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## Laurence Emmett KC

Barrister

Call 2004 Silk 2021



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## Scope of Practice

• Administrative & Public Law • Agency & Commercial Agents Regulations • Arbitration & ADR • Art & Antiques • Banking and Financial Services • Civil Fraud • Commodities, Derivatives, Futures & Options Trading • Construction & Technology (Including IT & Telecoms) • Energy Law (incl. Electricity, Oil, Gas, Utilities & Associated Regulation) • Jurisdiction, Conflict of Laws & International Litigation • Pharmaceutical Industry • Sale of Goods and Supply of Goods and Services • Share and Business Sale Agreements, including claims on Warranties and Indemnities

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## Overview

Laurence Emmett's practice extends over the full range of issues that arise in commercial disputes, including litigation and international arbitration. His experience covers issues of contractual interpretation, jurisdiction and the enforcement of judgments and injunctive relief. He has particular experience in the energy industry (including hydrocarbon-based and renewable resources), banking and finance and the pharmaceutical industry.

Beyond our core practice areas, Laurence has particular interest and experience in fine art disputes. He was appointed KC in 2021 and is an experienced trial advocate.

His recent work includes *Bilta (UK) Ltd v Tradition Financial Services Ltd*, a claim against an inter-dealer broker relating VAT fraud committed in the carbon credit market; *Cardiorentis SA v IQVIA UK Ltd*, a claim arising out of a major clinical trial relating to a proposed treatment for heart failure; *ConocoPhillips Skandinavia A/S v Aker BP ASA*, a price review dispute relating to gas produced from the Valhall field in the North Sea; and *FM Capital Partners v Marino* (civil fraud claim brought by the Libya Africa Investment Portfolio against directors of a fund management company and others).

He is ranked by Legal 500 for Energy, Commercial Litigation and Banking and Finance; and by Chambers & Partners for Energy and Commercial Litigation.

# Examples of Recent Cases

## Arbitration

Laurence Emmett has extensive experience of international arbitrations, under ICC, LCIA and SIAC rules. This includes:

- **SIAC proceedings**  
Acted in a dispute arising out of a corporate transaction involving a suite of documents subject to SIAC rules.
- **ICC proceedings**  
Acted in arbitral proceedings under ICC rules concerning a long-term gas supply contract.
- **Ad hoc arbitral proceedings**  
Acted in an ad hoc arbitration concerning the interpretation of deferred consideration and escrow provisions in an agreement for the purchase and sale of shares in a company incorporated to construct and operate a solar farm.
- **Dispute over conditional consideration**  
Acted in LCIA arbitration over the interpretation of conditional consideration provisions in an agreement for the sale of shares in a company established to build and operate a windfarm.
- **Dispute over pre-emption provisions**  
Acted in an ICC arbitration over the interpretation of pre-emption provisions under a joint venture agreement.
- **Dispute over classification of expenses**  
Acted in ad hoc arbitral proceedings between joint venture partners involving a dispute as to the proper classification of expenses incurred by the operator for the purposes of an operating agreement governing a North Sea asset. The proceedings involve complex technical and legal issues.

## Banking and Financial Services

Laurence Emmett's practice covers banking, finance and regulation, including banking disputes, derivatives, regulatory enforcement and disciplinary proceedings, management and administration of investment funds, guarantees and pensions. He is ranked as a leading junior in the field by Legal 500.

Comments include:

*'His advocacy is clear and persuasive, he prepares well and works collegiately with the solicitor team.'* (Legal 500, 2020)

*'A silk in waiting, who is very user-friendly.'* (Legal 500, 2017)

*'He is collaborative and bright, and takes a constructive approach to solving tricky problems'* (Legal 500, 2016)

*'A strong junior for banking litigation who is making a name for himself.'* (Legal 500, 2015)

*'He has an impressive intellect, and is thoughtful in his advice and steadfast in his advocacy.'* (Legal 500, 2014)

*Identified as a rising star at the Commercial Bar, Emmett has a strong reputation for his expertise in banking and finance work. He is regularly chosen as junior counsel on major cases in the field. "Has confidence and ability beyond his level of*

*experience.*” *“He’s very thorough and diligent, gets into the detail and understands what the case is about.”* (Chambers & Partners, 2014)

*‘one of the more solicitor-friendly junior counsel at the Commercial Bar’ and ‘shows commendable commitment and a high level of attention to detail’* (Chambers & Partners, 2013)

*‘shows commendable commitment and a high level of attention to detail’* (Chambers and Partners, 2013)

- **Enforcement proceedings**

Has recently been instructed by the FCA enforcement team in relation to a number of high-profile enforcement matters.

