

International Dispute Resolution

WE KNOW ENERGY®



BRACEWELL

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Our international dispute resolution team advises on and resolves the full range of contentious issues faced by our energy sector clients throughout the world. We provide focused legal and strategic advice at every stage of the dispute resolution cycle. From advising on contract management and dispute avoidance to presenting our clients' cases at full merits hearings, we work with our clients to achieve the best possible result.

The team is comprised of leading energy disputes lawyers experienced in all forms of dispute resolution including litigation, international arbitration (commercial and treaty), expert determination, adjudication and mediation. We also advise on regulatory investigations, white collar issues and sanctions risk.

Our energy sector focus enables us to maintain market leading experience and in-depth knowledge of the commercial, legal and regulatory challenges faced by our clients so that we can provide the most effective legal solutions.

We resource each matter with lean, partner-led teams, ensuring that our clients are advised cost-effectively by experienced lawyers who understand their business.

Accolades

Bracewell has a leading energy practice. We are regularly recognised for our excellence in relation to the work we do for the oil and gas industry by a number of global legal and business publications and organisations.

- *Chambers UK* recognises Bracewell as a premier energy practice ranking us **Band 1** for **UK-wide: Energy & Natural Resources: Oil & Gas** in *Chambers UK 2024*.
- *The Legal 500 UK* praised Bracewell for its "strong expertise in the energy sector," awarding rankings in **Dispute Resolution – Commercial Litigation; Dispute Resolution – International Arbitration**, and in **Projects, Energy and Natural Resources – Oil & Gas**.
- For the fifth year in a row, *The Times* has recognised Bracewell (UK) LLP as one of the **top 20 firms** for **energy and renewables work** in its 2024 list of Best Law Firms.
- In 2018, our London energy team was named **Legal Services Provider of the Year** by the *Petroleum Economist* for the second time.
- In 2017, *The Legal 500 UK* recognised our London Energy practice as the **Leading Oil and Gas Specialist Firm**. For the third year in a row,

"The team can work under pressure and provide the support needed for its clients. The team has a high attention to detail and they're very meticulous."
– *Chambers UK 2024*

"Excellent practice, with a particular specialism in oil & gas and energy matters."
– *The Legal 500 UK 2023*

"This is a small, specialist team with real expertise in energy disputes at all stages of such projects."
– *The Legal 500 UK 2023*

"Excellent litigation and arbitration practice, with a particular specialism in oil and gas and energy matters."
– *The Legal 500 UK 2023*



Oil & Gas



We advise on disputes concerning all aspects of the oil and gas industry. Our clients include super majors, large independents, mid-caps, start-ups, petrochemical and refinery companies, governments, trading houses, equity investors and financial institutions. Our team has significant experience in advising on disputes, for example, with: governments in relation to obligations under licences and production sharing contracts; partners under joint operating, farm-in and unitization agreements; and oil service companies, drilling contractors and construction contractors in relation to their work. Our practice is truly international, with a particular focus on Africa, the Middle East, Latin America and the UKCS.

