



20  
ESSEX  
STREET

# THIS HOUSE BELIEVES THAT LAWYERS LACK IMAGINATION

TEA TALK  
1 MARCH 2018  
2PM TO 5PM  
MAXWELL CHAMBERS

In an age where competing arbitral institutions and dispute resolution centres are defining themselves with unique procedural processes and bespoke rules, what clients now really demand and need to win their case, are innovative counsel.

The subject of today's debate for members and stakeholders in the Shipping and Commodities community is 'Do Lawyers Lack Imagination?' In this lively debate Chaired by Stephen Vallely (Managing Director, Senior Counsel, Castleton Commodities International), Michael Ashcroft QC (Queen's Counsel, 20 Essex Street), Lawrence Teh (Senior Partner, Dentons Rodyk & Davidson LLP), Iain Sharp (Head of Legal, Asia-Pacific, Gunvor Singapore Pte Ltd) and Oliver Caplin (Junior Counsel, 20 Essex Street) will explore the highs and in some case the lows of 'innovative lawyering'.

## Seminar Fee

Members – SGD 60 | Supporting Org – SGD 70

Non-Members – SGD 80

Please RSVP by  
22 Feb 2018

to [michelle.lim@scma.org.sg](mailto:michelle.lim@scma.org.sg)



CPD Accreditation  
1.5 Public CPD Points  
Practice Area: Admiralty Practice / Shipping  
Training Level: General

Participants who wish to claim CPD Points are reminded that they must comply strictly with the Attendance Policy set out in the CPD Guidelines. For this activity, this includes signing in on arrival and signing out at the conclusion of the activity in the manner required by the organiser, and not being absent from the entire activity for more than 15 minutes. Participants who do not comply with the Attendance Policy will not be able to obtain CPD Points for attending the activity. Please refer to <http://www.silecpdcentre.sg> for more information.

Click [HERE](#) to register!

Limited Seats Available

For more information, call +65 63240552

## Supporting Organizations



# PROGRAMME DETAILS

2.00 PM

REGISTRATION

2.30 PM

WELCOME ADDRESS BY  
DENNIS CHAN  
Executive Director  
SCMA

2.35 PM

DEBATE

CHAIR:

STEPHEN VALLELY  
Managing Director, Senior Counsel,  
Castleton Commodities International

DEBATERS:

IAIN SHARP  
Head of Legal, Asia-Pacific,  
Gunvor Singapore Pte Ltd

LAWRENCE TEH  
Senior Partner,  
Dentons Rodyk & Davidson LLP

MICHAEL ASHCROFT QC  
Queen's Counsel, 20 Essex Street

OLIVER CAPLIN  
Junior Counsel, 20 Essex Street

4.05 PM

CLOSING ADDRESS BY  
MS RACHEL FOXTON  
Head of Practice Support  
20 Essex Street

4.10 - 5.00 PM

NETWORKING SESSION



# CHAIR AND DEBATERS' PROFILE

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## STEPHEN VALLELY

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Managing Director, Senior Counsel,  
Castleton Commodities International

Stephen has more than 18 years' experience as a lawyer working in Asia, primarily in Singapore. His broad experience spans from banking, restructuring, derivatives and structured products, special situations, up-stream energy, through to commodity finance and trading. He has worked in private practice at Freshfields and in-house at ABN AMRO, RBS, Macquarie and currently is with US trading house, Castleton Commodities.



## IAIN SHARP

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Head of Legal,  
Asia-Pacific, Gunvor Singapore Pte Ltd

Iain is an English-qualified solicitor who trained in London and has practiced in London, Hong Kong and Singapore. Formerly an international trade and disputes partner in private practice, Iain currently heads up the Asia-Pacific legal team of international commodities trading house Gunvor.

His sector experience includes international trade and commodities, energy and natural resources, oil and gas, shipping, banking and finance. He regularly advises on contracts, sale and purchase agreements, general trading terms and conditions, joint venture agreements, charterparties, economic sanctions, operational and legal risk management, trade finance and letters of credit.

As a dispute-resolution lawyer, by training and practice, he has considerable experience of litigation and alternative dispute resolution including international arbitration under institutional and trade association rules.

Iain is a Member of the Chartered Institute of Arbitrators and the LCIA Asia Pacific Users' Council. He is also a contributing author to "Oil and Gas Trading: A Practical Guide" published by Globe Law and Business.

# DEBATERS' PROFILE

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## LAWRENCE TEH

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Senior Partner,  
Dentons Rodyk & Davidson LLP

Lawrence Teh is a Senior Partner in the Litigation and Dispute Resolution practice and Arbitration practice. He has particular experience in handling disputes in international trade and commodities, maritime and aviation, banking and financial services, onshore and offshore construction, mergers, acquisitions, joint ventures and other investments, and insurance in related fields.

Lawrence advises clients and acts as counsel in all areas of commercial law and appears regularly as lead counsel in the Singapore courts, in arbitration, mediation and other forms of dispute resolution. He is also considered and appointed regularly as an arbitrator in international disputes under rules and auspices of international arbitration institutions and in ad hoc arbitrations.

