



Peter R. Morton

Partner

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OVERVIEW

Peter Morton is a partner in the dispute resolution and litigation practice group. He focuses on arbitration and commercial litigation and is a coordinator of the firm's international arbitration practice group.

Peter is involved in all aspects of arbitration and commercial litigation which frequently include an international dimension. His experience includes acting for clients in a variety of sectors, with a particular emphasis on aviation and energy. Peter has also acted on a number of disputes in the commodities, maritime, telecoms, finance, and sports industries.

Over recent years, Peter has dealt with numerous institutional arbitrations (commonly ICC or LCIA), trade association arbitrations (e.g. LMAA, FOSFA, ICA and GAFTA), and ad-hoc arbitrations as well as substantial High Court trials and appeals. Many of the cases Peter deals with are international contractual disputes, including issues of jurisdiction as well as arguments on the merits.

Independent feedback from clients and industry commentators includes the following:

Peter did an "excellent job" in an international arbitration that was "key to the company's business" and the client was "impressed with the arguments [Peter] came up with to substantiate our position."

- The Global Arbitration Review (GAR) 100 (12th Edition), 2019-2020

An in-house counsel as describing Peter as a "great" lawyer who "understand[s] the client, work[s] endlessly to satisfy their needs and come up with great suggestions," and that Peter provided "excellent, accurate and responsive advice" for a multimillion-dollar case that eventually settled.

- The GAR 100 (13th Edition), 2020-2021

[A]n outstanding combination of analytical and organisational skills means that Peter provides highly effective leadership, and he secures successful outcomes for his clients. He is approachable and alive to the pressures that dispute resolution imposes on industry.

- Legal 500 - 2022 Edition

Reliable, highly intelligent, good tactical and strategic instincts, enjoyable to work with.

- Legal 500 - 2022 Edition

A great strategist who provides strong leadership to his team. Combined with his strong analytical skills, Peter is highly effective in achieving strong outcomes for his client.

- Legal 500 - 2022 Edition

Very hardworking; extremely practical; good lawyer.

- Legal 500 (International Arbitration) 2021

PROFESSIONAL BACKGROUND

Peter qualified as a lawyer in 1997.

ACHIEVEMENTS

- Recognised by *The Legal 500 United Kingdom* edition as a Recommended Lawyer for Aviation and International arbitration in London, 2024

PROFESSIONAL / CIVIC ACTIVITIES

- Chartered Institute of Arbitrators (Member)
- London Court of International Arbitration (LCIA), European Users Council (Member)
- London Solicitors Litigation Association (Member)

ADDITIONAL BACKGROUND

EDUCATION

- Legal Practice Course, Nottingham Law School, 1995 (*Distinction*)
- Pg Dip, Nottingham Law School, 1994 (*Commendation*)
- B.Sc., University of Bristol, 1992

ADMISSIONS

- Solicitor of the Senior Courts of England and Wales

THOUGHT LEADERSHIP POWERED BY HUB

- June 2023, Arbitration World

- May 2023, Strategies for Success in Navigating Delay and Quantum Issues in International Construction Arbitration in a Changing World
- 26 April 2023, New Arbitration Law in Luxembourg
- 4 October 2022, The Law Commission Review of the Arbitration Act 1996
- 4 March 2022, The Commercial Court of England and Wales Outlines Limitations under English law on the Doctrine of Separability in Respect to Agreements to Arbitrate
- 10 February 2022, Arbitration World: Practical Implications of Recent English Decisions on the Governing Law of an Agreement to Arbitrate
- November 2021, Arbitration World
- 20 September 2021, Litigation Minute: Drafting International Arbitration Provisions for Cross-Border Manufacturing Contracts
- 29 March 2021, English Court Dismisses Jurisdiction Challenge to ICC Arbitration Award for Alleged Failure to Comply With an "Escalation" Clause, Ruling it an Admissibility Issue
- 18 March 2021, Conflicting Dispute Resolution Provisions: English Court Stays its own Proceedings in Favour of International Arbitration in Aviation Lease Dispute
- 10 February 2021, Commercial Court Rejects Frustration Argument in Aviation Leasing Dispute
- 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
- 26 May 2020, Governing Law of Arbitration Agreements: Welcome Clarity?
- 18 May 2020, Compelled to Testify: English Court of Appeal Confirms Power to Order Non Party Witness to Give Evidence in a New York-Seated Arbitration
- 14 April 2020, Arbitration World
- 18 January 2019, Cleared to Land: Aviation Newsletter
- July 2018, Arbitration World
- October 2017, Arbitration World
- February 2016, Is Your 'Asymmetric' Dispute Resolution Clause Enforceable Anymore?
- January 2016, Arbitration World
- September 2015, Arbitration World
- April 2015, Arbitration World

