

## Peter Morcos

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*He has the ability to get to grips quickly with highly complex matters and his drafting skills demonstrate a keen eye for detail.*

- Chambers & Partners

**Peter is currently taking a break from practice.**

**Peter Morcos has a practice that encompasses all areas of commercial dispute resolution, with a particular focus on commercial litigation and arbitration, professional liability, insurance, and construction.**

Peter has appeared before the High Court, the Court of Appeal and the Supreme Court. He has also acted in arbitrations under a range of domestic and international institutions.

Peter is ranked in Chambers and Partners as an "*up-and-coming junior*" with a "*broadly commercial practice*", and is described as a "*a hard worker who is highly intelligent*", with "*the ability to get to grips quickly with highly complex matters*". Clients in the legal directories have also commented that "*his drafting skills demonstrate a keen eye for detail*" and that Peter gives "*clear, considered and strategic advice. He gets straight to the nub of the issue and is very hard working and responsive.*"

Before becoming a barrister, Peter received a BA in Law with First Class Honours and a BCL with Distinction from Lincoln College, Oxford where he won prizes at an undergraduate and graduate level. Peter has also attained an LLM with Distinction from the University of Pennsylvania, where he was a Dean's Scholar and a Withers Scholar. After his legal education, Peter received the Oxford Pro Bono Publico scholarship for his work at the AIRE Centre, assisting in interventions before the ECJ and the ECtHR. He also served as a tutor and examiner in tort at King's College, London.

Peter has a good understanding of conversational Arabic.

### Privacy Policy

Click here for a [Privacy Policy](#) for Peter Morcos.

## Areas of Expertise

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### Insurance

Peter is ranked in Chambers and Partners for Insurance work. In 2020, he is characterised as **“a silk’s dream junior. He is hard-working, writes well and is sensible.”** **“Beyond his years in terms of ability.”** **“A pleasure to work with.”** In 2019 he was described as giving **“clear, considered and strategic advice. He gets straight to the nub of the issue and is very hard working and responsive”**. For his year of call, he has extensive experience of insurance law including disputes involving issues such as



misrepresentation, non-disclosure, notification, dishonesty, coverage and aggregation.

## Cases

- **AIG Europe Limited v Woodman**

Peter appeared in the Supreme Court for the successful appellants, AIG, led by Colin Edelman QC. The case is the first to come before the Supreme Court in relation to aggregation clauses since 2003. Peter also appeared as junior counsel for AIG in the Commercial Court and Court of Appeal.

- **Cybercrime Coverage Advice**

Sole counsel advising in relation to coverage issues arising out of a cyber attack.

- **D&O Coverage Advice**

Sole counsel advising administrators on notification and coverage issues under a D&O policy, arising out of the failure of a company previously valued in excess of £1 billion.

- **Insolvency Practitioner Coverage Advice**

Sole counsel advising insurers in relation to notification and dishonesty under an insolvency practitioner's professional indemnity policy.

- **Arbitration on Aggregation Issues**

Instructed in relation to an arbitration arising out of an aggregation dispute, led by John Lockey QC.

- **Claim under a Property Damage Policy**

Sole counsel advising on the applicability of an exclusion clause in relation to business interruption flowing from property damage.

- **Claim under Product Liability Policy**

Sole counsel advising a policyholder on coverage issues under a product liability policy. In particular, the case concerns claims made and notified arising out of fire damage caused by heating appliances sold by the policyholder company.

- **CCHL v Collingwood Insurance Co Ltd**

Sole counsel for an insurer resisting an injunction application in the High Court in relation to coverage issues under a commercial insurance policy.

- **Claim against Insurance Brokers**

Sole counsel in a claim against insurance brokers raising questions as to the meaning and validity of a clause prescribing territorial limits in the underlying insurance policy.

## Commercial Dispute Resolution

Peter is building a practice in all areas of commercial dispute resolution, and has experience across a wide range of cases. Peter is regularly instructed as sole counsel in commercial disputes, but is also currently involved in several cases where he is led by more senior barristers and silks.

As part of this, Peter is often instructed as a junior in document heavy cases, and has advised on complex issues of legal advice privilege, litigation privilege, without prejudice privilege and confidentiality. He also has experience advising on and assisting with interim applications including for specific disclosure and security for costs.

His recent and current instructions include:

## Cases

- **Libyan Investment Authority v Goldman Sachs**



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Part of a counsel team acting for an investment authority in a billion dollar claim against an investment bank in relation to the sale of equity derivatives.