Lawrence is currently the chairman of the Alternative Dispute Resolution (ADR) Committee at The Law Society of Singapore and was closely involved in the establishment of the Law Society Arbitration Scheme and the Law Society Mediation Scheme. He is a fellow of the Chartered Institute of Arbitrators, a fellow of the Singapore Institute of Arbitrators, and a panel arbitrator at the Singapore International Arbitration Centre (SIAC), the Singapore Chamber of Maritime Arbitration, the Kuala Lumpur Regional Centre of Arbitration (KIRCA) and the Korean Commercial Arbitration Board (KCAB). He is a supporting member of the London Maritime Arbitrators Association (LMAA). Lawrence is the chairman of the Promotion Committee of the Singapore Chamber of Maritime Arbitration (SCMA). He is also a council member of the Legal Practice Division in the International Bar Association (IBA) and the administrator of the Comité Maritime International (CMI).

He is named in numerous legal guides and directories including the The Legal 500 Asia Pacific, International Who's Who for Commercial Litigation, International Who's Who of Shipping & Maritime and Asialaw Leading Lawyers for Shipping, Maritime & Aviation and in the Guide to the World's Leading Aviation Lawyers.

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# DEBATERS' PROFILE

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## MICHAEL ASHCROFT QC

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Queen's Counsel, 20 Essex Street

Called: 1997

Silk: 2011

Michael has great experience in all kinds of shipping work (construction, operation and sale), involving bulkers, tankers, oil-rigs, drill ships, off-shore support vessels and, increasingly, super and mega yachts. He is one of the authors of a leading practitioner text, "Voyage Charters". Michael appears regularly in the High Court, Court of Appeal and the Supreme Court. He also has a wide range of experience preparing and presenting cases before, and on appeal from, various arbitration tribunals in various jurisdictions, including Singapore, Hong Kong and New York.

He was voted "International Arbitration Silk of the Year" 2016-17 by Chambers and Partners, has twice been shortlisted for "Shipping Silk of the Year" by Chambers and Partners and was nominated as "Shipping Silk of the Year" 2018 by the Legal 500. He is ranked as one of the few "most highly regarded silks" for shipping in Who's Who Legal 2018. He has also been ranked for many years in these same publications as a leading silk in commercial disputes, international trade and commodities and energy.

### EXAMPLES OF WORK

**W v X Company** [2017] EWHC 3430 (Comm). Appeared for the successful claimant in obtaining a rare order under section 42 of the Arbitration Act 1996 to enforce a peremptory order of a tribunal. The application arose in the context of two ongoing London-seated arbitrations concerning the breach of disclosure orders.

**Alexander v West Bromwich Mortgage Company Ltd** [2016] EWCA Civ 496. Acted for a very large group of landlords in a successful appeal to the Court of Appeal concerning tracker mortgages.

**Oldendorff GmbH & Co KG v Sea Powerful II Special Maritime Enterprises and Others** [2016] EWHC 3212 (Comm). Acted for the successful defendant shipowner Sea Powerful. The dispute concerned a series of letters of indemnity issued for the discharge of cargo in China without presentation of the original bill of lading.

**Classic Maritime v Lion Holdings** [2017]. Acting for Classic in a substantial commercial court dispute concerning a contract of affreightment relating to iron ore pellets in which the charterers are alleging that force majeure excused the performance of numerous shipments.

**MV RENOS** [2016] 2 Lloyd's Rep. 364. Acting for the insurers in a high-profile bulker CTL dispute before the Court of Appeal.

# DEBATERS' PROFILE

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## OLIVER CAPLIN

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Junior Counsel, 20 Essex Street

Called: 2012

Oliver regularly appears in both the specialist Commercial and Chancery courts, and has appeared a number of times in the Court of Appeal. He represents clients in LMAA, ICC, LCIA, SIAC, HKIAC, SCC, GAFTA, FOSFA and ad hoc arbitral proceedings. He is frequently instructed to act in the Commercial Court on various arbitration applications.

Oliver has a broad commercial, maritime, and international trade practice. The vast majority of his cases involve jurisdictional or other conflicts of laws issues. He has particular experience of anti-suit injunctions, and acted in *The Yusuf Cepnioglu* [2016] 3 All ER 697 (CA), one of the leading cases on the role comity plays in the grant of such remedies. He is co-authoring the soon to be published (4th) edition of Michael Miller's "Marine War Risks". Prior to coming to the Bar, Oliver trained and practised as a medical doctor and has a particular interest in commercial disputes that fall within the life sciences industry.

### EXAMPLES OF WORK

**The Zagora** [2017] 1 Lloyd's Rep 194 [complex multi-party dispute arising from letters of indemnity issued for discharge absent original bills of lading]

**The Flag Evi** [2017] 2 Lloyd's Rep 467 [anti-suit injunction, comity]

**The Yusuf Cepnioglu** [2016] All ER 697 (Court of Appeal) [anti-suit injunction, comity]

**Sarpd Oil International Ltd v Addax Energy SA** [2016] Bus LR 301 (Court of Appeal) [commodities, security for costs]

**Gunvor Belgium NV v Kaii 12 NV** [2015] EWHC 3150 (Comm) [commodities, hedging]

**Chugai Pharmaceutical Co v UCB Pharma et al** [2017] Bus LR 1455 [jurisdiction, justiciability, act of state]

**Fujifilm Kyowa Kirin Biologics Company Ltd v Abbvie Biotechnology Ltd** [2017] Bus LR 333 [Jurisdiction challenge, intellectual property]

**Eli Lilly & Co v Genentech Inc** [2017] EWHC 3104 (Pat) [jurisdiction challenge, Brussels 1 (Recast), service out of the jurisdiction]

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