

# Arbitrators

AT 24 LINCOLN'S INN FIELDS



## Ciaran Keller

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Ciaran has experience in arbitrations across a wide range of commercial and chancery disputes under various institutional rules (e.g. LCIA, SIAC, UNCITRAL, DIFC-LCIA) as well as ad hoc arbitrations. He also has expertise in claims to enforce or resist enforcement of foreign awards (including against states and state entities) in England and multi-jurisdictional litigation to enforce English awards overseas. He has acted in various claims for and against states and state entities, and has been described as “the foremost junior on questions of sovereign immunity at the Bar”.

Ciaran is recommended in the latest editions of the Legal Directors in 7 practice areas: commercial dispute resolution; chancery commercial; civil fraud, banking and finance; energy; partnership and offshore. He was awarded the Chambers and Partners Commercial Dispute Resolution Junior of the Year for 2023. Commentators endorse him as “a superstar” who “cuts to the heart of the case” (Legal 500 2023) and as being “assertive in a charming and diplomatic way” and “a barrister of great reason and judgement, he is absolutely phenomenal” (Chambers & Partners 2024).

Ciaran's practice encompasses the full range of commercial and commercial chancery disputes, with exceptional knowledge and ability to navigate disputes involving: civil fraud; banking and financial services; company and shareholder disputes and insolvency matters; energy and minerals; fiduciaries; partnership; and professional negligence. He is regularly instructed in complex, large-scale international disputes and

cases involving applying foreign law, with recent experience of the laws of Thailand, Portugal, Mozambique, Russia, Uganda, Iran, the UAE and Saudi Arabia. Ciaran was called to the bar in British Virgin Island in 2013 and regularly appears.

Before being called to the Bar (2004), Ciaran was a Fast-Stream Diplomat, serving at the Foreign & Commonwealth Office in London and overseas at the United Nations in New York and the British Embassy in Lisbon (1998-2002).

Languages: Portuguese (Proficient); French (Proficient)

### **Arbitration** (including arbitration-related court applications)

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Ciaran has experience in a wide range of arbitral proceedings conducted both domestically and internationally across a wide range of commercial and chancery disputes under various institutional rules as well as ad hoc arbitrations. He also has expertise in claims to enforce or resist enforcement of foreign awards (including against states and state entities) in England and multi-jurisdictional litigation to enforce English awards overseas. Notable cases include:

- LCIA arbitration. Acting for the claimant in seven consolidated LCIA arbitrations in relation to a multi-million dollar dispute regarding the ownership and control of a power plant in Uganda. (ongoing)
- DIFC LCIA arbitration. Acting for the claimant bringing unfair prejudice and other claims in relation to an online delivery business in Saudi Arabia worth over US\$1 billion.
- LCIA arbitration. Acting for the claimant on claims relating to the ownership and control of a Cypriot company and Russian financing business.
- SCC arbitration. Advising on enforcement in England of an SCC award.
- SIAC arbitration. Acting for the respondent to a multi-million dollar claim in relation to the ownership of a global media content creator, producer and distributor.
- LCIA arbitration. Acting for various companies defending claims for more than \$300 million in relation to a copper mine in Armenia.
- LCIA arbitration. Acting for an individual in relation to \$150 million claims and counterclaims for alleged breach of an option agreement
- UNCITRAL arbitration. Acting for an Egyptian company in relation to \$150 million claims relating to the sale and distribution of ammonium nitrate.

