



Matthew Reeve KC

Called: 1987

Silk: 2023

Email: matthew.reeve@quadrantchambers.com

- *"Client-friendly and excellent on his feet in court."*(Chambers UK)
- *"Tenacious and compelling in court."*(Legal 500)
- *"An extremely clever and able barrister who thinks deeply and laterally about strategy and the legal opportunities available within the litigation process."*(Chambers UK)

Matthew is a highly experienced barrister with a wide-ranging commercial practice, including Shipping, Aviation, Insurance and Reinsurance, Travel, Shipbuilding, Energy, Shipbuilding, financial Professional Negligence and Sports Law. He is described by the Directories as: *"... Matthew combines the highest standards of advocacy (including traditional cross-examination skills) with the application of the most modern litigation-management techniques..." "... With a strategic understanding of the issues that need litigating .. Matthew is an exceptional barrister. Equally at home on paper and on his feet, he is tenacious and pragmatic when needed...."*

He is consistently one of the highest ranked in Aviation and Shipping. He is listed by Chambers as the leading (first rank) in Aviation and in Tier 2 for both Shipping and Travel. He was shortlisted as *"Shipping Junior of the Year"* for the Legal 500 UK Awards 2019 and for *"Shipping, Commodities and Aviation Junior of the Year 2022"*.

He appears as the front-line advocate at all levels of the senior courts, especially the Commercial Court, the Court of Appeal and the Supreme Court, 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.

Before moving into private practice, he was employed in the Solicitors Department at Lloyd's of London advising on regulatory matters, conducting disciplinary investigations and assisting in the drafting of market wordings. His knowledge of the Market informs his practical and commercial approach combined with his intellectual legal rigour.

Matthew accepts instructions to act as arbitrator and mediator.

He is admitted to the Bar of the British Virgin Islands.

What the directories say

- *"Matthew is excellent with clients, on paper and on his feet. He is commercially aware as well as clearly able to handle extremely complex matters with ease and sensitivity."*(Chambers UK 2024)

- *"He is excellent - so sensible, pragmatic and commercially minded."*(Chambers UK, 2024)
- *"Matthew has an exceptional grasp of both the legal and technical sides of aviation. He is also one of the most user-friendly barristers I have ever known."*(Chambers UK, 2024)
- *"Matthew is totally brilliant in complex situations."*(Chambers UK, 2023)
- *"He rolls up his sleeves and gets immersed in the case and does a very good job."*(Chambers UK, 2023)
- *"Matthew is an excellent barrister."*(Chambers UK, 2023)
- *"A superb strategic barrister with an excellent eye for detail and a complete understanding of the law in his area of expertise. An excellent advocate who is able to adjust his style for the tribunal in front of him and the different witnesses he needs to question."*(Legal 500, 2023)
- *"Pragmatic and easy to deal with."*(Legal 500, 2023)
- *"He's very considered, thorough and deals with issues pragmatically. He's good to work with, and very good both on paper and on his feet."*(Chambers UK, 2022)
- *"He's very good with clients and very practical in terms of his preparations. He's also approachable and collegiate."*(Chambers UK, 2022)
- *"With a strategic understanding of the issues that need litigating and an understanding of complex failures in aircraft, Matthew is an exceptional barrister. Equally at home on paper and on his feet, he is tenacious and pragmatic when needed."*(Legal 500, 2022)
- *"An insightful and tenacious barrister - advocacy is a particular strength as is attention to detail. Matthew has a bullish charm to get the job done."*(Legal 500, 2022)
- *"Pragmatic and easy to deal with."*(Legal 500, 2022)
- *"Easy to work with, pragmatic and approachable. He is detailed but with an eye on the big picture and economics. He's good on paper and in court."*(Chambers UK, 2021)
- *"Client-friendly and excellent on his feet in court."*(Chambers UK, 2021)
- *"He is easy to work with, bright, thoughtful and analytical, with a desire to get to the real nub of every matter."*(Legal 500, 2021)
- *"Tenacious and compelling in court."*(Legal 500, 2021)
- *"He is a well-known, experienced and highly regarded junior who is go-to counsel for a number of solicitors handling contentious aviation matters."*(Legal 500, 2021)
- *"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 has particular experience of marine insurance, hull and machinery claims and scuttling cases. 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:

