



Matthew Reeve

Called: 1987

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Matthew is a highly experienced barrister with a wide-ranging commercial practice. He appears as the front-line advocate at all levels of the senior courts, especially the Commercial Court, the Court of Appeal and the House of Lords, as well as in international commercial arbitrations (in which he also receives appointments as an arbitrator).

He has attracted recognition for his handling of larger cases requiring complex legal and factual analysis and the coordination of large teams of lawyers and experts on cases from around the world including (recently) Saudi Arabia, Brunei, Bermuda, Dubai, China, Korea, Cayman Islands, India and New Zealand. Clients include members of royal families, senior military figures, three premiership football clubs, international sportsmen and well-known business personalities in the United States and UK, aviation authorities (in the UK and abroad), insurance regulatory authorities, as well as international insurance and reinsurance companies and airlines.

Matthew combines the highest standards of advocacy (including traditional cross-examination skills) with the application of the most modern litigation-management techniques. He is consistently ranked as a 'Leading Junior' in the latest editions of both Chambers UK and The Legal 500 for Aviation, Shipping and Travel and was shortlisted for Shipping Junior of the Year for the Legal 500 UK Awards 2019.

What the directories say

- *"He knows his stuff inside and out, and is very detailed in terms of his preparation and finding out what's required in a case. Clients feel safe around him as he's personable but also has plenty of gravitas. Measured in court, he's good with both witnesses and the judge."* (Chambers UK, 2020)
- *"He's very thorough, responsive and approachable. He's also very accommodating to his clients' needs and his advice is very user-friendly. (...) His attention to detail is very good."* (Chambers UK, 2020)
- *"An extremely clever and able barrister who thinks deeply and laterally about strategy and the legal opportunities available within the litigation process."* (Chambers UK, 2020)
- *"Good with clients, good on his feet and very easy to work with."* (Legal 500, 2020)
- *"He identifies the main issues quickly and has great attention to detail."* (Legal 500, 2020)
- *"He is excellent to deal with."* (Legal 500, 2020)
- *"He handles cases with complex legal and factual analysis with focus on aviation claims."* (Legal 500, 2019)
- *"He gets to grips with the details quickly and identifies important points in an intelligent way."* (Legal 500, 2019)
- *"His fierce intellect and commercial acumen are well suited to complex matters."* (Legal 500, 2019)
- *... "Matthew is extremely thorough and has great attention to detail." ... "He's compassionate with clients and very good with complex quantum cases." ...* (Chambers UK, 2019)

- *"He is technical, very detailed and very thorough. He doesn't leave any stone unturned and is very compassionate with clients."*... (Chambers UK, 2019)
- *"He's very tenacious and hard-working, he comes up with clever and unusual strategies and thoughts and things I haven't thought of. He's very creative and good on his feet in court." ... "Very erudite and good for highly specialised cases in the industry."*... (Chambers UK, 2019)
- *"so good"..."well known for his aviation expertise"*(Who's Who Legal, 2018)
- *"...Combines legal prowess with a remarkable degree of insight into the technical aspects of aviation accidents..."*(Chambers UK, 2018)
- *"...He is very approachable, has a great wealth of experience and clients respect his advice..."*(Chambers UK, 2018)
- *"...He leaves no stone unturned, and is very detailed and thorough..."*(Legal 500, 2017)
- *"...Good at "big-picture" strategy as well as providing a detailed approach to the evidence..."*(Legal 500, 2016)
- *"...He always comes up with questions and arguments you haven't thought of..."*(Legal 500, 2016)
- *"...he has an eye for detail but won't take an academic point just for the sake of it; he is pragmatic and explains things in a client-friendly manner." "He has a very easy style both in court and with clients..."*(Chambers UK, 2016)
- *"...he shows great compassion and understanding to clients..."*(Chambers UK, 2015)
- *"...a proactive, hands-on senior junior who is both detailed and yet has sight of the bigger picture." "He shows great compassion and understanding with clients, and is excellent on complex quantum cases..."; "...a charming advocate who strikes the right balance between robustness and politeness when handling difficult clients..."*(Chambers UK, 2015)
- *"...he's extremely good in court - judges listen to him. He's very good at explaining complicated issues in a convincing manner..."*(Legal 500, 2014)
- *"...doggedly determined..."; "...has established a strong track record in insurance, aviation, shipping and trade disputes..."*(Legal 500, 2014)
- *"...would rate him highly for any form of aviation work. Matthew has specialist knowledge of aviation and travel work because of his expert knowledge of ATOL. He is very good in court, explaining complicated issues in a way that makes them sound very convincing. He has strong technical knowledge..."*(Chambers UK, 2014)
- *"...intellectually rigorous..."; "...recommended..."; "...a very competent senior junior, who can be trusted to run matters without a leader..."*(Legal 500, 2013)
- *"...sources are impressed with his expert witness testing skills and excellent knowledge of the technicalities of aviation, as well as the 'great compassion and understanding he shows to clients'..."*(Chambers UK, 2013)
- *"...has an incisive understanding of the technical and jurisdictional complexities of aviation matters..."*(Legal 500, 2012)
- *"...first class intellect, excellent client care and quick-thinking advocacy in court...""; "...incredibly commercially minded, focused and practical..."*(Chambers UK, 2012)

