

Rising Star: Bracewell's Tom Swarbrick

By Christopher Cole

Law360 (August 7, 2020, 3:43 PM EDT) -- Tom Swarbrick of Bracewell LLP has trotted the globe in his youthful career to iron out the intricate legal aspects of some of the world's key up-and-coming energy projects, in sectors ranging from oil and natural gas to solar, earning him a spot among the construction practitioners under age 40 honored as Law360 Rising Stars.

HIS BIGGEST RECENT DEAL:

Though Swarbrick — who works in Dubai, United Arab Emirates, and is one of only a handful of non-contentious specialist lawyers in the Persian Gulf — has played a part in a diversity of energy projects, one of his biggest recent deals was advising Ophir Energy on the Fortuna development in Equatorial Guinea.

His role was to draw up potential deals for underwater infrastructure — including construction, operation and maintenance — to send gas from the seabed to a floating liquefied natural gas vessel, according to Bracewell. He drafted and negotiated related deals over the course of more than two years.

While the project sponsors ultimately didn't make the investment decision, Swarbrick was tasked with a major contract for the engineering, procurement, construction, installation and commissioning of the underwater project leading up to that point.

Swarbrick described the Fortuna development as "very high value, very complex," and it was something that Swarbrick and the firm were committed to helping get across the finish line. "It was one of the projects that was all-consuming," he said.

HIS MOST INTERESTING RECENT PROJECT:

Swarbrick noted his work for a client who is developing a gas processing facility in Iraq as one of his most detail-intensive projects.



Tom Swarbrick
Bracewell

Age: 38
 Home base: Dubai
 Position: Partner
 Law school: Nottingham Law School
 First job after law school: Trainee solicitor at Addleshaw Goddard in Manchester, U.K.

"That type of construction is demanding anyway: The technology is quite complex and is finely calibrated for the particular specification of gas coming out of the ground," he said. "It also has to be reliable, as downtime is expensive."

Multiple aspects of the project are difficult. On top of a heavy load of technical detail, and taking into account dynamics such as changes in weather, there are social ramifications.

"Iraq is particularly challenging," Swarbrick said. "The political and security background is well-known: A contractor needs to be sure it can perform the work safely."

There are also "less obvious" issues, he said.

"In parts of the country, work in winter is impossible because the low temperatures freeze the ground. This affects how quickly the contractor can get the work done," he said. "There are also exacting local content requirements."

"Quite rightly, the government wants to ensure transfer of skills to a local workforce, both for the construction but also longer-term operation of the completed plant," Swarbrick said. He noted that from a legal perspective, the firm has to be very attentive to all stakeholders.

"There are no easy precedents for doing these types of projects," he said.

WHAT MOTIVATES HIM:

Swarbrick, who considers it "enormously satisfying" to get the legal aspects of an energy project done, especially in the face of intense time pressure, said he puts service delivery at the top of his motivations every day.

"We act for big clients, sophisticated clients [in] challenging jurisdictions," he said, and over years of working closely with them on the details, the projects become even more rewarding over time. "There's enormous satisfaction in getting the deal done and making it happen."

The 38-year-old lawyer has delved into energy projects from Qatar to Armenia and Central Africa.

In one of his standout initiatives, Swarbrick started working in July 2019 on a 55-megawatt solar photovoltaic project in Armenia. He's helped with negotiating a construction contract, as well as two operation and maintenance contracts. Development costs will top \$50 million, according to the firm.

Along with the recent projects in Equatorial Guinea, Iraq and Armenia, the Bracewell attorney has advised Premier Oil and its joint venture partners on construction of the \$2.4 billion Sea Lion offshore oil development in the North Falkland basin.

WHY HE'S A CONSTRUCTION ATTORNEY:

Swarbrick pointed out that his job is not usually one that anyone would envision doing, especially given its demand for exacting detail. "No one grows up wanting to be a construction lawyer," he said.

And yet it's the visible impact of what he does that makes it so interesting. Unlike some lines of legal work, he can actually see the results of the deals he's helped navigate.

Swarbrick described the satisfaction of guiding a project through a thicket of legal issues and seeing the real-world impact of its completion. "It feels tangible," he said.

— *As told to Christopher Cole*

Law360's Rising Stars are attorneys under 40 whose legal accomplishments belie their age. A team of Law360 editors selected the 2020 Rising Stars winners after reviewing more than 1,300 submissions. Attorneys had to be under 40 as of April 30, 2020, to be eligible for this year's award. This interview has been edited and condensed.