- **International oil company** — dispute concerning the price re-determination provisions of two crude oil sale and purchase agreements
- **International E&P company** — two ICC arbitrations relating to amounts payable by non-operating parties under the accounting procedure to a number of JOAs concerning West African concessions
- **UK energy company** — expedited LCIA arbitration concerning the application of pre-emption rights to the acquisition of North Sea oil and gas assets
- **International oil company** — LCIA arbitration concerning claims under the leakage and warranty provisions of a SPA for the entire issued share capital of an oil and gas company
- **Operator of an onshore West African block** — dispute with a drilling contractor over issues relating to performance and payment of invoices
- **European supermajor** — dispute over the tender process for offshore services in Central America and its ultimate termination
- **International E&P company** — successful LCIA arbitration relating to amounts payable by non-operating parties under the accounting procedure to a JOA concerning a North African asset, including advising on the default mechanism under the JOA
- **Gas and LNG buyers and sellers** — numerous disputes under agreements for the sale and transportation of pipeline gas and LNG, including in relation to price reviews, take-or-pay and metering
- **Supermajor** — dispute with an African Government over the taxation provisions in PSCs
- **Supermajor** — dispute arising under warranties in an agreement for the sale of an upstream business in Latin America
- **International oil and gas company** — disputes arising from the disposal of its interest in a number of North Sea oil and gas assets
- **European supermajor** — successful defence of ICC arbitration proceedings concerning its standing as a party to a JOA and the application of the pre-emption regime
- **West African fuel distributor** — UNCITRAL arbitration concerning warranties and indemnities relating to the acquisition of a downstream business
- **Major international oil and gas company** — successful defence of domestic Nigerian arbitration proceedings concerning the re-determination of the tract participation of a unitized off-shore oil field
- **Multinational energy company** — bilateral investment treaty arbitrations at ICSID and under the UNCITRAL Rules following the nationalization of two businesses in a Latin American state
- **North sea operating company** — Commercial Court proceedings relating to the requirement for approval to drill a well, including injunction application
- **UK FPSO owner** — English Commercial Court proceedings concerning a dispute with a shipyard over upgrade and conversion work on an FPSO
- **Listed oil company** — English High Court proceedings regarding alleged breach of warranty in farm-in agreement pertaining to a North Sea field
- **Nigerian oil company** — LCIA arbitration with contractor regarding alleged wrongful termination of O&M contract and subsequent dispute in respect of the terms of the settlement agreement
- **Nigerian downstream company** — ICC Arbitration against a national oil company concerning joint venture arrangements following the acquisition of downstream businesses from a super major
- **International oil company** — ICC arbitration in respect of a Ghanaian project concerning rights and entitlements to charge the joint account with the run off cost of a long term rig contract

Power and Renewables



We are trusted advisors to clients involved in both conventional and non-conventional power disputes, including in relation to generation, transmission, networks and related infrastructure. This includes advising on claims relating to the construction and operation of power projects.

- **Developer of a solar project** — ICC arbitration concerning contested claims for force majeure and delays in relation to the construction of a project in Latin America
- **International consultancy** — LCIA arbitration concerning non-payment of fees in respect of consultancy services concerning a North African nuclear power station
- **Independent power company** — advising on defects, delay, liquidated damages and termination issues arising from the construction of a power plant in West Africa
- **Developer of renewables projects** — advising on numerous force majeure issues arising under PPAs and EPC Contracts in relation to wind and solar projects in the Middle East
- **Developers of solar projects** — advising on disputes with construction contractors regarding defects, delay and liquidated damages
- **Developer of wind projects** — advising on disputes with the construction contractors regarding defects, delay and liquidated damages claims in relation to a wind project in the Middle East
- **Developers of a waste to energy project** — English High Court litigation arising from a dispute following the sale of the project in which breaches of warranty were alleged concerning the construction, commissioning and operation of the project and impacts on the offtake agreement
- **Global engineering and construction company** — distressed restructuring of two power station projects in South East Asia, including advising on termination and delay issues
- **Renewables developer** — advising on challenges under the Energy Charter Treaty arising from the refusal to grant permission for a proposed offshore wind farm to be constructed after a licence had been granted by the UK Government
- **Industrial purchaser of power** — advising on a dispute regarding compliance with the requirements of the National Terms of Connection
- **International Construction Company** — English high court proceedings in relation to the termination of a construction contract for a new energy- to-waste plant in Worcestershire
- **Investors in solar installations and onshore wind farms** — advising on the application of and challenges to changes to the subsidies available in the UK to solar photovoltaic installations and onshore wind farms
- **Regional electricity companies** — expert determination and English High Court litigation regarding the operation and maintenance of combined heat and power units and the accounting treatment of liabilities
- **Supplier of power** — English High Court litigation regarding the termination of two large gas supply and tolling agreements for the generation of power
- **Waste-to-energy company** — dispute with the Low Carbon Contracts Company concerning the interpretation of the Contract for Difference

Risk Management and Investigations



Our risk management, government enforcement and investigations team advises on the full range of government and regulatory matters including bribery and corruption, trade and financial sanctions, money laundering, fraud, modern slavery and other financial crimes. We add value by advising our clients on risk mitigation and avoidance strategies from the outset.