- LCIA arbitration. Acting for a minority shareholder in claims for breaches of a shareholders' agreement, articles of association and the Companies Act 2006, and for relief from unfair prejudice, in connection with management of an internet services provider.
- Ad hoc arbitration. Acting for the claimant on claims in relation to a long-term contract for the maintenance of harbour infrastructure.
- Maximov v Novolipetsk Steel [2017] EWHC 1911 (Comm). Acting for NLMK, one of the largest steel companies in Russia, successfully defending claims by a Russian billionaire for the enforcement in England of a c.US\$150 million arbitration award set aside by the Russian courts.
- RCB v Bakay. Acting for a Cypriot bank seeking to enforce an LCIA award in various jurisdictions, including successful applications for freezing orders and the appointment of a receiver over shares in a company beneficially owned by the award debtor.
- LCIA arbitration. Successful claims for damages for breach of an agreement relating to the ownership of a Ukrainian automotive business, and successfully resisting a s.68 challenge.
- Ad hoc arbitration. Acting for the defendant to claims for alleged breaches of a partnership agreement and duties owed as a partner in two traditional accountancy partnerships.
- Yukos Capital Sarl v OJSC Rosneft Oil Company [2014] EWHC 2188; [2012] EWCA Civ 855; [2011] EWHC 1461 (Comm). Acting for the defendant resisting enforcement of annulled Russian arbitral awards.
- LCIA arbitration. Successful claims to recover loans to a BVI company, defended on the basis that they were shams or had been waived or varied.
- IPCO (Nigeria) Ltd v Nigerian National Petroleum Corporation [2008] EWCA Civ 1157; [2008] EWHC 797 (Comm). Acting for the Claimant on the successfully part-enforcement of a New York Convention arbitration award.
- Pertamina litigation. Resisting the enforcement of an award against the Indonesian state oil company in the Cayman Islands.

## **Commercial Dispute Resolution**

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Ciaran is ranked in Chambers & Partners UK 2024, Chambers & Partners Global 2023 and the Legal 500 2024 for Commercial Dispute Resolution. He was awarded the Chambers & Partners Commercial Dispute Resolution Junior of the Year for 2023. He is frequently instructed on heavyweight commercial disputes, particularly complex,

high-value cases with an international element. Notable cases include:

- Republic of Mozambique v Credit Suisse. Acting for the Republic of Mozambique in relation to claims totalling US\$3 billion arising out of the “tuna bond” scandal that pushed Mozambique into a debt crisis. One of The Lawyer’s Top 20 Cases of 2023.
- Suppipat v Narongdej. Acting for defendants to a high-profile \$2 billion fraud and conspiracy claim regarding an alleged fraud in relation to the ownership of Thailand’s leading wind energy firm. One of The Lawyer’s Top 20 Cases of 2022.
- Jafar v Abraaj Holdings. Acting for an investment fund defending claims in conspiracy and deceit arising out of the collapse with debts of over \$1 billion of the Abraaj Group, a \$14 billion private equity firm.
- Gulfvin v TPC. Acting for Egyptian and US defendants to claims in deceit and unjust enrichment against Egyptian and US parties on a successful challenge to the English court’s jurisdiction.
- ICAP TP v Nex. Acting for the defendant to multi-million pound claims for breach of warranty arising out of the £1.3 billion merger of two publicly listed voice-broking business in relation to swaps trading and the German cum-ex trading scandal.
- Enigma Diagnostics Limited v Harvey Boulter, Charles Cook and DLA Piper. Acting for a law firm and its Head of Corporate defending multi-million dollar claims in dishonest assistance and fraudulent trading in connection with the collapse of a medical diagnostics business.
- British American Tobacco v Sequana. Acting for BAT on claims against a French listed conglomerate in connection with environmental liabilities in the US. The Supreme Court described its decision on directors’ duties as “momentous” and “of considerable practical importance to the management of companies”.
- BTI v PricewaterhouseCoopers. Acting for the claimant on multi-million euro auditors’ negligence claims in connection with the audit of a company exposed to substantial indemnity claims in connection with environmental liabilities in the US.
- Mousavi v Abrishamchi. Acting for an Iranian individual and company on successful applications to challenge jurisdiction and set aside freezing orders and successfully resisting an appeal to the Court of Appeal.
- Lungowe v Vedanta. Acting for a defendant to claims subject to a Group Litigation Order by over 2,000 individuals in relation to alleged pollution from a mine in Zambia.