- ***Edge Brokers v NASCO France*** (2022); acting for London placing brokers in respect of claim arising out of the placement of reinsurance of commercial shipping fleet policy. Part 8 Claim for production of placing files.
- ***Miss Syeda Islam v McLynn and Esure Insurance*** (2018); acting for 3 year old girl suffering catastrophic injuries in RTA, £20m claim. Matthew was instructed as specialist insurance counsel to handle coverage disputes including the novel issue as to whether loading car was an activity covered by Section 145 of RT Act.
- ***Tenecom*** (2015). Negligence claim against reinsurance brokers for failing to retain coverage documentation in respect of historic reinsurances of sea pollution accidents in the mid-1980s.
- 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, 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

Shortlisted for *"Shipping, Commodities and Aviation Junior of the Year 2022"*.

Matthew's international aviation and travel practice is acknowledged in both Chambers UK and The Legal 500. It spans all aspects of airline liability, aircraft and engine financing, manufacturer and maintainer liability, passenger/air accident claims, carriage of cargo, aircraft air accident investigation and inquests, airline regulation, tour operators, 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:

- *GE/Safran/CFM v AOG Technics* (2023). Matthew is lead counsel (appearing with Joseph England) for the claimants in a passing-off claim arising out of the sale by a London aircraft parts broker of thousands of jet engine components with falsified airworthiness release certificates. Ongoing.
- *Russian and Ukrainian Aircraft Litigation* (2023). Matthew is instructed in the claims by aircraft lessors in their insurance claims (under "contingent and possessed" and "operator" policies) arising out of the loss of their aircraft in Russia and Ukraine, following the commencement of the war by Russia; ongoing. Instructed with Joseph England.
- *Confidential Arbitration* (2023). Lead counsel in a claim arising out of fleet-wide engine failures.
- *Confidential Arbitration* (2023). Claim by airline against MRO in respect of defective engine maintenance.
- *Stellar Aircraft v SB Lineas Aereas/Flybondi* (2022). Acting for lessees in dispute over return of airliner under operating lease.
- Matthew was instructed by the family of *Emiliano Sala*, the Argentinian footballer who was killed in a light aircraft crash off Guernsey in January 2019, shortly after he was sold by Nantes FC and just before he was about to start playing for Cardiff City FC. Matthew was lead counsel for the Family at the 5-week inquest hearing in 2022 and his examination of 17 witnesses exposed serious failings, and missed opportunities to avoid the deaths, in the worlds of both football and aviation. He was lead counsel (with Joseph England) in the civil proceedings (in the High Court) for compensation against 13 defendants, including the football clubs, the owners of the aircraft, the flight organiser, the football agent, the aircraft maintainers and Piper Aircraft.
- *Flynas v Genesis Ireland, Commercial Court* (2022). Lead counsel in a two-week commercial aircraft leasing trial. Dispute as to responsibility for expensive mid-life performance restorations of CFM turbofan engines and 160 alleged airframe defects on redelivery at lease expiry.
- *Lombard North Central v Airbus Helicopters SAS, Commercial Court* (2021). Matthew was lead counsel for Airbus (leading Simon Oakes) in a \$20-30m claim by lessors of design defects in the main gearbox of the Supa Puma H225 line of helicopters leading to a series of well-publicised accidents and 28 deaths. Issues of sales of goods liability under French law and limitation. Matthew was successful in obtaining the striking out of all claims.
- *HQ Aviation v Sun Valley Global (The BACARELLA)* lead counsel in 2 week trial in BVI Commercial Court (2021), leading Joseph England. Loss of AS 350 helicopter as Helicopter loss as it came into land on rear deck of ship off Norway. Loose fuel tank cover blew up from deck and recirculated causing main rotor failure and crash of helicopter into sea. Claim against shipowners raising expert issues as to responsibility of ship helideck operator and helicopter piloting, and a novel issue as to the application of Maritime Limitation Convention to mixed aviation/shipping accidents. Appeal to the Court of Appeal on issue of effect of Part 35 Offer of limits under the Limitation Convention.
- *Senior Taxi Aero Executivo v Augusta Westland* (Commercial Court [2021] Q.B. 164). Aircraft lessor/owner claims. Fatal AW139 heavy helicopter accident near oil platform off Brazil. \$12-15m. One of a series of incidents in which the tail rotor blades failed resulting in the loss of the tail, loss of hydraulic power to the controls, and failure of tail rotor shut off valve. Connected claims against manufacturers in Comm Ct, Italian Courts and ICC arbitration. In the Comm Ct, point of law (left open by the Court of Appeal in *PJSC v Kolomoisky* [2019] and ECJ authorities) under Art 8(1) of Brussels Reg, foreign jurisdiction is subject to a "merits" test against English "anchor" defendant.
- *Judicial Review - Capt Wayne Bayley v The Civil Aviation Authority* (2020). Acted for commercial pilot challenging prohibition on commercial pilots flying past the age of 64; enforcing the CAA's statutory public sector equality duty.
- *Tonkinson v Cavaciuti (and 12 others)* (2019). Fatal Alpi Pioneer light aircraft crash at Popham, alleged failure of

