



## JAMES COLLINS

Born 1969

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### Practice

- Arbitration
- Commercial Litigation
- Conflict of Laws
- Conflicts of Interest and Confidential Information
- Injunctions and Arrests
- Insurance and Reinsurance
- International Trade
- Professional Negligence
- Shipping

James Collins has a broad-based commercial practice in line with Chambers profile. He specialises in Arbitration law and practice; Commercial Litigation including commercial fraud, agency (in particular in shipping and insurance contexts); Conflict of Laws; Conflicts of Interest and Confidential Information; Insurance and Reinsurance and related fields such as brokers negligence; International Trade; Professional Negligence; and Shipping, including charter parties, bills of lading, and management disputes.

### Career

1995 Call: Gray's Inn  
1994 Essex Court Chambers

### Education

1994 BVC, Inns of Court School of Law  
1993 BA, Downing College, Cambridge

### Member

Commercial Bar Association (COMBAR)  
London Common Law and Commercial Bar Association

### Specific Areas

#### Arbitration

Advised and acted in a wide range of arbitrations both in the U.K. and abroad, including arbitrations in which foreign law has been applied (for example New York law under the Bermuda Form, French law and the law of Liechtenstein in ICC arbitrations). This has involved conducting arbitrations (under ICC, LCIA, AAA, CIETAC, LMAA and other procedural rules) and sitting as an ICC arbitrator. Hearings have ranged from short interlocutory applications to five-week trials.

Advised and acted in a wide range of related court

proceedings, including proceedings to enforce foreign arbitration awards (for example, *Omnium de Traitement et de Valorisation S.A. v Hilmarton* [1999] 2 Lloyd's Rep 222); proceedings to enforce domestic arbitration awards (for example, *Colliers International v. Colliers Jordan Lee* [2008] 2 Lloyd's Rep 368); jurisdiction challenges (for example, *A v. B* [2007] 1 Lloyd's Rep 237 and [2007] 1 Lloyd's Rep 358) and injunctive and other relief in support of arbitrations.

### **Commercial Litigation**

Agency (in particular in shipping and insurance contexts); art and auction house cases; bailment (for example *Scheps v. Fine Art Logistics* [2007] All ER (D) 270; and *Gordon v. Gordon & Others*, [2002] EWCA Civ 1884 (C.A.)); commercial fraud (for example *Maersk Sealand v. Far East Trading & Others* [2004] EWHC 2929 (Comm)); international trade and sale of goods (for example *Contigroup v. Glencore* [2005] 1 Lloyd's 241); franchise disputes; disputes in relation to settlement agreements (for example *Simmons Gainsford LLP v. Shah* [2008] EWHC 2554 (Ch)). This has included acting in relation to various types of interim injunction (including Freezing orders), pre-action disclosure and relief against non-parties (or parties joined solely for the obtaining ancillary relief) including anti-suit injunctions against persons controlling foreign litigation, Freezing orders against persons holding assets belonging to the defendant, non-party disclosure and non-party costs orders (for example *Gulf Azov Shipping v. Chief Humphrey Idisi & Others* [2004] EWCA Civ 292 (C.A.)).

### **Conflict of Laws**

Advised and acted in a wide range of cases involving jurisdiction disputes (for example *Addax BV Geneva v. Coral Suki SA* [2005] 2 All ER (Comm) 137); anti-suit injunctions (for example *OT Africa Line v. Magic Sportswear & Others*, [2005] 1 Lloyd's Rep 252 and [2005] 2 Lloyd's Rep 170 (C.A.)); and other conflict of law issues;

### **Conflicts of Interest and Confidential Information**

Advised and acted in a wide range of disputes involving conflicts of interest, protection of confidential information and professional conduct rules. This has included advising solicitors and banks in relation to mergers and takeovers; advising solicitors in relation to Law Society investigations; advising and acting for solicitors involved in disputes with existing or former clients (for example *Nick Sports v. AJ Morison* (Longmore J, 3/2/00); *Simon Winters v. Mishcon de Reya* [2008] EWHC 2419 (Ch)) and clients against their former solicitors; advising and acting in cases involving

accountants (for example *Prince Jefri Bolkiah v. KPMG (a firm)* [1999] 2 WLR 215, the leading House of Lords case on the protection of confidential information and "Chinese Walls").

### **Insurance and Reinsurance**

Advised and acted in wide range of insurance and reinsurance disputes in the English courts (for example *Charman v NCR v HIH* [2003] Lloyd's IR 337 — a substantial reinsurance and retrocession dispute) and in English and foreign arbitrations (for example, *Dominion Insurance v. Les Mutuelles du Mans and others* — a series of reinsurance arbitrations; and the recent Arthur Andersen and KPMG reinsurance disputes), including Lloyd's litigation (for example *Price v. The Society of Lloyds* [2000] Lloyd's IR 453 — a challenge to Lloyd's Reconstruction and Renewal and the Settlement Offer) and Bermuda form arbitrations.

Related work including brokers negligence.

### **Shipping**

Shipping and Carriage by Road, including charterparty disputes, bill of lading disputes (including fraudulent cargo claims and claims by owners following delivery against presentation of fraudulent bills), shipbuilding, agency and management disputes (including claims against fraudulent agents and managers, asset tracing and recovery) and CMR. See, for example, *OT Africa Line v. Magic Sportswear & Others*, Langley J [2005] 1 Lloyd's Rep 252 and C.A. [2005] 2 Lloyd's Rep 170; *Contigroup v. Glencore* [2005] 1 Lloyd's 241; *Addax BV Geneva v. Coral Suki SA* [2005] 2 All ER (Comm) 137; *Evergreen Marine v. Aldgate Warehouse* [2003] 2 Lloyd's Rep 597.

If you require further information please contact [clerksroom@essexcourt.net](mailto:clerksroom@essexcourt.net)