

WATSON FARLEY  
&  
WILLIAMS

MARITIME DISPUTES



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“WATSON FARLEY & WILLIAMS LLP  
DEMONSTRATES ‘A MASTERY OF ALL  
AREAS OF SHIPPING DISPUTES WORK’.”

LEGAL 500 UK 2016

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## KEY FACTS

150 PARTNERS

ESTABLISHED 1982

14 OFFICES

500+ LAWYERS

11 JURISDICTIONS

OVER 20 LANGUAGES  
SPOKEN

## OUR MARITIME DISPUTES PRACTICE

Watson, Farley & Williams knows maritime. It is the industry we grew up with, upon which our core strengths are built and from which we have developed our business. Our maritime disputes practice provides an energetic, supportive and insightful service to clients involved in litigation and arbitration.



### Sector expertise

With extensive experience rooted firmly in the maritime sector, we truly understand all the commercial and legal issues that are important to owners, charterers and investors in this complex industry. Working closely with colleagues in transactional teams, our lawyers are immersed in the maritime world, and can provide immediate and effective advice whenever a dispute arises.

### Our clients

We pride ourselves in offering high-quality, high-value services to our clients. Our maritime clients operate in every part of the market, from the cruise industry through to container shipping and LNG. They include: owners, charterers, ship managers and shippers/receivers, as well as financial institutions.

### Our practice

We regularly work on very substantial disputes for major maritime clients on a range of different transactions such as shipbuilding, ship sale and purchase, bareboat, time and voyage charters. We work proactively and responsibly and are capable of managing very large cases all the way to trial and, where necessary, appeal.

We take an innovative, results-driven approach to litigation and arbitration. Our strategies are designed to meet our clients' commercial objectives in the quickest and most cost-effective manner possible.

Our excellent reputation in shipping and maritime finance often means that clients come to us seeking advice on disputes where finance issues are involved. Our detailed maritime knowledge in this area is illustrated by

our participation in the second edition of *The Law of Ship Mortgages*, co-authored by renowned expert and Watson Farley & Williams disputes Partner Charles Buss.

### Our work

Establishing open, responsive working relationships with our clients, we take the time to understand their individual businesses, enabling our small, partner-led teams to offer practical, commercial advice.

We cover the full range of dispute resolution services, including court litigation, arbitration, mediation and other forms of alternative dispute resolution.

With maritime arbitration having such a prominent position in shipping dispute resolution, we have a long and successful track record with LMAA, LCIA, SIAC, SMA, ICC and other internationally recognised arbitration bodies.

### International network

Our maritime litigation and arbitration practice provides global coverage, with particular specialists in London, New York, Hamburg, Singapore, Hong Kong and Bangkok. We regularly co-operate in providing maritime clients with the best advice for a truly international industry. For example, our London and Hamburg offices recently co-operated in a major dispute relating to the termination and filing of claims for eight container ships following the recent Hanjin collapse.

## SPECIFIC MARITIME DISPUTES

### Shipbuilding

We have acted in numerous ship and offshore construction disputes and have experience in all the major issues that arise during these projects. Recent economic conditions in the industry have resulted in numerous workouts for owners and shipyards. Such disputes involve:

- Owner and yard defaults.
- Delay and force majeure.
- Effects of change orders.
- Owner or yard rescissions.
- Warranty claims.
- Refund guarantees.
- Damages on termination.
- Finance-related disputes.

### Ship sale and purchase

Through advising large shipping groups in relation to fleet sales and acquisitions and advising independent buyers and sellers on their individual transactions we are familiar with the issues that concern buyers and sellers. In particular:

- Buyer inspections.
- Readiness and condition on delivery.
- Class status on delivery.
- Delay and non-delivery.
- Cancellations.
- Damages for repudiatory breach and late delivery.

### Charterparty and COA

We have a long track record of advising owners and charterers in relation to bareboat, time, voyage charter and CoA disputes in different shipping sectors and trades. In the current economic climate, we are regularly involved in disputes and workouts concerning actual or threatened charterer defaults. We also have advised in a number of shipping pool-related disputes. Typical disputes we handle relate to:

- Charterer defaults and non-payment of hire.
- Early and late redelivery claims.
- Withdrawal claims.
- Seaworthiness issues.
- Laytime and demurrage.
- Breakdowns and offhire.
- Speed and consumption warranties.
- Cargo liens.
- Unsafe port claims.
- Security arrests.



### Shipping insolvencies

During the current difficult market there is an increased likelihood of having to resolve disputes in the context of insolvency proceedings.

We understand the relevant issues for both creditors and debtors and have had recent experience with shipping insolvencies in numerous jurisdictions including:

- England.
- USA Chapter 11.
- Singapore.

### Finance and investment

We have acted for owners, investors and banks in numerous shipping finance and investment disputes. This experience covers contractual disputes and enforcement and insolvency work.