- **AIG Europe Limited v Woodman**

Acting for the successful appellants, AIG, in the Supreme Court in *AIG Europe Limited v Woodman*, an aggregation dispute under the SRA minimum terms and conditions. The case is the first in relation to aggregation clauses to go the Supreme Court in over a decade.

- **Harlequin Property v Wilkins Kennedy**

Acting for a firm of accountants in a professional negligence claim stated to be worth in excess of \$60million, involving allegations of breach of contract, negligence and breach of fiduciary duty, led by Justin Fenwick QC.

- **International Sale of Goods Dispute**

Acting for the Respondents in an ICC arbitration in relation to the international sale of goods, in a dispute raising issues of actual authority, ostensible authority, conflict of laws and penalty clauses.

- **Navitas v Hall**

Sole counsel for the claimant in relation to a dispute under a share purchase agreement, and defending counterclaims stated to be worth up to £2million.

- **AAL Limited v Eytan**

Sole counsel for the claimant in relation to a contractual rectification claim, and defending a counterclaim for breach of warranty under an investment agreement.

- **Hazelhurst v Larchgreen Ltd**

Sole counsel for the claimant in relation to a dispute under a share purchase agreement, and defending counterclaims stated to be worth up to £2million.

- **Claim by a Telecommunications Company**

Sole counsel for a telecommunications provider in a contractual dispute with a business consumer in relation to the standard of service required under a telecommunications contract.

- **Shareholder Dispute under JV**

Acting for a major middle eastern entity in a shareholder dispute subject to UNCITRAL rules in relation to the commercial use of an offshore rig production yard.

## **International Arbitration**

Peter has a keen interest in international arbitration, and is developing his practice in this area. He has experience of a broad range of both domestic and international institutions, with a focus on middle-eastern work.

### **Cases**

- **ICC Arbitration – Petrochemical Plant**

Acting for a sub-contractor in a dispute arising out of a petrochemical project involving issues in relation to delay and disruption as well as in relation to acceleration costs, with a pleaded value in excess of \$50million.

- **UNCITRAL Arbitration – JV Dispute**

Acting for a major middle eastern entity in a shareholder dispute subject to UNCITRAL rules in relation to the commercial use of an offshore rig production yard.

- **ICC Arbitration – Power Station**  
Sole junior to Tim Chelmick in a major ICC arbitration worth in excess of \$80million. Peter appeared for the employer in a dispute in relation to the construction of a power station.
- **Public Procurement Arbitration**  
Part of a multi-counsel team led by Roger Stewart QC and Anneliese Day QC in a multi-million pound public procurement arbitration.
- **ICC Arbitration – Sale of Goods**  
Acting for the Respondents in an ICC arbitration in relation to the international sale of goods, in a dispute raising issues of actual authority, ostensible authority, conflict of laws and penalty clauses.

## **Professional Liability**

Peter has experience of a wide range of professional liability disputes, and he acts for both claimants and defendants. His recent instructions include:

### **Cases**

- **Harlequin Property v Wilkins Kennedy**  
Acting for a firm of accountants in a professional negligence claim stated to be worth in excess of \$60million, led by Justin Fenwick QC.
- **Dalamd Ltd v Butterworth Ltd**  
Sole counsel acting for the claimant against an insurance broker in a Commercial Court claim worth in excess of £2million.
- **Rosbotham v Harvey**  
Sole counsel in a multi-track trial for a successful defendant solicitor in a claim arising out of the conduct of an underlying criminal matter.
- **Secondment – Auditor’s Claim**  
Working as part of a team at a top city law firm on a major auditor’s negligence claim with a stated value of over £50 million.
- **Marrache v Baker Tilly**  
Acting for defendant accountants in a fraud and negligence claim stated to be worth £30 million arising out of the liquidation of a firm, led by Graeme McPherson QC.
- **Mortgage Fraud Claim against Solicitors**  
Sole counsel advising a solicitors firm on issues of professional negligence, breach of trust and breach of warranty of authority in relation to a claim arising out of an alleged mortgage fraud.
- **Claim against Tax Consultant**  
Sole counsel acting for a former client of a tax consultant in a dispute in relation to tax mitigation strategies.
- **Claim against Architect**  
Sole counsel for a defendant architect in a case involving a duty to advise on planning permission.
- **Claim against Surveyor**  
Sole counsel acting for a defendant surveyor in litigation concerning an alleged overvaluation.