- **Bilta (UK) Ltd v Tradition Financial Services Ltd**

Currently acting for the defendant brokerage house in a claim brought by the liquidators of companies which were used to perpetrate VAT fraud in relation to the trading of carbon trading allowances. See [2021] EWCA Civ 221.

- **Claim in relation to custody of securities**

Currently acting in a multi-jurisdictional dispute relating to the custody of securities

- **FMCP v Ohmura**

Acted for the third defendant in Commercial Court proceedings brought against a number of individuals in relation to investments in complex structured products by the Libya Africa Investment Portfolio. See [2018] EWHC 1768 (Comm) (judgment following trial); [2018] EWHC 2905 (Comm) (judgment in relation to consequential issues); and [2018] EWHC 2889 (Comm) (scope of post-judgment freezing order).

- **Middlemarch Partners Defined Benefit Plan LLC v Drummond & Smythe Commodities Peru Ltd**

Acted successfully for a non-party respondent to a freezing injunction granted in relation to an investment scheme devised to fund the purchase of gold in Peru for delivery to UAE.

- **BGC v Tradition**

Acted for the third party respondent to an application for specific disclosure in relation to a dispute concerning recruitment in the brokering industry.

- **Dispute in relation to securitisation of sovereign debt**

Acting in a dispute relating to the securitisation of sovereign debt

- **Italian proceedings**

Recently instructed to give expert evidence as to English law in relation to the interpretation of fund documentation.

- **Capita v RFIB**

Acted in a long-running dispute on an indemnity given in a share purchase agreement in relation to liabilities arising from negligent provision of services in the pensions industry. The case led to a significant judgment by the Court of Appeal on the principles governing the interpretation of indemnities and on the circumstances in which a professional (in this case a pensions advisor) comes under an obligation to correct advice that has previously been given. [2015] EWCA Civ 1310; [2016] QB 835. This was followed by a separate hearing in the Court of Appeal on the effect of a Part 36 offer, which was made in unusual circumstances. See [2017] EWCA Civ 1032.

- **Barclays Bank plc v Orlandofin BV**

Acted for the borrowers under a syndicated loan facility in relation to a dispute over the contractual effect of

documents sent by the lenders during the life of the loan. See [2015] EWHC 582 (Comm).

- **The Royal Bank of Scotland plc v. Highland Financial Partners LP [2013] EWCA Civ 328**  
For Highland, defending Commercial Court proceedings for an anti-suit injunction in connection with claims arising out of a collateralised debt obligation (CDO) transaction following a trial.

## Civil Fraud

Laurence Emmett has extensive experience in fraud-related disputes, acting for both claimants and defendants. His recent experience and knowledge covers freezing injunctions, jurisdictional disputes in relation to fraud claims and of both personal and proprietary remedies. In addition, his work for FCA enforcement gives him a good knowledge of the regulatory dimension of fraud claims, particularly in banking and financial services.

- **Claim in relation to custody of services**  
Currently acting in a multi-jurisdictional dispute relating to the custody of securities.
- **Bilta (UK) Ltd v Tradition Financial Services Ltd**  
Currently acting for the defendant brokerage house in a claim brought by the liquidators of companies which were used to perpetrate VAT fraud in relation to the trading of carbon trading allowances. See [2021] EWCA Civ 221.
- **Middlemarch Partners Defined Benefit Plan LLC v Drummond & Smythe Commodities Peru Ltd**  
Acted successfully for a non-party respondent to a freezing injunction granted in relation to an investment scheme devised to fund the purchase of gold in Peru for delivery to UAE.
- **Allergy Therapeutics (UK) Limited v Inflamm Research Inc.**  
Acted for the claimant in Commercial Court proceedings concerning an alleged fraud in the conduct of a clinical study of an allergy vaccine. The matter settled in the allotted reading week for a six-week trial commencing in mid-June 2019.
- **FMCP v Ohmura**  
Acted for the third defendant in Commercial Court proceedings brought against a number of individuals in relation to investments in complex structured products by the Libya Africa Investment Portfolio. See [2018] EWHC 1768 (Comm) (judgment following trial); [2018] EWHC 2905 (Comm) (judgment in relation to consequential issues); and [2018] EWHC 2889 (Comm) (scope of post-judgment freezing order).
- **Antonio Gramsci Shipping Corporation v. Lembergs [2013] EWCA Civ 730; [2013] 4 All ER 157**  
Acted for the Seventh Defendant, Mr Lembergs, in a jurisdiction challenge arising in a claim relating to an alleged fraud in the Latvian shipping industry. The case considered (among other matters), whether it is possible to establish jurisdiction by 'piercing the corporate veil', the nature and application of the 'good, arguable case' test in relation to facts establishing jurisdiction, and the operation of Articles 23 and 24 of the Brussels Regulation.