- Ship mortgage enforcement.
- Shipping insolvency.
- Freight derivatives.
- Ship leasing disputes.
- Shipping investment fund disputes.

### Marine insurance

We have acted for assureds, P&I clubs and club members in a number of disputes including:

- FD&D funded disputes.
- Claims by assureds against insurers.
- Adjudications of club decisions on cover.



### Ship management

We have been involved in a number of ship management disputes dealing with issues such as:

- Manager negligence.
- Disputes over manager accounts.
- Terminations of management agreements.
- Secret commissions, profits and breaches of fiduciary duties.

### EU shipping regulation

We have experience in and are able to advise on disputes in shipping concerning:

- Price fixing.
- Merger issues.
- Abuse of a dominant position.

## REPUTATION

"THEY PUNCH SIGNIFICANTLY ABOVE THEIR WEIGHT WHEN YOU LOOK AT THE QUALITY OF THE WORK. THEY HAVE NO PROBLEM MIXING IT WITH THE BIG BOYS."

CHAMBERS UK 2017

"HEAVYWEIGHTS IN SHIPPING AND OFFSHORE OIL AND GAS DISPUTES, WITH A FORMIDABLE LIST OF MULTINATIONAL CLIENTS IN THESE AREAS."

CHAMBERS ASIA PACIFIC 2017

"'PERFECT IN ALL RESPECTS', WATSON FARLEY & WILLIAMS LLP'S 'TEAM IS ABSOLUTELY IMPRESSIVE, AND IT HAS A PRACTICAL AND SOLUTION-ORIENTED APPROACH TOWARDS ITS CLIENTS'."

LEGAL 500 UK 2017

"I'M VERY HAPPY WITH THE FIRM ... THEIR WORK IS EXCELLENT."

CHAMBERS UK 2018

"THEY ARE VERY RESPONSIVE AND PROVIDE A PERSONAL, CLIENT-CENTRIC SERVICE."

CHAMBERS UK 2016

"WELL-RESPECTED DISPUTES PRACTICE RECOGNISED FOR ITS EXTENSIVE EXPERIENCE IN LOCAL AND INTERNATIONAL ARBITRATION."

CHAMBERS ASIA PACIFIC 2017

"THE FIRM PROVIDED US WITH TIMELY ADVICE. THE LAWYERS WERE VERY FLEXIBLE AND AMENABLE, WHICH WAS VERY GOOD."

CHAMBERS ASIA PACIFIC 2017

"CLIENTS ARE 'SPOILT FOR CHOICE WHEN IT COMES TO BRIGHT, FIRST-CLASS LAWYERS'."

LEGAL 500 UK 2016

"THE FIRM CARES FOR ITS CLIENTS AND PROVIDES US WITH ACCURATE LEGAL ADVICE."

CHAMBERS ASIA PACIFIC 2017

"INCREDIBLY KNOWLEDGEABLE ABOUT INTERNATIONAL TRADE AND NAVIGATES MULTI-JURISDICTIONAL COMPLEXITIES WITH EASE."

LEGAL 500 UK 2016

"IMMEDIATELY ACCESSIBLE ON ALL MATTERS RAISED AND ALSO PROVIDED GOOD ADVICE ON THE PRACTICAL ASPECTS AND APPLICATION OF THE ARBITRATION SYSTEM."

CHAMBERS ASIA PACIFIC 2015

"A VERY STRONG LITIGATION FIRM THAT THINKS CAREFULLY ABOUT ITS CASES TO PROVIDE SOUND AND COMMERCIAL ADVICE."

LEGAL 500 UK 2015

"THEY PROVIDE COMMERCIAL, PRACTICAL ADVICE AND GIVE RECOMMENDATIONS WITHOUT YOU HAVING TO ASK FOR ONE."

CHAMBERS UK 2016

"SIGNIFICANT EXPERIENCE HANDLING DISPUTES IN THE... SHIPPING AND INSURANCE SECTORS."

CHAMBERS UK 2016

"ENERGETIC, CREATIVE AND NEVER GIVES UP IN TRYING TO GET A RESULT FOR THE CLIENT."

LEGAL 500 UK 2017

"THEY HAVE A VERY STRONG NETWORK AND ARE THEREFORE ABLE TO COVER ALL ASPECTS OF OUR BUSINESS, WHICH GIVES US CLARITY AND CONSISTENCY."

CHAMBERS ASIA PACIFIC 2015

"THEY'RE AN EXCELLENT FIRM AND THEY HELP ME ON MULTIPLE MATTERS."

CHAMBERS ASIA PACIFIC 2017

"UNFLAPPABLE, DEDICATED AND KNOWLEDGEABLE."

LEGAL 500 ASIA PACIFIC 2017

"THEY ARE GOOD AND WELL KNOWN FOR THEIR SHIPPING FINANCE WORK."

CHAMBERS UK 2018

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