- Auden McKenzie (Pharma Division) Ltd v Patel. Acting for a defendant to £250 million claims for breach of fiduciary duty, misrepresentation and breach of warranty arising out of the sale of a major pharmaceuticals group.
- WH Smith v Philex. Acting on claims for breach of contract in relation to the supply of travel products.
- Maximov v Novolipetsk Steel. Acting for NLMK, one of the largest steel companies in Russia, successfully resisting claims by a Russian billionaire for the enforcement in England of a c.US\$150 million arbitration award set aside by the Russian courts.
- Hosking v Apax Partners LLP & Others (Hellas II). Acting for the liquidators of Hellas II, on its claims against 3 global private equity firms and Deutsche Bank that the refinancing of a Greek telecommunications group was a transaction defrauding creditors or a result of fraudulent trading.
- Orchard (Development) Holdings plc v National Westminster Bank plc. Acting for the bank on the successful strike out of claims of c.£50 million interest rate swap and collar mis-selling claims, and defending ongoing related claims concerning index linked loans.
- Krys v KBC Partners LP. Successfully resisted an appeal to the Privy Council about the construction of the articles of association of a limited partnership and the entitlement to its assets estimated at over US\$1 billion.
- Yukos Capital v Rosneft Oil Company. Acting for Rosneft, the Russian oil giant, in the long running Yukos litigation. This aspect addressed the enforceability of annulled arbitral awards and the power to order post-award interest in enforcement actions.
- KPMG v Ernst & Young. Defending claims by KPMG global in connection with the merger between the Danish KPMG entity with its Danish Ernst & Young counterpart.
- Standard Bank plc v Winsome Diamonds. Successfully obtaining anti-suit injunctions restraining the defendant from continuing proceedings in India, in breach of an exclusive jurisdiction clause, for declarations that it was not in breach of a facility agreement and to prevent the claimant from enforcing letters of credit
- Barnsley v Noble. successfully defending multi-million pound claims in relation to the demerger of the Noble Organisation.
- Congo Mineral Developments v Highwind Properties. Multi-billion dollar claim in relation to the expropriation of a state owned mining concession in the Democratic Republic of Congo.

- Cifal Groupe v Meridian Securities (UK). Successful jurisdiction challenge and application for reverse summary judgment on multi-million pound claims in connection with a \$US 1 billion development in St Petersburg.
- NML Capital v The Republic of Argentina. Resisting \$300 million claims to enforce a foreign judgment against Argentina in the UK courts. Leading Supreme Court decision on state immunity.
- Crest Nicholson (Londinium) v Akaria Investments. Successful appeal to the Court of Appeal on the correct approach to contractual formation.
- North Principal Investments v Greenoak Renewable Energy. Successfully defending multi million euro claims in relation to rights to own and develop a wind farm of the German/Danish coast.
- IPCO (Nigeria) v Nigerian National Petroleum Corporation. Successfully resisting an appeal to the Court of Appeal against the part enforcement of a New York Convention arbitration award.
- Langston Group Corporation v Cardiff City Football Club. Claim by the holder of loan notes issued by Cardiff City Football Club.
- Donegal International v Zambia. Successful debt recovery action against a sovereign state, involving jurisdictional disputes and issues as to freezing relief against sovereign states, illegality and bribery.

### **Commercial Chancery Disputes (including company, shareholder and insolvency matters)**

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Ciaran is ranked in Chambers & Partners UK 2024 and Chambers & Partners Global 2023 for Commercial Chancery disputes. He is frequently instructed on heavyweight cases, particularly complex, high-value cases with an international element, including shareholder disputes and claims against directors and by companies in liquidation and administration. Notable cases include:

- BTI v Sequana. Acting for BTI on claims against a French listed conglomerate to claw back US\$800 million dividends as unlawful (in breach of Part 23 of the Companies Act 2006), paid in breach of fiduciary duty or a transaction defrauding creditors contrary to 423 of the Insolvency Act 1986. The Supreme Court described its October 2022 judgment as a “momentous” decision for company law.