OTHER PUBLICATIONS

- “Letters of Intent: Are you (un)intentionally bound?” *Airline Economics*, April-May 2018
- Author of various maintained precedents on Thomson Reuters' “*Practical Law*”, including “Settlement Agreement” and “Commencing ICC Arbitration (2012 and 2017 Rules)”, with drafting notes
- Author of various maintained guidance notes on Thomson Reuters' “*Practical Law*” including “Selection of Party-nominated Arbitrators”, “Settlement (Civil Litigation) Q&A: United Kingdom (England and Wales)” and “Tactics of Settlement”
- “ICC Launches New Expedited Procedure”, *Arbitration World*, October 2017
- “Taming Price Review Clauses: Lessons from the Transactional and Arbitration Battlefields,” *LNG18*, April 2016
- The Growth of Gas and LNG Price Review Arbitrations,” *Arbitration World*, April 2015
- “Can a world exist where expedited arbitration becomes the default procedure?” *Arbitration International (The Journal of the LCIA)*, Vol. 26, No.1, 2010

AREAS OF FOCUS

- International Arbitration
- Aviation Finance
- Commercial Disputes
- Liquefied Natural Gas
- Maritime Disputes
- Oil and Gas

INDUSTRIES

- Aerospace
- Aviation
- Energy
- Energy Disputes
- Manufacturing
- Transportation (Manufacturing)
- Transportation and Logistics

REPRESENTATIVE EXPERIENCE

- Representing a majority state-owned major European energy company in two consecutive London-seated LCIA arbitration proceedings regarding a price review under a long-term liquefied natural gas (LNG) supply agreement
- 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 a Western European state electricity company in ICC arbitration proceedings involving a substantial claim for breach of contract on the sale of electricity generators
- Acting for the West Indies Cricket Board in expedited arbitration proceedings arising out of the "Stanford 20/20 for 20" event between England and the "Stanford Superstars" in November 2008
- Acting for the investment arm of an Asian government in relation to ICC arbitration proceedings in respect of a failed property investment in the Middle East, including consideration of Shari'a law
- Representing a world-leading constructor of offshore mobile drilling units and its Dutch subsidiary in arbitration in Singapore of €100 million plus dispute (extra work, extension of time) under an upgrade/refurbishment contract for a semi-submersible drilling unit
- Representing a material supplier in successfully pursuing a claim for over US\$19mn, through ICC arbitration, against a manufacturer of electric cable products arising out of a fire and explosion at the client's aluminium smelter facility.
- Acting in Commercial Court and Court of Appeal proceedings related to a dispute over the sale of a substantial telecommunications company in Eastern Europe, now an important authority on letters of intent/side letters/heads of agreement
- Acting for a minority shareholder in London-seated LCIA Arbitration proceedings regarding alleged breach of a shareholder's agreement
- Acting on a London-seated ad hoc arbitration related to a cruise ship charter
- Acting on maritime arbitrations under LMAA Terms
- Acting on commodities/trade association arbitrations (including FOSFA, ICA, GAFTA and the RSA)

Aviation Disputes

- 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

- Representing a U.S. manufacturer of aeronautical components in a Geneva-seated French law ICC arbitration of a US\$20 million contractual dispute with a leading French jet engine manufacturer
- Advising an Asian national carrier on the termination of an agreement for the purchase of aircraft and the termination of related contracts with BFE suppliers (e.g., seats and in-flight entertainment and connectivity) and related claims for damages
- Acting for the lessors in LCIA arbitration proceedings regarding the alleged wrongful termination of aircraft lease agreements and consequential claims for damages
- Advising an Asian airline on a claim by an aircraft manufacturer regarding alleged breach of an aircraft purchase agreement
- Advising a materials supplier in connection with a dispute with an aircraft engine manufacturer regarding alleged failure to meet requisite demand / alleged delays in supply and defending consequential claims for damages
- Acting for a leading provider of air cargo services in ICC arbitration proceedings with an Asian national carrier regarding a long term hard block cargo capacity agreement
- Acting for a lessee in English High Court proceedings relating to the claim for damages for termination of aircraft leases for breach of contract, including issues of mitigation
- Advising an aircraft owner in LCIA Arbitration proceedings regarding the alleged breach of an aircraft management agreement, and counterclaims for diminution in value / failure to maintain the aircraft.
- Advising a lessor in English High Court proceedings in a claim against the lessee for default under the terms of a number of aircraft lease agreements
- Advising an airline on disputes under a purchase agreement for multiple shipsets of business class seats