

Achieving fast, innovative and cost-effective dispute resolution for businesses

EFFICIENCY. INNOVATION. RESOLUTION.

## Peter Ashford – Arbitrator

“ Peter Ashford is a level-headed and robust commercial litigation and arbitration partner – never overbearing ... not aloof; ”

Legal 500, 2020

### OVERVIEW

Peter has over 35-years' experience in a wide range of disputes latterly concentrating on international commercial arbitration. He is an experienced advocate.

He is also a prolific writer of articles, bulletins and chapters and an extensive commentator on arbitration matters. He is the author of the following arbitration books:

- Handbook on International Commercial Arbitration [2009 and second edition 2014]. Published by Juris Publishing (NY).
- Guide to the IBA Rules on the Taking of Evidence in International Arbitration [2013]. Published by Cambridge University Press.
- Guide to the IBA Guidelines on Party Representation in International Arbitration [2016] Published by Cambridge University Press.

He has been appointed by a wide variety to arbitral bodies and institutions including the President of Law Society of England and Wales; LCIA and London Chamber of Arbitration.

He has guest lectured at the following universities Loyola, Chicago; Aix-Marseille, France; and Benjamin Cardozo School of Law, New York.

### STYLE AND APPROACH

As arbitrator, Peter promotes an early and realistic assessment with the parties (and their counsel) of the issues, the process and costs options and the required documentary, factual and expert evidence on each issue.

He draws on his considerable experience in acting and advising on complex domestic and international commercial arbitration to assess appropriate case management techniques and procedures focussing on what is necessary for a fair resolution without unnecessary delay or expense.

Peter has a particular understanding of complex claims for loss and accounting issues.

He prides himself in making awards, decisions and orders promptly and maintaining momentum.

### EXPERTISE

- Sale and purchase agreements (goods and services)
- Mergers and Acquisitions
- Banking and Finance
- Transport and logistics
- Energy (especially renewable, exploration and sales)
- Joint ventures, agency and distribution

## EXPERIENCE

### Sale and purchase agreements (goods and services)

- Acted for Canadian commodity company in dispute with another global commodity company, force majeure and mitigation of loss in LCIA arbitration. Tribunal: HH Nicholas Chambers QC, David Mildon QC, Ian Hunter QC.
- Acted for US medical prosthetics distributor against Italian manufacturer in ICC arbitration. Co-counsel with US firm. Tribunal: Paul Klaas.
- Acted for US party that had been funded in US litigation by a claims funder who now alleges that the claim was under-settled and what ought to have been the fruits of the claims was diverted to another group company: LCIA arbitration. Tribunal: David Haigh QC, Sir Christopher Clarke and Dr John Fellas.
- Acted for Austrian M&E sub-contractor in defending claim by Italian main contractor seeking indemnity for LADs allowed to employer: ICC arbitration. Co-counsel with Austrian firm. Tribunal: Prof. Dr. Horst Eidenmueller, Sir Rupert Jackson, Loretta Malintoppi.
- Arbitrator: appointed by President of Law Society of England and Wales as sole arbitrator in dispute concerning a contract for a film set. Made procedural directions and substantive award on merits.
- Arbitrator: Sole Arbitrator appointed by London Chamber of Arbitration in biscuit factory production-line dispute. Turkish and Italian parties regarding factory in Uzbekistan.

### Mergers and Acquisitions

- Acting for satellite communications group in M&A dispute: ICC arbitration. Tribunal: Noradèle Radjai.

### Banking and Finance

- Acted for Czech Investment Fund in dispute with an English merchant bank over banking covenants in LCIA arbitration. Arbitrator: Gary Born.
- Arbitrator: appointed by LCIA as sole Arbitrator in loan dispute. Made procedural directions and an award for failure to pay deposit for LCIA fees deposit, an award on the merits and an award on costs.

### Transport and logistics

- Acted for English / Italian joint venture company in dispute with global vehicle manufacturer in ICC Arbitration. Claims for unpaid invoices and injunctions to restrain interference with contractual rights. Acted for JV company in resisting claim that contract lawfully terminated for overcharging and dishonesty. Counterclaim for lost

profit for wrongful termination. Tribunal: Yves Fortier QC; Anthony Boswood QC and Paul Hannon.

- Acted for logistics company in claim for freight charges in ICC arbitration. Arbitrator Hilary Heilbron QC.

### Energy (especially renewable, exploration and sales)

- Acting for German wind farm technology and manufacturing company in dispute with Indian joint venture partner including on applications to the Commercial Court to appoint the third tribunal member. Tribunal included : Lord Hoffmann, VV Veeder. Case reported as Enercon GmbH v Enercon (India) Ltd [2012] EWHC 689 (Comm).
- Various oil and gas exploration / seismic disputes and downstream sales contracts.

### Joint ventures and agency and distribution

- Acted for UK plc in dispute with US wine company for termination of distribution and storage contract in ICC arbitration. Tribunal: Andrew Foyle, Bill Rowley and Hilary Heilbron QC.
- Acted for Serbian agent in claims against Anglo – Austrian principal arising from termination, refusal to supply and diversion of opportunities in LCIA arbitration. Tribunal: Michael Lee.
- Acted for offshore mobile phone provider in dispute with Chinese telecoms company. LCIA arbitration. Tribunal: Christopher Newmark.

## PROFESSIONAL QUALIFICATIONS

- Solicitor of the Senior Courts (1986).

## CAREER HISTORY

- 1984 - 1987 Calow Easton.
- 1987 - 2012 Cripps Harries Hall (now Cripps Pemberton Greenish, partner and head of DR).
- 2012 Fox Williams (partner and head of arbitration).

## ACCREDITATION

- B.Soc Sci (Law & Economics) 1983.
- Fellow Chartered Institute of Arbitrators 2010.

## Contact

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