turbo control; claims against manufacturer, airframe and engine suppliers, airworthiness authority, engineers and pilot's estate. Complex technical issues as to causes of the crash, the design and installation of the Turbo Control Unit and the piloting..

- Confidential conjoined LCIA Arbitrations (2016) – Matthew acted for the Middle East's largest supplier of executive jets in fractional ownership – unjust enrichment and aircraft leasing claims against a prominent Saudi Arabian individual.
- Confidential manufacturing dispute (2017). Claim against European manufacturer for damage where airframe was dropped during manufacture.
- **Caernarfon Airport Crash** (2017). Fatal accident. Engine carburettor icing – aircraft hitting tree intruding on the regulated runway approach surface. Airport negligence claim.
- Corporate Oil & Gas (Commercial Court 2016). Claim for mismanagement by MRO of corporate jet aircraft maintenance.
- Confidential travel agency regulatory/insurance dispute (2016). Represented well-known UK national travel agency seeking costs of repatriating passengers following failure of airline. Issue as to whether new form of dynamic packaging is covered by supplier's insolvency insurance.
- Confidential competition dispute (2016). Acting for European airline seeking to set up its own direct computer reservation system in competition with the main independent reservations systems such as Amadeus and Gallileo – EU Competition law and unfairness in distribution contracts.
- **Evans and Blaver-Mann** (2016). Death of English helicopter in Malaga – crash as a result of ring vortex state.
- **Cassley v GMP Bank** (QB, Appeal, 2016). 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 examining the limits of an employers' liability for risks to employees in the course of foreign travel.
- **Red Arrows Inquest** (2015). 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** (2015). Acted for the family of Charles Stisted (Chief Executive of the Guards Polo Club) who was killed when the helicopter carrying him back from a day's shooting crashed west of Belfast.
- **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.

Shipping

Dry Shipping

'Leading Junior' (Legal 500 2015)

Shortlisted as *"Shipping Junior of the Year"* for the Legal 500 UK Awards 2019 and for *"Shipping, Commodities and Aviation Junior of the Year 2022"*.

Dry Shipping forms a large part of Matthew's practice and he 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 AL MARZOQAH** (Commercial Court 2021). \$22M CTL claim on war risk insurance arising out of an explosion aboard a Saudi Arabian oil tanker whilst anchored off Fujairah. Reported at the UN Security Council as a hostile coordinated attack by the Iranian Revolutionary Guard, who mined four vessels. Complex issues as to the calculation of CTL costs and sue and labour costs. Matthew acted for the successful shipowners.
- **Jet A1 Arbitration** (2020). This was a hearing of claim by cargo owners arising out of the contamination of a cargo of Jet A1 fuel loaded at Jebel Ali. Disputes as to the applicable quality standards and sampling techniques for Jet A/JP8 and the effect of the "clause paramount".
- **Bullion salvage** (2020). Matthew was retained by the salvors of a British steamship, carrying a large quantity of silver bullion which was sunk in WWI by a German U-Boat. US and UK proceedings and the right to

salvage the bullion was disputed.