### **Auditors and Accountants**

Peter has particular expertise in cases against auditors and accountants. He is comfortable dealing with technical issues, and has



completed a course in financial accounting at Wharton Business School. His recent instructions include:

## Cases

- **Secondment – Auditor’s Claim**

Working as part of a team at a top city law firm on a major auditor’s negligence claim with a stated value of over £50 million, raising issues in relation to impairment of assets, future cash flows, EBIDTA, breach of banking covenants and the detection of fraud.

- **Marrache v Baker Tilly**

Acting for defendant auditors in a fraud, breach of fiduciary duty and negligence claim stated to be worth £30 million arising out of the liquidation of a law firm based in Gibraltar.

- **Harlequin Property v Wilkins Kennedy**

Acting for a firm of auditors in a professional negligence claim stated to be worth in excess of \$60million, defending allegations of negligence and breach of fiduciary duty.

- **Sey Exclusive v Chapman**

Sole counsel acting for a defendant auditor in relation to a claim brought by a former client involving allegations in relation to bookkeeping, reconciliations and tax treatment.

- **Claim against Tax Advisor**

Sole counsel acting for a claimant firm of tax accountants in a potential contribution claim against a law firm involving allegations as to the interpretation of tax legislation as it applied to the affairs of a former mutual client.

- **Claim against Tax Consultant**

Acting for a former client of a tax consultant in a claim concerning the treatment of of unclaimed capital allowances.

## Civil Fraud

Peter has experience in a range of civil fraud cases, and has acted for parties in this area in both the domestic and international context.

## Cases

- **King v Primekings Ltd & Others**

Acting for the claimants in a fraud claim, in which allegations of dishonest and unlawful means conspiracy are made against the purchasers in share sale agreement, led by Alex Hall Taylor.

- **Claim against Betting Company**

Advising a potential claimant corporation on causes of action against a spread-betting company (including knowing receipt and dishonest assistance), in circumstances where a former director of the potential claimant had misappropriated company funds in breach of fiduciary duty and lost millions of pounds.

- **Marrache v Baker Tilly**

Acting for defendant accountants in a fraud claim stated to be worth £30 million arising out of the liquidation of a firm, led by Graeme McPherson QC.

- **Confidential ICC Arbitration**

Acting for the claimant in an ICC arbitration in relation to allegations of fraudulent misrepresentation.

- **AAL Limited v Eytan**

Sole counsel for a defendant company against which an allegation has been made that the corporate veil should be pierced in order to sustain a counterclaim for breach of an alleged royalty agreement.

- **Property Investment Dispute**

Acting for the potential Claimant in a dispute worth over £5million, involving allegations that a business partner, a solicitor and a third party business associate defrauded the potential Claimant in transactions arising out of a property investment agreement.

- **Claim in Conspiracy in relation to Loan Investment**

Acting for a defendant in a multi-party case in which it is alleged that the claimant was induced into entering into a loan agreement/investment in a cosmetics company on the basis of fraudulent misrepresentations which were the subject of a conspiracy amongst the defendants.

- **Commissions Dispute**

Sole counsel acting for the Defendant in a dispute in which it was alleged that the Defendant (a sales representative of the Claimant) had manipulated the Claimant's systems in order to obtain higher commissions than were permitted by the contract between the parties.

## **Construction**

Peter is developing a strong practice in construction law, and has experience of a broad spectrum of domestic and international litigation and arbitration in relation to many of the standard form contracts used in construction and infrastructure projects.

### **Cases**

- **ICC Arbitration – Power Station**

Sole junior to Tim Chelmick in an ICC arbitration worth in excess of \$100million, representing an employer in a dispute over the construction of a power station. The claim raised issues of fraudulent misrepresentation as well as delay and disruption.

- **Harlequin Property v Wilkins Kennedy**

Acting for the defendant in a professional negligence claim in the TCC with a pleaded value in excess of \$60million, led by Justin Fenwick QC.

- **UNCITRAL Arbitration – JV Dispute**

Advising a JV partner in relation to a dispute arising the use of an offshore platform construction yard.

- **Public Procurement Arbitration**

Part of a counsel team led by Roger Stewart QC and Anneliese Day QC on a complex multi-million pound construction dispute.

- **ICC Arbitration – Petrochemical Plant**

Acting for a sub-contractor in a dispute arising out of a petrochemical project involving issues in relation to delay and disruption as well as in relation to acceleration costs, with a pleaded value in excess of \$50million.

- **PFI Contract Adjudication**

Acting for a local authority in an adjudication arising out of adherence to Performance Standards in relation to a PFI highways maintenance contract in a major UK city.

- **Dispute in relation to a Turbine Facility**

Advising a major middle eastern entity in relation to a dispute arising under a JV agreement governing the use of a turbine facility.

