



NEW SQUARE

## George Spalton

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*A rising star with sound commercial acumen and a strong intellect, he's thorough, communicative and a determinedly tough negotiator.*

- Chambers & Partners

**George Spalton specialises in commercial litigation and arbitration.**

**He is one of the most experienced commercial juniors at the Bar and is rated in Chambers and Partners / Legal 500 in the following seven areas (as well as being listed as a 'Future Leader' by Who's Who):**

1. International Commercial Arbitration (nominated as Junior of the Year in 2016),
2. Commercial Litigation,
3. Offshore,
4. Professional Liability,
5. Professional Disciplinary and Regulatory work,
6. Insurance and Reinsurance; and,
7. Sports law.

George has particular experience of high-value and high-profile international and cross-border work and has been involved in cases in a number of jurisdictions in recent years including BVI (called in 2015), Cayman Islands, Trinidad, Dubai, Oman, Hong Kong and Singapore. He also accepts appointments as arbitrator and has acted as sole arbitrator and co-arbitrator in LCIA, ICC and ICAC arbitrations.

Consistent with George's range of experience, in the last 2 years he has acted in a number of important reported cases, led and unled, including 8 hearings in the Court of Appeal and Privy Council:

- *Catlin Syndicate Limited & Others v Amec Foster Wheeler USA Corp* [2020] EWHC 2530 (Comm) - anti-suit injunction; decision of Jacobs J

- *Elite Property Holdings Limited; Decolace Properties Limited v BDO LLP* [2020] EWHC 1937 (Comm) (successful strike out of claim against BDO including on basis of abuse of process)
- *Stephenson Harwood LLP v (1) Medien Patentverwaltung AG; (2) Michael Kagan (as administrator)* [2020] EWHC 1889 (Ch) - jurisdiction appeal in stakeholder action.
- *Towergate Financial (Group) Limited v Hopkinson* [2020] EWHC 984 (Comm) - trial concerning SPA in Commercial Court.
- *HPH UK Ltd & Another v Ruhan & Stevens* [2020] EWHC 233 (Comm) (security for costs in the Commercial Court).
- *Al-Hasawi & NFFI Ltd v Nottingham Forest Football Club Limited* [2019] EWCA Civ 2242 (appeal on construction of clause in an SPA).
- *A v B* [2019] (decision of Jacobs J in Commercial Court) - Successfully obtaining anti-suit injunction restraining proceedings in Tel Aviv in favour of LCIA arbitration.
- *Al-Hasawi & NFFI Ltd v Nottingham Forest Football Club Limited* [2019] EWHC 1287 (Ch) (acting for Nottingham Forest at trial in dispute arising out of an SPA).
- *Euro Pools Plc v Royal & Sun Alliance Insurance Plc* [2019] EWCA Civ 808 (Court of Appeal: notification of claims in PI insurance policy).
- *Law Society v Ete & Others* [2019] EWHC 864 (Ch) (urgent application for delivery up under Solicitors Act 1974 on behalf of Law Society).
- *Palliser v Fate Ltd & Ors* [2019] EWHC 43 (QB)
- *Towergate Financial (Group) Ltd v Hopkinson & Others* [2018] (Court of Appeal: concerning construction of an SPA).
- *Livingston Properties; Nimati & others v JSC MCC Eurochem* BVI HCMAP 2016/0042-0046 (BVI Court of Appeal - Jurisdiction Challenge).
- *Dreymoor Fertilisers Overseas Pte Ltd v Eurochem Trading GMBH & JSS MCC EuroChem* [2018] EWHC 2267 - anti-suit and anti-enforcement injunction in Commercial Court (section 44 of the Arbitration Act 1996).
- *Dreymoor Fertilisers Overseas Pte Ltd v Eurochem Trading GMBH* [2018] EWHC 909 (Comm) - jurisdiction challenges under ss. 32 and 67 Arbitration Act 1996.
- *Euro Pools Plc (In Administration) v Royal and Sun Alliance Insurance Plc* [2018] EWHC 46 (Comm), an insurance dispute in the Commercial Court.
- *Premier Motorauctions Ltd (In Liquidation) v PricewaterhouseCoopers LLP* [2017] EWCA Civ 1872
- *Dalecroft Ltd v Certain Lloyds Underwriters* [2017] EWHC 1263 (Comm), an insurance coverage dispute.
- *TJH and Sons Consultancy Limited v CPP Group Plc* [2017] EWCA Civ 46; construction of consultancy agreement.
- *Adamovsky and Stockman Interhold SA v Andriy Malitskiy and Igor Filipenko* [2017] BVI HC MAP 2014/0031 and 2014/0022 – unfair prejudice petition in BVI.
- *Wright v Lewis Silkin* [2016] EWCA Civ 1308, claim against solicitors arising out of Indian Premier League cricket contract.