- *Plover Scar* (2018). Claim arising out of allision in which bulk carrier ran into a light house. Matthew was instructed by the port authority to bring a claim for the cost of repairs of the lighthouse.
- Confidential charterparty arbitration– representing one of the largest UK shipowners following the collapse of the Hanjin container shipping line; cancellation of charters part way through voyage.
- Confidential charterparty dispute; whether shipowners entitled to withdraw the vessel for non-payment of hire where there were alleged excessive deductions from hire by charterers.
- Confidential expert instruction – instructed as expert witness in English law for proceedings in Sri Lanka; issue as to whether the English principle of “bailment on terms” allows shipowners to claim a lien over containerised cargo.
- Confidential chain of arbitrations. 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.
- *The “IL SOLE”* ([2014] All ER (D) 12 (Aug)). 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.
- *The “M/T Wildebeest”* (2013). Carriage of Gasoil/Mogas under Beepeevo 3 form of charter. Collision. Allegations of unseaworthiness, breaches of COLREGs and crew incompetence. Claims of breach of charter and demurrage.
- *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. 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.
- 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).

Wet Shipping

Matthew’s practice focuses mainly on hull and machinery policy claims, including scuttling cases, and salvage.

- Iraq munitions salvage arbitration, Dubai (2018). Matthew acted for the salvors under a WRECKSTAGE contract, in claims arising out of the clearance of unexploded ordnance on the sea bed around the main offshore oil terminals off Iraq.
- He acted for the successful underwriters in *Pantera Consultants v Aachener Munchener*, a scuttling trial; 75 foot sailing yacht lost off coast of Portugal following a suspicious fire in the engine room.

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:

- Confidential aircraft design arbitration, LCIA (2022). Fatal heavy helicopter loss off South America – claims against leading manufacturer in respect of hydraulic control systems. Claims by manufacturer for indemnities under the sale and purchase agreements. Allegation of manufacturer gross negligence. Matthew acted for the aircraft owners and lessors.
- Iraq munitions arbitration, Dubai (2019). Matthew acted, with Simon Kverndal QC, for one of the leading salvor companies under a WRECKSTAGE contract, in claims arising out of the clearance of unexploded ordnance on the sea bed around the main offshore oil terminals off Iraq.
- Conjoined LCIA Arbitrations (2018) – Matthew represented the Middle East’s largest supplier of executive jets in fractional ownership – unjust enrichment and sales of goods claims against a prominent Saudi Arabian individual.
- Confidential arbitration. Claim for supply of land-based oil rig exported to Iraq – issue as to whether claims settled by way of informal correspondence.
- ICC arbitration, London (2015). Claim by member of Middle Eastern Royal Family for \$100m commission for

acting as local agent in one of the largest offshore construction projects in the Arabian Gulf.

- ***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.

- Matthew is instructed by the family of Emiliano Sala, the Argentinian footballer who was killed in a light aircraft crash off Guernsey in January 2019, shortly after he was sold by Nantes FC and just before he was about to start playing for Cardiff City FC (See above).

Shipbuilding

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

- Engines arbitration, ICC (2019). Matthew was instructed by the leading Japanese shipyard in its claims against the German manufacturer of engines which failed after installation.
- FPSO construction arbitration (2018). Arbitration construction of an FPSO which was running a year behind its targeted completion date causing loss of profit and earnings and leading to a claim for failure to deliver equipment.
- Matthew was instructed by the designers of the "**MIRABELLA V**", the largest single-masted sloop, in respect of a claim for negligence arising out of the structural failure of the mast-support.
- ***The "IL SOLE"*** ([2014] All ER (D) 12 (Aug)) . Commercial Court case 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.

Energy

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

- Iraq munitions salvage arbitration, Dubai (2018). Matthew acted for the salvors under a WRECKSTAGE contract, in claims arising out of the clearance of unexploded ordnance on the sea bed around the main offshore oil terminals off Iraq. Issues of the recoverability of compensation for unjust enrichment under Iraq Law.
- FPSO construction arbitration (2018). Arbitration construction of an FPSO which was running a year behind its targeted completion date causing loss of profit and earnings and leading to a claim for failure to deliver equipment.
- Confidential arbitration (2016). Claim for supply of land-based oil rig exported to Iraq – issue as to whether claims settled by way of informal correspondence.

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.

- *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.

- Confidential Ad Hoc Arbitration (2018) – claim for professional negligence made by a wealthy Greek investor against the manager of a bulk aggregates carriers chartering business in the Gulf; allegations of failure to assess the port waiting times and the consequent spiralling demurrage liabilities.
- *Tenacom* (2015). Negligence claim against reinsurance brokers for failing to retain coverage documentation in respect of historic reinsurances of sea pollution accidents in the mid-1980s.
- *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.