We have deep experience conducting internal investigations, defending clients from government investigations, and providing compliance and advisory services, such as how to structure a project to maximise any available treaty protections and minimise other risks.

Our team consists of lawyers with deep contentious and non-contentious experience, including involvement in prosecutorial, defence, judicial, and in-house matters. The team has handled matters brought by the full range of UK authorities including the Serious Fraud Office; National Crime Agency; City of London Police; Health and Safety Executive; Financial Conduct Authority; among others and has appeared in both Crown and Magistrates' Courts Matters. We also work closely with our highly regarded US team to provide cross-jurisdictional advice in the most complex of matters.

- **DOJ/SEC/CFTC** — represented various clients in connection with investigations by US Federal criminal and civil regulators
- **SFO** — represented various clients in connection with investigations, prosecutions and settlement discussions with the UK Serious Fraud Office
- **Internal investigations** — conduct internal investigations into bribery and corruption, money laundering, sanctions violations, health and safety violations, and export control violations for various clients across the energy sector
- **Sanctions** — advised an oil major on all financial and trade sanctions matters relating to its exit from Russia, and other business related to Russia, following the Russian invasion of Ukraine
- **Reporting obligations to FCA, OFSI and NCA** — advised multiple commodity traders in relation to reporting sanctions and money laundering concerns to the FCA, OFSI and NCA
- **Private equity** — represented various private equity clients and portfolio energy companies in relation to compliance programmes and transactional diligence
- **Pro-Active reviews** — conduct proactive reviews into corruption and bribery compliance for various organisations in the Energy and Pharmaceutical sector
- **Transactional due diligence** — conduct transactional due diligence into compliance matters for a range of clients in the energy and financial services sectors
- **Compliance programmes** — acting for a wide range of clients: conducting risk assessments, designing and implementing compliance programmes, including training, communication plans, drafting policies and procedures, and programmatic testing
- **Major bank** — advised a major bank on updating money laundering controls, including designing new onboarding procedures and training staff
- **7/7 Bombing Inquest** — represented families of victims in the 7/7 London Bombings Inquest
- **Corporate homicide** — represented a major energy company in relation to a prosecution for corporate homicide arising from a health and safety failure, including associated inquest and civil claims
- **Health and safety prosecution** — advising on dredging and navigational safety matters for a strategic UK oil storage site
- **HSE prosecution** — advising an oil major in relation to a prosecution for a refined product storage tank leak into a local waterway
- **Joint enterprise murder** — assisting a convicted murderer in having his case reviewed by the Criminal Cases Review Commission
- **Oilfield services contractor** — claims against a former employer arising from client's employment in Iraq

- **Independent oil and gas company** — disputes with a former owner and manager of one of its African subsidiaries
- **Various oil and gas companies** — potential risks and mitigations, preparing compliance policies and providing training on ABC/AML issues
- **Global banking and investment company** — advice on the impact of Russian sanctions on a proposed investment in a gas pipeline project
- **Defence company** — advice on the impact of Iranian sanctions on a proposed transaction in Iran
- **Major Asian oil and gas business** — advice on proposed transactions for the purchase of oil/ petrochemical products from Iran and sale of gasoline to Iran
- **Various oil and gas companies** — advice on the sanctions representations and warranties included in numerous agreements
- **Nigerian upstream company** — English High Court proceedings defending claims of bribery and civil fraud brought by a joint venture partner (in administration) in respect of various contracts entered into concerning Nigerian fields, and advising in relation to related litigation and arbitration in Nigeria and France

International Dispute Resolution Team



John Gilbert
Partner
London

John Gilbert resolves disputes in the energy sector through litigation, arbitration, expert determination and mediation. He advises on a broad range of disputes related to oil and gas exploration and production, the construction and operation of pipelines and the downstream sector. John has particular experience representing clients locked in disputes over gas sales agreements, including price reviews and on the operation of take-or-pay provisions. In addition, he has advised on disputes relating to power generation, both conventional and renewables. John is listed as a leading individual for energy disputes in *Chambers UK* and is described by clients as "a go-to partner in the UK for energy litigation and has a deep understanding of complexities of the sector" (2024) and "very knowledgeable about the offshore oil and gas sector" (2020). He has been described by *The Legal 500 UK* as "a strategic thinker who provides practical advice, with real understanding of the technical and regulatory issues that arise in this context" (2024) and "extremely bright and goes to great lengths to ensure his clients get the service they deserve." (2022).