Commercial Dispute Resolution

Matthew is instructed in a wide range of London Market and international commercial disputes in the Commercial Court and elsewhere (including arbitration). Notable and recent cases include:

- ***Northampton Regional Livestock Centre Co Ltd v Cowling***(Court of Appeal 2015). Secret profit taken from purchasers by property agent appointed to act on behalf of vendors of the Northampton Cattle Market. Leading case as to the extent and nature of an agent's fiduciary duties, and a firm's collective responsibility for the conflicts of interest incurred by a partner.
- ***Foster v Action Aviation*** (Comm Ct and Court of Appeal, 2015). Sale of jet aircraft. Misrepresentation of aircraft

accident history by the seller and implied representations as to the ability of the factory to service a 5-year warranty. Leading case on whether fraud can be inferred from the circumstances, and a shadow director's personal liability for his misrepresentations.

- *Jet Finance Group LLC v Hawker Beachcraft Limited* (2011). Title dispute between the original purchaser of British Aerospace 125 jet aircraft and a Tennessee financier which registered a subsequent mortgage on the FAA register; issues of estoppel of ownership and negligent estoppel; effect of registration on unregistered prior interests.
- *Gamit Limited v Saudi Royal Flight* (2009). \$48m claim for repudiatory breach of contract for overhaul of engines of Royal Boeing 747.
- *Forrest v Glasser* [2006] 2 Lloyd's Rep 392 (Court of Appeal). Contract for sale and purchase of shares; whether letter amounted to a notice of a "claim" on the share sale warranties for the purposes of the contractual time bar; whether the court could take account of pre-notice correspondence for the purposes of construing the notice of claim.
- *Biscit CSP Limited v Netservices PLC* (2006) Commercial Court. Dispute between wholesalers and retailers of broadband internet supplies in which 9500 of the claimant's customers were cut off by the Defendants; unlawfulness of supply interruption.
 - *Central Fuel Card v Woods* (2005); Share warranty dispute. Meaning in standard clause of "manifest error" by independent accountant in performance of role as jointly appointed expert.

Insurance

Matthew has over 20 years' experience in handling insurance and reinsurance disputes and regulatory matters. Before moving into private practice, he was employed in the Solicitors Department at Lloyd`s of London. His experience embraces traditional coverage disputes in reinsurance and all classes of direct insurance; marine, aviation, non-marine (including property, fire, bloodstock and export credit insurance). He also advises and represents clients in respect of a much wider range of issues involving insurance regulators, insurance companies, Lloyd's syndicates and brokers, including market regulation, disciplinary and professional negligence. He advises on regulatory matters both in the UK and abroad. Notable and recent cases include:

