



JEREMY BRIER

Born 1980

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Overview

Jeremy was named as one of the Top 10 Future Stars of the Bar by *Legal Week* (November 2008) and was described as “*superbly confident, a genuine class act in the making*”.

Since then, Jeremy has been extremely busy throughout 2009 and 2010, acting as both a sole advocate and junior counsel at all levels in a variety of commercial disputes, international arbitrations, insurance, VAT and shipping matters.

Practice

Jeremy is first and foremost a commercial litigator and his practice has always included a significant amount of work in major commercial disputes, international trade and arbitration, banking and shipping.

Specifically, Jeremy practices in the following areas:

- Administration & Public Law
- Arbitration
- Art Litigation
- Aviation
- Banking & Finance
- Commercial Fraud & Asset Recovery
- Commercial Litigation
- Company Law
- Conflict of Laws
- Energy & Commodities
- Employment Law
- European Law
- Injunctions & Arrests
- Insurance & Reinsurance
- International Commercial Arbitration
- International Trade & Transport
- Professional Negligence
- Public International Law
- Shipping
- VAT

Some of Jeremy's more current and recent cases include:

- **Shipping:** *A.P. Moller - Maersk A/S (trading as "Maersk Line") v Sonaec Villas Cen Sad Fadoul* [2011] 1 Lloyd's Rep. 1
- **Insurance/Arbitration:** Acting in complex 10 year long arbitration proceedings and concurrent Commercial Court proceedings in relation to claims concerning the buyout of an insurance company and the settlement of nearly 3,000 missold pensions claims [2009/2010/2011].
- **VAT:** An appeal buy a major British company for the repayment of millions of pounds of input tax [listed for Spring 2011]
- **Commercial:** Acting for Dutch steel exporters in the Commercial Court concerning the Judgments Regulation, EU law and its relationship with Incoterms and English law of Sale of Goods [2010]
- **Commercial/arbitration:** Continuing to act for a major Middle Eastern airline in multi-million dollar ticketing dispute [2010/2011]
- **Shipping:** Acting for Russian importers in a complex dispute concerning jurisdiction under a number of charterparties and bills of lading [Summer 2010]
- **Media/Commercial:** Acting for DHX Media Limited in a film finance case in the Commercial Court against Headgear Films Limited [2010]
- **Commercial / Insurance:** Acting for three major insurers in respect of claims concerning imports of heavy machinery into Iraq [2010]
- **Shipbuilding:** Acting for major European shipbuilding company in respect of \$35m claims by Buyers [2010]
- **Shipping:** *Bunge SA v ADM Do Brasil Ltda and others ("The Darya Radhe")* [2009] EWHC 845
- **Shipping:** *Mansel Oil Ltd and Vitol S.A v Troon Storage Tankers SA* [2009] EWCA Civ 425
- **Public Law:** *R (on the application of Partridge Farms) v Secretary of State for Environment, Food and Rural Affairs* [2009] EWCA Civ 284
- **Arbitration:** *Van der Giessen-De-Noord Shipbuilding Division BV v Imtech Marine & Offshore BV* [2008]

EWHC 2904

- **European/Commercial:** *Kolden Holdings Limited v (1) Rodette Commerce Limited (2) Taplow Ventures Limited* [2008] EWCA 1468 – acted at first instance and in the Court of Appeal in a case concerning conflict of laws and the Judgments Regulation
- **Commercial/Banking:** *Fransina Johanna Van Der Merwe and Gerrit Le Roux Van Der Merwe v IIG Capital LLC* [2007] EWHC 2631 (Ch).
- **Banking:** Jeremy has also acted as sole counsel for Barclays Bank on numerous occasions from 2007-2009.
- **Arbitration generally:** Jeremy also practices a great deal in international commercial arbitration, having been involved variously as junior counsel and as secretariat in recent ICC, ICSID and LMAA arbitrations.

**Career
Education**

2004 Call: Middle Temple
2005 The Academy of American and International Law at The Center For American and International Law, Texas, USA
2004 BVC (Very Competent), Inns of Court School of Law
2003 Diploma in Law, City University, London
2002 BA (First Class Hons), Christ's College, University of Cambridge

Jeremy was Lecturer in European Union Law, Pepperdine University School of Law (California) (2004-2008).

Prior to starting in Chambers, Jeremy was the President of the Cambridge Union in 2001 and won the World Debating Championships in 2004.

