

Curriculum Vitae
GAVIN MARGETSON

Personal Details

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Date of birth: 26 November 1976 (43)

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Education History

1998-1999	Nottingham Law School	Legal Practice Diploma	Grade: Distinction
1995-1998	University of Nottingham	Law Degree (LLB)	Grade: 2.1
1993-1995	Margaret Danyers 6 th Form	5 A-levels	Grade: A (all)
1988-1993	Cheadle Hulme High School	9 GCSEs	Grade: A (all)

Qualifications

- Solicitor, England & Wales (2001)
- Solicitor Advocate Higher Courts (2010)
- Fellow, Chartered Institute of Arbitrators (2019)

Career history

1999-2001	Herbert Smith	Training contract	London/Bangkok
2001-2004	Herbert Smith	Associate, Litigation Division	London
2004-2006	Marubeni	In-house secondment from HS	Tokyo
2006-2010	Herbert Smith	Senior Associate, Disputes	Tokyo
2010-2014	Herbert Smith Freehills	Partner, Disputes	Tokyo
2014-2017	Herbert Smith Freehills	Partner, Disputes	Singapore/Bangkok
2017-2019	BCLP	Partner, Litigation & Corp Risk	Singapore
2019-	Sharpe & Jagger	Solicitor & Advocate	Singapore

Market profile



Legal 500 Asia Pacific – (2019) *“Gavin Margetson delivers ‘clear, concise and robust legal advice’, is ‘very practical, pragmatic and commercial’ and ‘focused on achieving the best possible outcome’; he is ‘an outstanding practitioner who combines excellent strategic judgement with close attention to detail and strong client-handling skills’; (2017) Leading Individual Dispute Resolution Thailand “...his thought to the issues is deep and client-oriented. He thinks practically about what is the best solution to fix the disputes.”*



Chambers & Partners – (2017) Leading Individual Dispute Resolution Thailand; (2016) *“[Gavin] wins praise for his deep knowledge and experience in international arbitration cases”;* (2014) *“...peers note that Gavin Margetson excels at arbitration work, and clients are happy with his rapid response time. He has litigation experience covering a number of sectors.”*



Who's Who Legal, Arbitration Japan – (2014) *“...a dispute resolution expert with extensive experience in international arbitration...in Asia, Europe and Africa”.*

Management experience

- Leading International Arbitration team at BCLP in South East Asia.
- Co-managing the HSF Bangkok office as the sole international partner; overseeing a team of 7 Thai lawyers and 3 international lawyers; liaising with global and regional executive partners regarding the management of the practice.
- Leading cross-office teams (Tokyo, London, Paris, Singapore and Bangkok) on complex litigation, international arbitration and investigations matters since 2007.

In-House Experience

- Foreign counsel, in-house legal department of Marubeni Corporation from April 2004 to October 2006.
- Responsibilities included:
 - Day-to-day contractual advice to business teams across a range of industries (manufacturing, telecoms, insurance, energy, infrastructure, projects, international trade);
 - Management of litigation and arbitration cases;
 - Principal advisor to General Counsel for a large internal anti-corruption investigation that led to official enquiries by the US DOJ, Japan FSA, UK SFO and a French magistrate.
 - Working with compliance team to implement changes to competition and anti-corruption risk management policies
 - Liaising with external counsel on large-scale M&A deals undertaken by Marubeni.

International Arbitration as counsel

Commercial contracts, M&A & joint ventures

- Japanese trading company pursuing USD 20 million post-M&A earn out claims in LCIA arbitration under a share purchase agreement with a large Indian telecommunications company.
- Indonesian oil and gas operator defending a SIAC arbitration claim for USD218 million arising out of a Joint Operating Agreement for an oil and gas development block in Sumatra.
- Japanese trading company defending an ICC arbitration claim brought against it by its African JV party in connection with the distribution of Japanese manufacturer automobiles.

Energy & infrastructure

- Thai oil and gas exploration company in Thai Arbitration Institute proceedings against a transport service provider relating to alleged breaches of a USD315 million service agreement.
- Japanese trading company in a series of London ad hoc arbitrations and parallel TOMAC arbitrations valued at over USD 50 million, arising out of a series of commercial bulk carrier shipbuilding contracts, including (a) disputes as to the availability of legal set-off under English and Japanese law and (b) the seaworthiness of the vessels' seaworthiness.
- Japanese EPC contractor in Singapore seated ICC arbitration in relation to the engineering, procurement and erection of a paper pulp mill in Vietnam, one of the largest pulp paper mills in Vietnam.