- Reinsurance arbitration (2015). Historic reinsurance by Eastern European state reinsurance company. Reinsuring clause "pay as may be paid, liable or not liable". Issues as to effect of commutation of underlying policies.
- Reinsurance arbitration, seated in Bermuda (2008). Excess of loss treaty programme claims arising out of successive catastrophes in the United States; misrepresentation; technical issues concerning the balancing and spread of property reinsurance accounts.
- *Harper Versicherungs AG v Indemnity Marine Assurance Co Limited* [2006] 2 Lloyd's 263 (Commercial Court). Reinsurance dispute concerning treaties written in 1965-68. Whether the mistaken reference to arbitration by claimants whose interest in the reinsurances had been divested pursuant to a portfolio transfer under Part VII of the Financial Services and Markets Act 2000 could be treated as a reference to the transferees; whether new balances falling due under the reinsurances after the first arbitration had to be claimed by separate arbitration.
- *KPMG Corporate Finance v Argenta Group plc* (2005). Claim against a Lloyd's underwriting group for corporate finance consultant's success fee for the introduction of investment capital, including finance by way of reinsurance funding.
- *Sir David Berriman v. Rose Thomson Young (Syndicate 255/258)* [1996] 5 Reinsurance L.R. 117 (LMX).
- *Bates and Others v. Barrow and Others* [1995] 1 Lloyd`s LR 680; (Reinsurance). Illegality of reinsurance policies made by an English coverholder of a foreign reinsurer. Construction of Section 132 of the Financial Services Act 1986.
- *Edwin Arthur Simner v. The New India Assurance Company Limited* [1995] L.R.L.R. 240. Reinsurance. Extent of insured's duty to make investigations for the purposes of making a fair presentation of the risk.
 - *Lady Patricia Ashmore v. The Corporation of Lloyd`s (No.1)* [1992] 1 WLR 446; [1992] 1 Reinsurance. L.R.335. *Lady Patricia Ashmore v. The Corporation of Lloyd`s (No.2)* [1992] Lloyd`s LR 620 (Duties owed by Lloyd`s as market regulator).

Aviation & Travel

'Leading Junior' Chambers UK

'Leading Junior' The Legal 500

Matthew's international aviation and travel practice is acknowledged in both Chambers UK and The Legal 500. It spans all aspects of airline liability, passenger/air accident claims, carriage of cargo, aircraft manufacturer and maintainer liability, air accident investigation and inquests, airline regulation, tour operators, aircraft and engine financing, conflicts of laws and aviation insurance/reinsurance disputes. It regularly involves the management of multiparty and disaster litigation. Matthew was elected a Fellow of the Royal Aeronautical Society in 2012. Notable and recent cases include:

- *Cassley v GMP Bank* (QB, 2015). Claim arising out of the death of an English corporate financial and the entire board of an Australian mining company in an air crash in the Congo. Employers' liability claim exploring the limits of an employers' liability for risks to employees in the course of foreign travel.
- *Red Arrows Inquest* (2014). Article 2 inquiry into the death of Red Arrows pilot "Red 5" who was killed when his ejector seat deployed on the ground. Matthew represented the aircraft manufacturer.
- *Foster v Action Aviation* (Comm Ct and Court of Appeal, 2015). Sale of jet aircraft. Misrepresentation of aircraft accident history by the seller and implied representations as to the ability of the factory to service a 5-year warranty. Leading case on whether fraud can be inferred from the circumstances, and a shadow director's personal liability for his misrepresentations.
- *Stisted* (2013). Fatal accidents claim arising out of the Shanlieve helicopter crash.
- *Willis* (2013). Merlin air race crash over the Isle of Wight.
- *Datec Electronic Holdings Limited v United Parcels Service Limited* [2007] 1 W.L.R. 1325. In February 2007, Matthew represented the successful respondents in the House of Lords. He had also appeared at first instance in the Commercial Court ([2005] 1 Lloyd's Rep 470) and in the Court of Appeal ([2006] 1 Lloyd's Rep 279). The House considered the extent to which carriers can use their standard terms and conditions to displace their liabilities under international carriage conventions, such as CMR and the Warsaw Convention. The House also stated the limits of the Court of Appeal's role when considering appeals from findings of fact.
- *Day v Tasker* (2009). Multi-party litigation arising out of Lake District helicopter crash, involving claims of pilot/instructor and maintainer/engineer negligence. Matthew defended the engineer who conducted the aircraft inspection before the crash.
- *Hall v Heart of England Balloons* (2009). Issue as to whether there is power under the Montreal Convention to correct the defendant's name.
- *Thomas Cook v Kaya* (2009). Art 23 of Judgments Regulation; whether tour operator must draw change of jurisdiction clause in standard accommodation contract to the attention of the supplier.
- *Linatex v Kreisky* (2009). Blackbushe air crash; a claim on behalf of the subrogated insurers. A case in which an order was made requiring the AAIB to disclose the contents of the cockpit voice recorder.
- *Armstrong v IAE* (2008). Acting on behalf of the family of Andrew Armstrong, a banker who died when his aircraft engine failed on take-off from Jersey Airport.
- *Paton v MOD* (2007). Claim against Ministry of Defence for negligence in respect of a fatal accident involving a Cessna 182 and an RAF Sea King at Newquay airport.
- *Valence Location SARL v Lotus Air* (2005). Finance of purchase of Boeing 747 aircraft. Availability of relief from forfeiture under aircraft finance lease.
- *Lee v Airtours* [2004] 1 Lloyd's 604. Sinking of the cruise ship SUN VISTA on 20 May 2000 (1000 passengers aboard). Whether the tour operators could limit their liability to passengers by reference to international conventions (such as the Athens and Warsaw Conventions) relating to international carriage.
- *The Sixth Duke of Westminster v Raytheon Aviation Services Limited and Cessna Aircraft Corporation* (2003). Claim of about \$4m, arising out of a fire which damaged a personal jet, against manufacturers and maintainers. Investigation of the causes of the fire and the role of high voltage electrical connectors. Extent of the duties owed in tort by aircraft manufacturers to the ultimate operators, in the light of the manufacturers' obligations under the US Federal Aviation Regulations.
- *Winchester Fruit v. American Airlines* [2002] 2 Lloyd's Rep. 265. Liability of carriers for perishable cargoes under Art 18 of the Warsaw Convention.
 - *In re Stephen Curtis* (2006); Bournemouth Augusta 109E crash in which assassination by the FSB was alleged. *In re Schumejda and Swingle* (2004); Birmingham Airport crash of Bombardier Challenger - \$100m claim in US.