Lectures

2005 Lecturer in European Union Law, Pepperdine University School of Law (California), London
2010 Lectures given to Hill Dickinson LLP concerning the enforcement of arbitration awards

Awards

2004 Queen Mother Scholar of Middle Temple
2003 Queen Mother Scholar of Middle Temple
2002 Scholar's Award, Christ's College

Achievements

2004 Winner, The World Debating Championships
2001 President, The Cambridge Union

Member

Commercial Bar Association (COMBAR)
LCIA Young International Arbitrators Group
London Common Law and Commercial Bar Association

Specific Areas

Arbitration

Advised and acted (solely and as part of a team of counsel) in a wide range of domestic and international arbitrations in England and abroad in LCIA, LMAA, ICC and other arbitrations. Particular experience in LMAA arbitrations, in respect of which Jeremy is currently handling a number of shipping cases alone.

Jeremy has acted in respect of numerous appeals from arbitral awards, under sections 68 and 69 of the Arbitration Act 1996, including recently appearing in *Van der Giessen-De-Noord Shipbuilding Division BV v Imtech Marine & Offshore BV* [2008] EWHC 2904.

Recent key cases include:

- **Insurance/Arbitration:** Acting in complex 10 year long arbitration proceedings and concurrent Commercial Court proceedings in relation to claims concerning the buyout of an insurance company and the settlement of nearly 3,000 missold pensions claims [2009/2010/2011].
- **Commercial/arbitration:** Continuing to act for a major Middle Eastern airline in multi-million dollar ticketing dispute [2010/2011]
- **Arbitration:** *Van der Giessen-De-Noord Shipbuilding Division BV v Imtech Marine & Offshore BV* [2008] EWHC 2904 – a successful appeal from an arbitration award

Jeremy has also acted as Secretary to an Arbitration Tribunal in major multi-party arbitrations and in ICSID arbitrations and has acted in arbitration-related applications before the Commercial Court under numerous sections of the Arbitration Act 1996.

Commercial Litigation

Jeremy has advised and acted in numerous commercial disputes at all levels in the English courts, including the Court of Appeal, and abroad involving a wide range of subject matters, including major telecommunications companies, major oil and gas companies, the music and media industries and the contracts of private individuals.

This is the mainstay of Jeremy's practice. Recent and current cases include:

- Acting for Dutch steel exporters in the Commercial Court concerning the Judgments Regulation, EU law and its relationship with Incoterms and English law of Sale of Goods [2010]

- Continuing to act for a major Middle Eastern airline in multi-million dollar ticketing dispute [2010/2011]
- Acting for Russian importers in a complex dispute concerning jurisdiction under a number of charterparties and bills of lading [Summer 2010]
- Acting for DHX Media Limited in a film finance case in the Commercial Court against Headgear Films Limited [2010]
- Acting for three major insurers in respect of claims concerning imports of heavy machinery into Iraq [2010]
- A dispute under the Commercial Agents Regulations [2009]
- A dispute concerning contracts between oil traders [2009]
- Handling multi-million pound claims under call option and put agreements [2009]

Conflicts of Laws

Jeremy continually acts and advises in respect of jurisdiction issues, including in anti-suit injunctions and in relation to the Judgment Regulation.

Notably in 2008, Jeremy appeared in the Court of Appeal (and at first instance) in the key case of *Kolden Holdings Limited v (1) Rodette Commerce Limited (2) Taplow Ventures Limited* [2008] EWCA 1468 which concerns certain articles of the Judgments Convention.

In March 2011, Jeremy has a jurisdictional challenge application listed for hearing before the Commercial Court in relation to a complex shipping dispute.

Shipping and shipbuilding

Jeremy has a significant shipping practice and has recently appeared in a number of major shipping cases:

- *A.P. Moller - Maersk A/S (trading as "Maersk Line") v Sonaec Villas Cen Sad Fadoul* [2011] 1 Lloyd's Rep. 1
- Acting for major European shipbuilding company in respect of \$35m claims by Buyers [2010]
- *Bunge SA v ADM Do Brasil Ltda and others ("The Darya Radhe")* [2009] EWHC 845
- *Mansel Oil Ltd and Vitol S.A v Troon Storage Tankers SA* [2009] EWCA Civ 425

- *Van der Giessen-De-Noord Shipbuilding Division BV v Imtech Marine & Offshore BV* [2008] EWHC 2904

Jeremy has advised independently and acted in a number of Charterparty and bill of lading disputes, including in multi-party litigation for both shipowners and charters, cases concerning limitation, agency, liens and wet shipping cases.

Jeremy has also handled numerous LMAA arbitrations and other forms of maritime arbitration.

VAT, Duties & Excise

Experienced in advising and acting for the Commissioners and the taxpayer in various VAT related disputes including:

- An appeal by a major British company for the repayment of millions of pounds of input tax [listed for Spring 2011]