In 2012 George was named as one of ten 'Stars of the Bar' in a survey by Legal Week, having previously been named in the 2010 version as a 'Highly Commended' Junior.

George has been appointed to European Users' Council of the LCIA for a three year term from 2019 and has been appointed to the Executive Committee of COMBAR (the Commercial Bar Association) for 2020/2021, having previously been elected to the committee from 2013 to 2016 and having acted as Chair of Junior COMBAR from 2011 to 2013. He was on the Executive Committee of the PNBA from 2016-2018.

In May 2015 George was called to the Bar of the Eastern Caribbean Supreme Court (British Virgin Islands).

### Privacy Policy

Click here for a **Privacy Policy** for George Spalton.

### Transparency Statement

Click here for the **Transparency Statement** for George Spalton.

## Areas of Expertise

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### Offshore

**“George is a pleasure to work with: he is very pragmatic and user-friendly. He is adept at managing difficult situations and can be relied upon to keep demanding clients happy.”** – *Legal 500, 2021*

**“He adds value by offering strategic and tactical advice that takes in to account client objectives.”** – *Legal 500, 2020*

George is ranked as a leading junior for offshore work in the directories. He is called to the Bar of the Eastern Caribbean Supreme Court (British Virgin Islands) and has been instructed in cases in BVI, St Lucia, St Vincent, Trinidad and Cayman Islands.

George has built up significant experience of acting on cross-border and offshore disputes in recent years with cases including:

- Ongoing arbitration for an Eastern Caribbean Government.
- *Livingston Properties; Nimati & others v JSC MCC Eurochem* BVI HCMAP 2016/0042-0046 (BVI Court of Appeal and Privy Council Jurisdiction Challenge).
- Acting over the course of several years in high-profile, high-value litigation in Trinidad & Tobago (as lead junior to John Powell QC) on behalf of the Central Bank of Trinidad.
- Appearing before the Court of Appeal of the Eastern Caribbean Supreme Court in the BVI (led by Justin Fenwick QC) in the context of a high-value unfair prejudice dispute between Kyiv-based shareholders (see: *Adamovsky and Stockman Interhold SA v Andriy Malitskiy and Igor Filipenko* [2017] BVI HC MAP 2014/0031 and 2014/0022).
- Appearing before BVI Commercial Court in *JSC MCC Eurochem v Livingstone Properties Equities Inc & Others* (May 2017).
- Acting for a firm of accountants in proceedings brought by two offshore companies, which involved hearings in St Vincent and the Grenadines.
- Acting for a BVI based individual in proceedings before the Privy Council.
- Acting for a major fund (in liquidation) in proceedings arising out of the collapse of the fund against Cayman Island defendants.

In addition to the above, George was one of the four co-editors of Sweet & Maxwell's 'Encyclopedia of Financial Services Law' for a number of years giving him additional expertise in both financial services and regulatory issues.

## Qualifications & Memberships

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MA Oxon; LL.M Columbia University (New York); Called 2004.

Memberships: COMBAR, LCIA, ChBA, PNBA, TECBAR.

Before commencing practice George read history at Oriel College, Oxford where he was a scholar and won the John Shannon prize for Modern History. After converting to law, George obtained a Masters in Law (LL.M) from Columbia University, New York where he was a Stone Scholar.

## Insights

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### **Enka v. Chubb in the Supreme Court: Which Law is it Anyway?**

14 October 2020

Where the law governing a contract containing an arbitration agreement differs from the law of the nominated “seat” of the arbitration, which law – absent any express choice – governs the arbitration agreement itself? That was the question that the Supreme Court had to grapple with in *Enka Insaat Ve Sanayi AS v. OOO Insurance Company Chubb* [2020] UKSC 38, in which judgment was handed down on 9 October 2020. George Spalton and Ian McDonald of 4 New Square consider the decision.

### **Editor of the 7th and 8th Editions of Jackson & Powell on Professional Liability**

1 February 2017

### **Previously Co-Editor of the Encyclopedia of Financial Services Law (Sweet & Maxwell)**

1 May 2016

### **"Ethical Obligations of Lawyers Acting as Legal Representatives in Arbitrations" (Lexis Nexis)**

1 May 2015

### **"Core Procedural Standards in International Arbitration" (Lexis Nexis)**

1 May 2015

### **"ENE Kos v Petreleo Brasileiro SA (The Kos) [2012] UKSC 17" (Case Note) Insurance Law Monthly**

1 August 2012

### **"The Business of Sport after the Bribery Act 2010" (S.L.A&P)**

1 October 2011

### **"The Cross-Border Mediation (EU Directive) Regulations 2011: Confidentiality, Limitation Periods and Enforcement of Settlement Agreements" – IBA (with Jeremy Stuart-Smith QC)**

1 September 2011