Shipping

Dry Shipping

'Leading Junior' (Legal 500 2015)

Matthew has extensive experience over a wide range of dry shipping and transport disputes, including time and voyage charterparties, contracts of affreightment, bills of lading, charter hedging contracts, multi-modal carriage and commodities contracts. Recent cases include:

- *The "M/T Wildebeest"* (2013). Carriage of Gasoil/Mogas under Beepeevoy 3 form of charter. Collision. Allegations of unseaworthiness, breaches of COLREGs and crew incompetence. Claims of breach of charter and demurrage.
- **Confidential chain of arbitrations** (2013). Unsafe cargo of iron ore fines loaded at Mobile. Breaches of IMSBC Code and ISM Code. Claims for breach of charterparty. Master's responsibility for loading an unsafe cargo. Further claims down the chain under guarantee – issue as to whether guarantee authorised.
- *STX Pan Ocean v Woori Bank* (Comm Court 2012). Ship finance and chartering. Application for anti-suit injunction restraining proceedings in the Korean Courts, in breach of arbitration agreement. Issue as to whether assignee of charterparty can escape the arbitration clause.
- **Confidential arbitration** (2012). Exercise of lien for freight over cargo of maize destined for Tehran. Issue was whether, in the case of a threat to vessel at the discharge port, the lien could be exercised at sea.
- Various recent arbitrations relating to a wide range of issues including extent to which time to comply with time charterer's voyage orders should take account of length of charterparty chain, enforceability of liens of sub-hire and sub-freight, charter guarantees, assignments, and short delivery.
- Matthew appeared in the House of Lords for the successful respondents *Datec Electronic Holdings Limited v United Parcels Service Limited* [2007] 1 W.L.R. 1325 (carriage by road and air carriage under the CMR and Warsaw Convention).
- *The "JIN RUI"; Fratelli D'Amato v Transfield Shipping* (2009). One of the issues was the extent to which non-monetary benefits of owner under a NYPE time charter could be transferred by way of a legal assignment under section 136.

Wet Shipping

Matthew's practice focuses mainly on hull and machinery policy claims, including scuttling cases. He acted for the successful underwriters in *Pantera Consultants v Aachener Munchener*, a scuttling case. [See also "Insurance and Reinsurance"].