- Suppipat v Narongdej. Acting for defendants to a \$2 billion claims in fraud, conspiracy and under s.423 of the Insolvency Act 1986 in relation to the ownership of Thailand's leading wind energy firm. One of The Lawyer's Top 20 cases of 2022.
- Hinduja v Hinduja. Acting in a dispute between members of the Hinduja family in relation to the entitlement to the family's assets.
- Enigma Diagnostics Limited v Harvey Boulter, Charles Cook and DLA Piper. Acting for a law firm and its Head of Corporate defending multi-million dollar claims in dishonest assistance and fraudulent trading under s.213 of the Insolvency Act 1986 in connection with the collapse of a medical diagnostics business.
- Abraaj Holdings (in liquidation) v Neomia Private Equity Fund IV LP. Acting for an investment fund defending clawback claims by liquidators arising out of the demise of the Abraaj Group, a \$14 billion private equity firm, which collapsed with debts of over \$1 billion.
- DIFC LCIA arbitration. Acting for a minority shareholder in a DIFC company bringing unfair prejudice claims in relation to an online delivery business worth over US\$1 billion.
- Levine v Ng. Acting for a minority shareholder in a BVI company bringing unfair prejudice proceedings in relation to a Chinese manufacturing business.
- LCIA arbitration. Acting for the claimant bringing claims pursuant to an investment, call option, pledge and loan agreements in relation to a power plant in Uganda.
- BTI v PricewaterhouseCoopers. Acting for the claimant on multi-million pound auditors' negligence claims in connection with the audit of a company exposed to substantial indemnity claims in connection with environmental liabilities in the US.
- Excalibur Almaz v Horie. Acting in relation to various claims for breach of fiduciary duty in connection with an investment in a space tourism business.
- Auden McKenzie (Pharma Division) Ltd v Patel. Defending claims against a director of a major pharmaceuticals group for equitable compensation for breach of fiduciary duty.
- LCIA arbitration. Acting for a minority shareholder in shareholders' dispute (involving claims for breaches of a shareholders' agreement, articles of association and the Companies Act 2006, and for relief from unfair prejudice) in relation to a major internet and cloud services and software provider.

- Hosking v Apax Partners & Others (Hellas II). US\$1 billion claims against three global private equity firms and Deutsche Bank in connection with the refinancing and subsequent insolvency of a Greek telecommunications group.
- Dalnaya Step LLC v Browder. Successfully setting aside the recognition in England of Russian insolvency proceedings under the Cross-Border Insolvency Regulations 2006, in a case described by the Chancellor as a “long-running, high profile and extremely public dispute”. The first case in which security for costs have been awarded against a foreign office holder applying under the CBIR.
- Orchard (Development) Holdings plc v National Westminster Bank plc. Acting for the defendant bank on the successful strike out of claims of c.£50 million interest rate swap mis-selling claims, and related claims concerning index linked loans.
- Salford Capital Partners v Value Discovery Partners (in liquidation). Acting for a defendant to a claim alleging breach of the articles of partnership and of partners' duties in connection with the distribution of shares in the liquidation of a limited partnership.
- Krys v KBC Partners. Acting for the successful respondent in the Privy Council on a dispute concerning the entitlement to the c.US\$1 billion of a BVI investment vehicle.
- Phosphorus Holdco (in administration) v BC Partners. Acting on claims against a global private equity house to recover unlawful dividends in connection with the collapse of Phones4U.
- Shrimpton v International Finance Corporation. Acting for the International Finance Corporation, an arm of the World Bank, in connection with high-profile claims against it as a shareholder of a holding company for a group of companies investing in
- McNaughton v Ashley Banjo and Diversity Live LLP. Acting on a dispute between members of the dance group Diversity in relation to the purported expulsion of and unfairly prejudicial conduct towards members of the group.
- Lovell v Mercer. Acting for the defendants in a multi-million pound claim for alleged breach of a partnership agreement.
- Resolution Limited. Acting on a dispute relating to the nature, scope and application of the duties owed by a FTSE 100 life assurance company in its capacity as general partner of a Guernsey Limited.
- Barnsley v Noble. successfully defending multi-million pound claims in relation to the demerger of the Noble Organisation, and successfully resisting an appeal to the Court of Appeal on the scope of a trustee exoneration clause.



- In re Acorn International, Inc. Successful petitioner for just and equitable winding up in the Cayman Islands courts in relation to the affairs of a New York listed company operating in China.
- POWA (Jersey) Limited v Chater. Acting for the claimant on claims in fraud, dishonest assistance and knowing receipt against a former employee and de facto director for diversion of profits.
- Gamlestaden Fastigheter v Baltic Partners Limited. Successful appeal to the Privy Council and a leading case on the scope of the unfair prejudice remedy for company.
- Favor Easy Management Ltd v Wu. Acting for the claimant on resulting and constructive trust claims relating to the alleged fraudulent transfer of two hotels.
- Harlequin Property (SVG) Ltd v Floyd. Successfully resisted a claim for freezing and other relief under s. 25 of the Civil Jurisdiction and Judgments Act 1982 in support of multi-million dollar claims in fraud relating to a hotel development in St Vincent and the Grenadines.
- Lindsay v O'Loughnane. Defending claims in deceit and to pierce the corporate veil against the director of a foreign exchange trading company.
- Meretz Investments v ACP Limited. Acting for the defendant on a leading case on conspiracy to injure by unlawful means and inducing breach of contract.
- Crossco No 4 Unlimited v Jolan Limited. Acting in the leading Court of Appeal decision on constructive trusts and proprietary estoppel in commercial property disputes.

