bank Plc v Rofos Navigation Ltd** [2013] EWHC 3861(Comm); [2013] EWHC 748 (Comm); [2013] EWHC 230 (Comm); [2013] EWHC 441 (Comm); [2012] EWHC 4065 (Comm). The Access Bank litigation arose out of the alleged fraudulent diversion of oil products and their proceeds of sale by a Nigerian oil importer. Natalie was led by Robert Thomas QC on applications for a worldwide freezing injunction and orders for cross-examination of the Defendants on their affidavits of assets.
- **Antonio Gramsci v Stepanovs** [2011] 1 Lloyd's Rep 647. The Antonio Gramsci litigation concerned an alleged multi-million dollar fraud by the management of Latvian state owned companies and a number of leading Latvian politicians. In this case, Natalie (acting for the Claimants, and led by [Simon Rainey QC](#) and [Robert Thomas QC](#)) successfully resisted an application challenging the jurisdiction of the English courts. In this ground-breaking decision, the Commercial Court held that the corporate veil could be pierced in order to permit the Claimants to enforce a jurisdiction agreement against the controlling mind of the contracting company.
- **Antonio Gramsci v Lembergs** [2011] EWHC 2242 (QB). Natalie and Robert Thomas QC successfully maintained a worldwide freezing injunction upon the Defendant's application to set aside the injunction on grounds of alleged non-disclosure, absence of risk of dissipation and delay.
- **Antonio Gramsci v Lembergs** [2012] 2 Lloyd's Rep 365 (Teare J); [2013] 4 All ER 157 (CA). Natalie was led by Robert Thomas QC and [Simon Rainey QC](#) in hearings at first instance and in the Court of Appeal involving the application of the principle established in Antonio Gramsci v Stepanovs (above) to another defendant in the light of the flurry of intervening cases concerning the nature and effect of piercing the corporate veil, including VTB Capital v Nutritek.

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## International Arbitration

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Natalie frequently acts in international arbitrations arising out of commercial disputes, with particular emphasis on

international commerce.

Illustrative cases include:

- Acting for the Claimants (with [Luke Parsons QC](#) and [Nevil Phillips](#)) in a substantial international arbitration concerning allegations of fraud and bad faith in the context of a long term commercial relationship.
- Acting in eight arbitrations arising out of the insolvency of a global company (led by [Poonam Melwani QC](#))

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## Shipbuilding

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Natalie frequently acts in shipbuilding disputes.

Notable instructions include:

- Led by [Simon Rainey QC](#) in a dispute concerning the sale of a semi-submersible rig.
- Led by [James Turner QC](#) in an international arbitration arising out of design defects in connection with the construction of a pipe laying barge.
- Led by [Nigel Cooper QC](#) in an arbitration concerning the quantum of damages payable for the use of a vessel design and technical specification in breach of a licence agreement.
- Appeared in arbitration with [Luke Parsons QC](#) on behalf of the buyers of two container vessels in a dispute about the variation of contractual delivery dates.
- Appeared as sole counsel in a three day trial in the Admiralty Court concerning defective repairs to a classic wooden sailing ship.
- Instructed as junior counsel for a shipyard in an arbitration arising out of the delayed delivery of a super yacht.

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## Civil Fraud

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Natalie has been involved in a number of substantial fraud cases. Recent and current instructions include:

- Natalie recently acted for the Claimants with a team of counsel in a chain of arbitrations involving long term commercial contracts and alleged fraudulent misrepresentations.
- **Antonio Gramsci v Recoletos** - Natalie acted for the Claimants (with [Simon Rainey QC](#) and [Robert Thomas QC](#)) in a claim arising out of an alleged fraud involving the diversion of millions of dollars of profits from the Claimant companies. She was involved in applications for worldwide freezing injunctions and jurisdiction disputes in the case and was also instructed in connection with the cross-examination of a Defendant on his affidavits of assets.
- **Access Bank Plc v Capital Oil and Gas Industries Ltd** - Natalie was instructed on behalf of a Nigerian bank

in a case relating to an alleged import finance facility fraud. Natalie was led by [Robert Thomas QC](#) on applications for a worldwide freezing injunction against the Defendants and orders for cross-examination of the Defendants on their affidavits of assets.

- o Natalie (as sole counsel) successfully represented the Claimant in a one day fraud trial relating to the sale of a classic car.

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## Banking & Financial Services

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Natalie has experience of appearing on behalf of the major banks in the High Court and County Courts in a range of banking matters including disputes relating to loan agreements, mortgages, guarantees, breach of mandate, consumer credit and fraud.

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## Insurance & Reinsurance

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Natalie has experience in a variety of insurance matters. Recent instructions include advising on the insurance issues arising out of piracy attacks off the coast of Somalia, advising on policy cover in respect of a fire on a vessel and a claim for profit commissions due under a binding authority.

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## International Trade & Commodities

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Natalie undertakes a range of commodities and international trade work. She has acted in trade association arbitrations and commercial disputes arising out of the international sale of goods

## Academic

BA (Law), First Class - Emmanuel College, Cambridge.

## Other Qualifications

Lincoln's Inn Lord Denning, Hardwicke and Levitt Scholarships; Lincoln's Inn Buchanan Prize; Emmanuel College Vaughan Bevan Prize for Law.

## Memberships

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## In-House Experience

Secondments to the shipping groups of two city law firms (October – November 2008).