



Declan C. Gallivan

Senior Associate

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OVERVIEW

Declan Gallivan is a senior associate in the firm's Complex Commercial Litigation and Dispute Resolution Team. Declan has a varied litigation and international arbitration practice, acting for clients across a range of sectors.

Declan is a strong supporter of, and actively involved in, pro-bono work.

Declan has been described by an independent commentator as "a promising young associate." (*Legal 500*, 2021)

PROFESSIONAL BACKGROUND

Declan completed his training contract at K&L Gates during which he gained experience in the competition and EU regulatory, commercial disputes, real estate and investigations, enforcement and white collar practices.

Prior to joining the firm, Declan was an intern with Broward County Public Defender's Office in Florida working on death penalty cases. In addition, he was a paralegal in the litigation department of a London law firm.

EDUCATION

- Legal Practice Course, BPP Law School, 2015 (*Distinction*)
- LL.B., University of Bristol, 2013 (*First Class Honours*)

ADMISSIONS

- Solicitor of the Senior Courts of England and Wales

THOUGHT LEADERSHIP POWERED BY HUB

- 11 September 2023, Arbitration World: A Spelling Error in Vienna
- 27 July 2022, Crypto Alert – Service of English Court Orders by 'NFT Airdrop,' and Could Crypto Exchanges be Constructive Trustees?

- 5 July 2022, Important Privy Council Ruling on Enforcement of an Arbitration Award and Article V of the New York Convention
- 8 March 2021, Changes are Coming in Trial Witness Statements in the UK Business and Property Courts
- 26 January 2021, Recent Development in Expert Evidence: The English Court Provides Guidance on Experts' Conflicts of Interests and Highlights the Potential Pitfalls in the use of Financial Damages Models
- 7 February 2017, European Commission Opens Investigation into Suspected Price Restrictions by Electronic Goods Producers

OTHER PUBLICATIONS

- "Digital Assets: Novel Dispute Solutions for Novel Technologies," *Corporate Disputes Magazine*, October-December 2021

AREAS OF FOCUS

- Commercial Disputes
- International Arbitration

REPRESENTATIVE EXPERIENCE

- In one of the most legally significant and high-profile cases involving the State of Qatar, representing a private citizen based in Lebanon who (along with a total of 18 Qatari Defendants) is accused of conspiring, under the direction of senior figures within the State of Qatar, to fund terrorism in Syria. Successfully represented the Defendant in the High Court, where the judge rejected the case on state immunity grounds (under the State Immunity Act 1978), agreeing with our (and the other Defendants') arguments on state immunity on all counts. The judge also awarded our client its costs. The Claimant has sought permission to appeal to the Court of Appeal in England.
- Acting for the Claimant, a commodity trading and mining company, in an LCIA Arbitration concerning a contractual dispute.
- Acting for the Claimant, a leading pharmaceutical company, in a Section 68 AA 1996 challenge before the High Court.
- Representing the owner and operator of an liquefied natural gas (LNG) facility in Africa in London-seated, LCIA administered arbitration under UNCITRAL Rules, regarding a claim in respect of alleged delays and defects in the construction of the plant against the contractor, with total sums in issue valued at over US\$2bn.
- Acting for the Claimant, a leading pharmaceutical company, in a successful application to enforce a New York arbitration award in the High Court.

- Representing a major materials supplier in three inter-related but unconsolidated ICC arbitrations (seated in London, Paris and Geneva) under English law and German law, in successfully defending claims brought against it by a major manufacturer of commercial passenger and military aircraft, related to the supply of alleged defective products, in which the claims alleged (for damages and an indemnity) were quantified at over US\$1bn. The defences we advanced on behalf of our client ultimately prevailed with a favourable costs award against the unsuccessful claimant.
- Acting for the Claimant, an Indian subsidiary of a global broadcasting business, in an LCIA arbitration regarding a series of television licence and broadcasting agreements.
- Acting for the Claimant, a leading global engineering/consulting company, in a Doha seated ICC arbitration. The dispute concerned the design/construction of a major public infrastructure project in Doha.
- Acting for the Respondent, a major motor sport entity, in a London seated ICC arbitration.
- Acting for the Defendant and Counterclaimant, in expedited Commercial Court proceedings. The client was defending claims for unlawful means conspiracy, breach of fiduciary duty, and for the misappropriation of expenses.
- Acting for the Claimant, a financial lender, in a High Court dispute concerning a property development worth over £7.5 million.
- Advising the developer of a significant railway construction project on a number of disputes with various different contractors.
- Acting for a former director of a major plc, now in administration, defending allegations of breach of directors' duties.