Telecommunications & technology

- German telco service provider in SIAC arbitration claims of up to USD 37 million against its Singaporean partner in a joint venture for the construction, operation and servicing of 3G cellular network towers in Myanmar.
- Japanese technology contractor pursuing and defending ICC arbitration claims/counterclaims of over USD150 million arising out of a contract for the construction and delivery of a submarine telecommunications cable system from India to France via the Middle East.
- Japanese telecoms company bringing an ICC arbitration claim for USD50 million in liquidated damages arising out of the delivery into geostationary orbit of a defective telecommunications satellite.
- Telco infrastructure company overseeing claims against a South African telco provider, including to delay claims and other technical issues relating to the phased roll out of network towers.

International trade

- United Arab Emirates coal trading company as counsel in SIAC arbitration arising out of contracts for the sale, purchase and shipment of coal from Indonesia to India.
- Japanese solar panel manufacturer in Stockholm Chamber of Commerce arbitration claims relating to the procurement of solar wafers from a supplier in China.
- Singaporean aerospace contractor bringing a USD 2 million claim in SIAC arbitration arising out of an aircraft engine maintenance and repair order (MRO) agreement.

International Arbitration as arbitrator

- Sole arbitrator in SIAC proceedings involving claims relating to the TV rights for an international test and ODI series between two Asian nations.
- Chairman in ad hoc Singapore arbitration relating to the shipment of rice to Malaysia, including allegations of cyber-crime with respect to the buyer's email account.
- Co-arbitrator in a series of Thai Arbitration Institute proceedings relating to the construction of luxury apartments in Thailand.
- Sole arbitrator in SIAC proceedings concerning a series of agreements for the shipment of liquid petroleum gas.

Litigation & Advisory

- A multinational energy company, advising on the restructuring and potential sale of its Myanmar assets, including potential litigation and arbitration issues relating to Myanmar Government tax and the interpretation of relevant concession agreements.
- Japanese contractor in respect of Thai court litigation brought by the Thai state electricity company, following an arbitration determining claims arising out of an EPC contract for the construction of a power station in Thailand.
- Japanese metals trading company in connection with a long-standing agreement to purchase copper base bars containing precious metals from electronic waste, including allegations of fraud relating to the sampling process.
- Japanese trading company in making recoveries under a trade insurance policy covering losses arising out of the sale of plastics to Russian and Chinese buyers – claims were filed in the Singapore High Court.
- Global hospitality operator in connection with claims under the hotel management agreement for a prestigious hotel in Phnom Penh, Cambodia.
- Korean construction equipment manufacturer in relation to claims arising out of a strategic alliance and JV agreement for the development of electric powered mini-excavators.
- A telco infrastructure company on its EPC contract with a South African telco provider, including in relation to delay claims and issues relating to the phased roll

out of telco towers.

- Hong Kong-based hedge fund on a Bangkok Southern District Court claim against a leading Thai retail conglomerate arising out of a Mandatory Takeover Offer in respect of a company listed on the Thai Stock Exchange.
- US investment bank on enforcement of securities under a multi-billion yen bridge loan agreement to a Japanese warehousing group of companies, including proceedings in the Tokyo District Court.
- Japanese non-life insurance company on various Thai arbitration and Thai court proceedings relating to the Thai floods in 2011.
- Japanese luxury brand licensee in connection with the termination of a JV agreement and intellectual property licensing arrangements.
- Japanese trading company on employment and discrimination claims brought against it in New York.
- Japanese trading company on pre-action requests for information and documents about an IOC's failure to take delivery of the trading company's offtake from an offshore oil & gas platform, and its attempted reliance on force majeure provisions in the sale and purchase agreement.

Anti-Corruption Advisory (Pursuant to the UK Bribery Act & US FCPA)

- Coordinating the internal investigation for Marubeni in relation to anti-corruption investigations by authorities in the US, France, the UK, Japan and Nigeria (the Bonny Island LNG bribery scandal, in relation to which Marubeni was ultimately the subject of a Deferred Prosecution Agreement with the US DOJ under the FCPA).
- Investigation for a US hedge fund into unauthorised investments by its fund manager in Japan.
- Investigating employee mis-selling and unauthorised investment operations for a US investment bank.
- Various anti-corruption due diligence exercises for a Japanese company in respect of potential transactional partners and agents for projects across Asia and Africa.
- Japanese trading company on the application of the UK Bribery Act to the use of commercial agents in the Middle East
- Japanese company on the compliance implications (under the UK Bribery Act 2010) of a proposed donation to a university in the Middle East.