## Civil Fraud

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Ciaran is ranked in Chambers & Partners UK 2024, the Legal 500 2024 and Who's Who Legal: UK Bar 2023 for Civil Fraud. He is frequently instructed on complex, large-scale, high-value civil fraud litigation, involving allegations of dishonesty, fraudulent misrepresentation, conspiracy, breach of duty and the misappropriation of assets. His cases often involve an offshore or international element, asset tracing and recovery and freezing and disclosure orders. Notable cases include:

- Republic of Mozambique v Credit Suisse. Acting for the Republic of Mozambique in relation to US\$3 billion claims in bribery, dishonest assistance, knowing receipt and conspiracy arising out of the "tuna bond" scandal that pushed Mozambique into a debt crisis. One of The Lawyer's Top 20 Cases of 2023.

- Suppipat v Narongdej. Acting for defendants to a high-profile \$2 billion fraud and conspiracy claim regarding an alleged fraud in relation to the ownership of Thailand's leading wind energy firm. The 20-week trial is one of The Lawyer's Top 20 Cases of 2022.
- Jafar v Abraaj Holdings. Acting for a defendant to claims in conspiracy and deceit arising out of the collapse with debts of over \$1 billion of the Abraaj Group, a \$14 billion private equity firm.
- Enigma Diagnostics Limited v Harvey Boulter, Charles Cook and DLA Piper. Acting for a law firm and its Head of Corporate defending multi-million dollar claims in dishonest assistance and fraudulent trading in connection with the collapse of a medical diagnostics business.
- LCIA arbitration. Defending multi-million dollar claims in fraud in relation to an investment in a power plant in Uganda.
- Gulfvin v TPC. Acting for Egyptian and US defendants to claims in deceit and unjust enrichment against Egyptian and US parties.
- Excalibur Almaz v Horie. Acting in relation to US\$50 million claims in deceit in connection with an investment and settlement agreement.
- Mousavi v Abrishamchi. Acting for an Iranian individual and company on successful applications to set aside freezing orders.
- Auden McKenzie (Pharma Division) Ltd v Patel. Acting for a defendant to £250 million claims for dishonest breach of fiduciary duty and fraudulent misrepresentation arising out of the sale of a major pharmaceuticals group.
- British American Tobacco v Sequana. Acting for BAT on its successful claim to claw back from a French conglomerate €135 million in dividends as a transaction defrauding creditors.
- Kuwait Oil Tanker Company v Al Mutawa. Acting for the successful claimant oil company in relation to high-profile claims in Jersey for fraudulent breach of trust by the defendant in connection with the notorious \$100 million Al-Bader fraud, and on applications in England for freezing orders in support of that action.
- Hosking v Apax Partners LLP & Others (Hellas II). Acting for the Liquidators of Hellas II, claiming the recovery from 3 global private equity firms of c.US\$1 billion misappropriated from a Luxembourg investment vehicle following a refinancing on the basis that the payments were transactions defrauding creditors or a result of fraudulent trading.
- Salford Capital Partners v Value Discovery Partners (in liquidation). Acting for the defendant to a claim alleging conspiracy and breach of fiduciary duty in connection with the distribution of shares in the course of the liquidation of a BVI limited partnership.

- Tsiattalos v Charalambous. Acting for the Claimant on £40 million claims for deceit and fraudulent misrepresentation relating to the transfer of the shares in a manufacturing company.
- Barnsley & Ors v Noble. Successfully defending multi-million pound claims in deceit in relation to the demerger of the Noble Organisation.
- Northland Automation and Services LLC v SBF Global Limited. Defending claims relating to an alleged fraud in connection with a trade finance transaction.
- POWA (Jersey) Limited v Chater. Acting for the claimant on claims in fraud, dishonest assistance and knowing receipt against a former employee and de facto director for diversion of profits.
- Favor Easy Management Ltd v Wu. Acting for the claimant on claims relating to the alleged fraudulent transfer of two hotels.
- Harlequin Property (SVG) Ltd v Floyd. Successfully resisted a claim for freezing and other relief under s. 25 of the Civil Jurisdiction and Judgments Act 1982 in support of multi-million dollar claims in fraud relating to a hotel development in St Vincent and the Grenadines.
- Lindsay v O'Loughnane. Defending claims in deceit and to pierce the corporate veil against the director of a foreign exchange trading company.
- DDT v Thomson. Successfully defending claims in fraud by liquidators against a company director.
- Meretz Investments v ACP Limited. Acting for the defendant on a leading case on conspiracy to injure by unlawful means and inducing breach of contract.