## **Property Damage**

Peter has experience in a range of property damage cases. As well as his recent instructions, Peter assisted on a variety of property damage cases as part of his pupillage and has experience of issues in relation both to liability and to issues of insurance coverage.

### **Cases**

- **Dalamd Ltd v Butterworth Ltd**  
Sole counsel for the claimant against insurance brokers in a Commercial Court claim with a pleaded value of over £2million, arising out of fire damage to business premises.
- **Cleanbake Ltd v Atkinson Maintenance Ltd**  
Sole counsel acting for the defendant in a claim arising out of the alleged failure of a water filtration system.
- **Bidwell v Network Rail**  
Sole counsel defending Network Rail in a nuisance and breach of contract claim.
- **Nash Ltd v Chartmoor Ltd**  
Sole counsel successfully defending a claim brought by a consultancy firm against an adjacent business for damage to its property.
- **Property Damage Insurance Claim**  
Sole counsel advising on the applicability of an exclusion clause in relation to business interruption flowing from property damage.
- **Claim in relation to Granulator**  
Sole counsel advising the potential claimant on a multi-million pound claim in breach of contract and/or misrepresentation, in relation to a defective recycling granulator causing considerable business interruption losses.

## **Information Technology**

Peter has acted in a variety of commercial disputes that relate to IT contracts, often as sole counsel. He is comfortable with technical issues and has recently acted for software producers and telecommunications providers in contractual disputes.

### **Cases**

- **Dispute between Software Producer and Distributor**  
Sole counsel for a software producer in a dispute against its distributor arising out of a dispute in relation to payment mechanism under a distribution contract.
- **Telecommunications Dispute**  
Sole counsel for a telecommunications provider in a contractual dispute with a business consumer in relation to the standard of service required under a telecommunications contract.
- **Dispute in relation to Wireless Internet Products**  
Sole counsel for a provider of wireless internet products in a dispute with a wireless and fibre optic telecommunications internet service provider.
- **Printing Services Dispute**  
Sole counsel for a printing company in a contractual dispute with a business consumer.

## **Sports**

Peter is developing a practice in all areas of sports law, including disciplinary, regulatory and commercial disputes.

### **Cases**

- **Potential Premier League Rule X Arbitration**  
Advising a Premier League Club on the effect of the fit and proper persons' test upon a club's entitlement to be a member of a league, in a potential arbitration against the Premier League under Rule X, led by Graeme McPherson QC and Richard Liddell.



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- **Motorsports Agency Dispute**

Sole counsel advising an agent in a contractual dispute with a former client who competed in German F3, F3 Euroseries and the Deutsche Tourenwagen Masters.

- **Social Media Regulatory Proceedings**

Sole counsel appearing for a judge/official charged with bringing his sport into disrepute by the governing body in relation to statements made on a social media website. The posts related to alleged corruption and mismanagement in the governing body.

## **Classic Cars**

Peter acts in high value commercial disputes arising out of the sale, purchase and restoration of classic cars. Peter is familiar with the area having been supervised by Carl Troman during pupillage, and has continued that interest into his own practice.

## **Cases**

- **Porsche Carrera 2.7 RS**

Acting for the potential claimant in a dispute arising out defective restoration works to a Porsche Carrera 2.7 RS.

- **Aston Martin DB6 MKI**

Acting for the potential claimant purchaser in a misrepresentation and breach of contract claim against the restorer and seller of an Aston Martin DB6.

## **Qualifications & Memberships**

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BA, University of Oxford (First Class Honours); BCL, University of Oxford (Distinction); LLM, University of Pennsylvania (Distinction); BPTC (Outstanding).

Peter is a member of COMBAR, BILA, PNBA, TECBAR, SCL and the London Common Law and Commercial Bar Association.

## **Insights**

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### **GDPR and Insurance: who picks up the tab when things go wrong?**

8 May 2018

Notwithstanding assurances from the Information Commissioner that they “prefer the carrot to the stick” the fact remains that the ICO will have the power under Article 83(4) the General Data Protection Regulation (“GDPR”) to levy fines of up to €10million or 2% of annual global turnover on data controllers. Alison Padfield QC, Clare Dixon and Peter Morcos consider which aspects of GDPR compliance are likely to be insurable and/or insured, focussing in particular upon: (a) the insurability (or otherwise) of fines; (b) new potential liabilities under the GDPR; and (c) the potential pitfalls of assuming that cyber insurance will cover all civil liabilities under GDPR.

### **8th Edition of Jackson and Powell on Professional Liability**

11 January 2017

Editor