Alistair Calvert
Partner
London

Alistair Calvert helps clients resolve disputes in the energy and infrastructure sectors, with a focus on disputes related to projects in the oil and gas, power, and renewables space. He has acted on disputes relevant to all aspects of projects including procurement, engineering, operational, and financing matters. Alistair's practice encompasses high value international arbitration and litigation. He also provides advice on the management of legal risk during pre-action negotiations and specializes in mediation and other forms of alternative dispute resolution. He has a track record of engineering successful outcomes for clients. Alistair is described by clients in *The Legal 500 UK* as "a standout litigator" who understands "the legal dimensions of a case, and the commercial and human realities of a case" and in *Chambers UK 2023* as "an excellent energy lawyer".



Mark Hunting
Partner
London

Mark Hunting is a qualified solicitor-advocate specialising in internal and external investigations, contentious and non-contentious criminal and regulatory matters and civil litigation. He advises companies and corporate executives on business-related criminal and regulatory matters, including money laundering, bribery and corruption, financial and trade sanctions and export controls, corporate investigations, health and safety, and financial institution trading regulations.



Robert Meade
Partner
London

Robert Meade acts on international disputes in the oil and gas exploration, midstream and downstream sectors, as well as disputes related to power (conventional and renewables), infrastructure, construction and international trade. His experience includes representing clients in disputes concerning joint operating agreements, production sharing contracts and construction contracts and on issues arising out of joint ventures and asset acquisitions. Robert has acted on a number of international arbitrations, including under the LCIA and ICC rules, as well as disputes in the English high court. Robert was recognised as a "Rising Star" in *The Legal 500's* 2019 International Arbitration Powerlist: United Kingdom and described as "one of the most promising young counsel on the London scene". *The Legal 500 UK* described him as a "standout individual" (2022) and as "incredibly good, easy to work with, and very collaborative...hugely responsive, commercially savvy and tactically minded" (2024).



Jameela Bond
Senior Associate
London

Jameela Bond's practice focuses on complex international disputes in the energy sector. She advises clients on the full dispute resolution cycle, including dispute avoidance. In particular, Jameela has extensive experience in international commercial arbitration conducted under the ICC, LCIA and UNCITRAL rules. She has also acted for states in investor-state arbitration.

Jameela has represented clients in a wide range of energy and project-related disputes arising from joint ventures, concession agreements, production sharing contracts, sales and purchase agreements and general commercial matters. She has significant experience in major oil and gas disputes in West Africa. In *The Legal 500 UK 2023* a client commented Jameela "is a first-class practitioner".



Madalena M. Houlihan
Senior Associate
London

Madalena (Maddie) Houlihan advises clients on international arbitration and litigation, primarily in the energy sector. She has represented oil and gas and construction clients in High Court proceedings and arbitrations under the ICC and LCIA rules on matters related to joint operating agreements, FPSO service and charter agreements and large-scale infrastructure projects. Maddie was recognised in *The Legal 500 UK 2024*.



Laura Watt
Senior Associate
London

Laura Watt focuses her practice on resolving disputes in the energy, construction and infrastructure sectors. Her recent experience includes acting on arbitrations concerning joint operating agreements and engineering, procurement and construction contracts under the rules of the LCIA and the DIA. In *The Legal 500 UK* clients remarked that, "both [John Gilbert] and Laura Young are skilled at dealing with groups of investors, whether companies or individuals, often from different jurisdictions and with differing investment stakes" (2022) and "Laura Watt is an up-and-coming star who works tirelessly for her clients on complex and challenging matters" (2024).



Henry Day
Associate
London

Henry Day helps clients resolve disputes in the finance, infrastructure, energy and construction sectors. He has particular experience in corporate litigation and tax disputes, including in indexation disputes and competition appeal tribunal collective actions.

Prior to joining Bracewell, Henry was a trainee in the London office of a large international law firm.