## **Banking and Finance**

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Ciaran is ranked in Chambers & Partners UK 2024 and the Legal 500 2024 for Banking and Finance. He is frequently instructed on high-profile cases, for and against banks, FTSE 100 companies, hedge funds, private equity houses, the big four accountancy firms and high net worth individuals. He has acted on the full range of financial services disputes, including claims arising out of the collapse of Lehman Brothers, the Hellas II litigation, the collapse of the world's largest private equity group, the German cum-ex trading scandal and the mis-selling of financial products, as well as consumer credit claims. In addition to more mainstream disputes, he has acted for hedge funds seeking to enforce judgments against states, and for states seeking to resist claims by banks

and hedge funds, and on claims opposing the restructuring of bonds by the Bank of Ireland and Greece.

Notable cases include:

- Republic of Mozambique v Credit Suisse. Acting for the Republic of Mozambique in relation to \$3 billion claims arising out of the “tuna bond” scandal, which drove Mozambique into a debt crisis. One of The Lawyer’s Top 20 Cases of 2023.
- TP ICAP plc v Nex Group Limited. Acting for the defendant to multi-million pound claims in relation to swaps trading and the German cum-ex trading scandal.
- Abraaj Holdings (in liquidation) v Neomia Private Equity Fund IV LP. Acting on behalf of an investment fund in proceedings arising out of the collapse with debts of over \$1 billion of the Abraaj Group, a \$14 billion private equity firm.
- Agarwal v Standard Chartered Bank. Acting for the defendant bank on claims in relation to an alleged breach of the “Quincecare duty”.
- LCIA arbitration. Defending US\$300 million claims by a bank on a guarantee.
- Orchard (Clinics 1) Ltd v National Westminster Bank. Acting for the bank defending substantial claims in relation to the operation of index linked loans and breakage costs arising on default.
- LCIA arbitration. Defending US\$40 million claims by a bank for an alleged breach of an option agreement.
- Williams v Capitalbond Limited. Acting for the defendant lender resisting claims by the borrower to discharge or avoid debts pursuant to s.140B of the Consumer Credit Act 1974.
- Orchard (Development) Holdings plc v National Westminster Bank plc. Acting for the bank on the successful strike out of claims of c.£50 million interest rate swap mis-selling claims, and related claims concerning index linked loans.
- Hosking v Apax Partners LLP & Others (Hellas II). Acting for the claimant on \$1 billion claims against three global private equity firms and Deutsche Bank in connection with the refinancing and subsequent insolvency of a Greek telecommunications group.
- Mitchell v PricewaterhouseCoopers. Acting for PricewaterhouseCoopers defending claims for damages in contract, tort and under the Financial Services and Markets Act 2000 for investment advice in connection with the collapse of Lehman Brothers.

- Standard Bank plc v Winsome Diamonds. Successfully obtained anti-suit injunctions restraining the defendant from continuing proceedings in India to enforce letters of credit, in breach of an exclusive jurisdiction clause.
- KPMG v Ernst & Young. Defending claims by KPMG global in connection with the merger between the Danish KPMG entity with its Danish Ernst & Young counterpart.
- Palomino Funds Ltd v The Bank of Ireland. Acting for bondholders seeking declarations that their contractual rights against the Bank of Ireland could not be overridden by the Irish Government passing threatened legislation to reduce the value of the bonds.
- NML Capital v The Republic of Argentina. Acting for Argentina resisting \$300 million claims by a “vulture fund” to enforce a foreign judgment against Argentina, in proceedings that went to the Supreme Court.
- Northern v Greece. Acting for bondholders seeking to restrain Greece from restructuring the bonds by issuing new bonds diluting the votes of the existing bondholders.
- Donegal International Ltd v Zambia. Successful claims on distressed sovereign debt against Zambia.
- Langston Group Corporation v Cardiff City Football Club. Acting on claims by the holder of loan notes issued by Cardiff City Football Club.