International Arbitration

'Leading Junior' (The Legal 500, 2015)

A large proportion of Matthew's practice is conducted in international arbitrations, including under ICC and LMAA rules. He appears both as advocate and, increasingly, as arbitrator. Recent cases include:

- **ICC arbitration** (2009). Agency claim in respect of several large construction projects in the Middle East.
- **Reinsurance arbitration**, seated in Bermuda (2008). [See "Insurance and Reinsurance"].
 - *Adam Equipment v Radwag* (2007). International arbitration seated in Austria under Vienna Rules concerning worldwide distribution rights in respect of industrial balances.

Sports Law

Matthew has considerable experience of sports disputes. He has acted for three premiership football teams and several Formula One personalities, in respect of matters such as sponsorship agreements, management disputes, finance and training infrastructure issues.

Shipbuilding

Matthew has experience of both acting in ship and yacht construction claims.

- *The "IL SOLE"* (Comm Ct, 2015). Claim arising out of sale of Candy Brothers' superyacht "Candyscape"; failure to ensure that vendor's condition warranties were secured by personal guarantee. Failure of engine within an hour of completion of sale. Issue as to meaning of "as is where is" clause.
- *Adyard v Serco Denholm Marine Services* [2011] EWHC 848 (Comm) - Matthew appeared for the Shipyard regarding claims in respect of rescission of the contracts for the construction of two support ships for the Royal

Navy.

- Matthew was instructed by the designers of the "*MIRABELLA V*" (2009), the largest single-masted sloop, in respect of a claim negligence arising out of the structural failure of the mast-support.

Energy

Matthew has experience in the field of energy insurance and reinsurance disputes.

Banking

Matthew is regularly instructed to appear in asset finance matters, including asset recovery cases and enforcement of guarantees, particularly involving shipping and aviation infrastructure finance. Recent cases include:

- *Humphries v Dunfermline Building Society* (2013). Claims for mis-selling of equity release mortgages. Breaches of FSA regs. Issues of mistake, misrepresentation, undue influence and non est factum.
- *STX Pan Ocean v Woori Bank* (Comm Court 2012). Ship finance and chartering. Application for anti-suit injunction restraining proceedings in the Korean Courts, in breach of arbitration agreement. Issue as to whether assignee of charterparty can escape the arbitration clause.
- *Jet Finance Group LLC v Hawker Beachcraft Limited* (Comm. Court, ongoing). Title dispute relating to British Aerospace 125 jet aircraft subject to a US-registered mortgage; issues of estoppel of ownership and negligent estoppel. [See "Commercial Litigation"].
- *Valence Location SARL v Lotus Air* (2005). Finance of purchase of Boeing 747 aircraft. Availability of relief from forfeiture under aircraft finance lease. [See "Aviation"]
 - *Capital Bank v Airjet and Boeing Capital v Wells Fargo Bank* (2004). Two aircraft finance cases in which the recovery of jet airliners were sought and which raised issues as to the extent and enforceability of general liens in respect of aircraft.

Professional Negligence

Matthew specialises in surveyors, underwriters' and brokers' negligence and has appeared in a number of the recent leading cases.

- *Northampton Regional Livestock Centre Co Ltd v Cowling* (Court of Appeal 2015). Claim of negligence against surveyors and for a secret profit taken from purchasers by property agent appointed to act on behalf of vendors of the Northampton Cattle Market. Leading case as to the extent and nature of an agent's fiduciary duties, and a firm's collective responsibility for the conflicts of interest incurred by a partner.
- *The "IL SOLE"* (Comm Ct, 2015). Negligence of purchaser's adviser arising out of sale of Candy Brothers' superyacht "Candyscape"; failure to ensure that vendor's condition warranties were secured by personal guarantee. Failure of engine within an hour of completion of sale. Issue as to meaning of "as is where is" clause.

Academic

MA (Cantab); Magdalene College, Cambridge.

Ranking



Other qualifications

Inner Temple Major Award, Paul Methven Award, Duke of Edinburgh Award and Pegasus Scholarship.

Publications

Butterworths Commercial Court & Arbitration Pleadings (2005) – Carriage of Goods by Air

Memberships

COMBAR and PNBA.
Elected Fellow of the Royal Aeronautical Society.

Interests

Solicitors' Department, Lloyd's of London; litigation and regulation.