## Energy

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Ciaran is ranked in the Legal 500 2024 for Energy. As well as mainstream commercial energy disputes, he is experienced in mines and minerals related matters. Notable cases include:

- LCIA arbitrations. Acting for the claimant in relation to a multi- million dollar dispute regarding a power plant in Uganda.
- Suppipat v Narongdej. Acting for defendants to a \$2 billion claim regarding wind farm assets in Thailand and the ownership of Thailand's leading wind energy firm. One of The Lawyer's Top 20 Cases of 2022.
- LCIA arbitrations. Acting for the defendants defending multi-million dollar claims in relation to a copper and molybdenum mine in Armenia.
- Lungowe v Vedanta. Acting for the defendant mine operator in relation to group claims in respect of alleged pollution from the mine.

- UNCITRAL arbitration. Acting for the defendant in relation to \$150 million claims relating to an ammonium nitrate facility in Egypt.
- Maximov v NLMK. Acting for the Russian steel giant successfully defending \$150 million claims relating to the acquisition of a group of steel companies.
- Yukos Capital v Rosneft. Acting for the Russian oil giant resisting claims arising from the acquisition of the assets of Yukos Oil Company.
- Ad hoc arbitration. Acting for the claimant on claims in relation to port infrastructure.
- Caterpillar v Arcelor Mittal. Acting on a claim that the Ebola crisis was an event of force majeure entitling termination of a contract for the construction of a power plant for steel production in Liberia.
- Congo Mineral Developments Ltd v Highwind Properties Limited. Acting for the claimant on claims that the defendants procured breaches of a joint venture agreement by the Democratic Republic of Congo and its state-owned mining company relating to a copper and cobalt mining concession.
- Kuwait Oil Tanker Corporation v Al Mutawa . Acting for the claimant oil tanker company in relation to a claim in connection with the long running Al Bader litigation.
- North Principal Investments v Greenoak Renewable Energy. Successfully defending multi million euro claims in relation to rights to own and develop a wind farm of the German/Danish coast.
- IPCO v NNPC. Successful claims to part-enforce a Nigerian award worth over US\$150 million against the Nigerian state oil company in connection with the construction of a petroleum export terminal.
- Star Energy v Bocardo. Acting on a claim relating to the use of oil pipelines to access oil beneath the Al Fayad estate, the leading case on trespass at depth, raising important issues under the Petroleum Act 1998, the Mines (Working Facilities and Support) Act 1966 and the Pipelines Act 1971.
- Eggborough Power Limited v UK Coal. Acting for the operator of Eggborough Power Station in relation to planned coal mining in the vicinity of the power station, raising issue under the Coal Mining Subsidence Act 1991, the Coal Industry Act 1994 and the Mines (Working Facilities and Support) Act 1966.
- WBB Minerals v Bibbey. Acting for a leading producer of silica sand on an application to the Court for the compulsory grant of mineral and ancillary rights pursuant to the Mines (Working Facilities and Support) Act 1966.
- Kear v Coal Authority. Advising in relation to potential claims against the Coal Authority and for compensation under the Coal Industry Act 1994, raising issues relating to the Dean Forest (Mines) Act 1838.

- Pertamina litigation. Acting for the Indonesian state oil company resisting the enforcement of an arbitral award and cross-claims in the Cayman Islands.

## **Publications**

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- Directors' duty to consider the interests of creditors (BTI v Sequana)
- Challenging lawful dividend payment as a transaction defrauding creditors and for breach of directors' duties (BTI 2014 LLC v Sequana SA and others; BAT Industries plc v Sequana SA and another)
- BAT Industries PLC v Sequana SA – Interests of creditors and remedial discretion

## **Career**

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2016: Essex Court Chambers

2013: Admitted as a member of the Bar of the British Virgin Islands

2004-2016: Maitland Chambers

1998-2002: HM Diplomatic Service, Foreign & Commonwealth Office

## **Education and Awards**

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2004: Bar Vocational Course: Outstanding

2003: Diploma in Law: Distinction

1998: Brasenose College, Oxford University, BA, MA: First Class