## Commercial Dispute Resolution

Laurence Emmett's practice covers a range of commercial disputes, including claims arising out of the sales of businesses, energy, banking and financial services, art and antiques and the pharmaceuticals industry.

Comments include:

*'A brilliant advocate – his mind is razor sharp and his legal analysis (particularly his written work) and advice is first class.'* (Legal 500, 2020)

*"Stands out due to his outstanding legal knowledge and strategic decision making." "Intelligent, responsive and thorough."* (Chambers & Partners, 2018)

*"Active across a wide range of sectors, he has particular knowledge of energy, financial services and art and antiques disputes. "He is a very clever draftsman who is creative in his analysis of difficult legal problems." "He really thinks deeply about the issues, and is not afraid to come up with novel arguments in difficult cases."* (Chambers & Partners, 2017)

*"Strong junior who is most noted for his expertise in connection with energy and natural resources disputes, and who has additional experience in banking, and art and cultural property proceedings. "He is an excellent lawyer who is very good at analysing and drafting documents." "In a very complex case he was fantastically on top of the detail and offered a very thorough defence."* (Chambers & Partners, 2016)

*"A well-regarded junior who has particular expertise in energy and natural resources and banking and finance matters. "He leaves no stone unturned, is very charming and very hard-working. He's got excellent attention to detail and a forensic mind. He's a very good fresh pair of eyes on any case." "He is tireless in his approach and won't give up."* (Chambers & Partners, 2015)

*'Bright, innovative and totally committed – you want him in your corner.'* (Legal 500, 2015)

- **Cardiorentis AG v IQVIA Ltd**

Acting for IQVIA in a dispute concerning the conduct of a clinical trial of a product originally intended to treat heart failure. The case includes detailed consideration of the conduct of the trial, the statistical validity of its results and the efficacy of the pharmaceutical product that was the subject of the trial. It includes a claim for treble damages under the laws of North Carolina, giving rise to questions of the conflict of laws and the correct approach to such provisions under English law. See [2020] EWHC 495 (Comm).

- **Bilta (UK) Ltd v Tradition Financial Services Ltd**

Currently acting for the defendant brokerage house in a claim brought by the liquidators of companies which were used to perpetrate VAT fraud in relation to the trading of carbon trading allowances. See [2021] EWCA Civ 221.

- **Middlemarch Partners Defined Benefit Plan LLC v Drummond & Smythe Commodities Peru Ltd**

Acted successfully for a non-party respondent to a freezing injunction granted in relation to an investment scheme devised to fund the purchase of gold in Peru for delivery to UAE.

- **Claim in relation to custody of securities**

Currently acting in a multi-jurisdictional dispute relating to the custody of securities.

- **Golubovich v Golubovich**

Acting in a dispute between family members concerning the ownership of an extensive and valuable collection of artworks and antiquities. It involves proceedings in England and Russia. In late 2020, Laurence Emmett acted for parties who successfully resisted an application for an anti-suit injunction.

- **Dispute concerning the validity of service of English proceedings in Texas**

Currently acting for a party seeking to set aside a default judgment, including on the basis that the proceedings were not validly served in Texas.

- **Allergy Therapeutics (UK) Limited v Inflamm Research Inc.**  
Acted for the claimant in Commercial Court proceedings concerning an alleged fraud in the conduct of a clinical study of an allergy vaccine. The matter settled in the allotted reading week for a six-week trial commencing in mid-June 2019.
- **FMCP v Ohmura**  
Acted for the third defendant in Commercial Court proceedings brought against a number of individuals in relation to investments in complex structured products by the Libya Africa Investment Portfolio. See [2018] EWHC 1768 (Comm) (judgment following trial); [2018] EWHC 2905 (Comm) (judgment in relation to consequential issues); and [2018] EWHC 2889 (Comm) (scope of post-judgment freezing order).
- **Dispute concerning forward purchases of electricity**  
Acting in dispute concerning the effect of close-out provisions under an agreement for the forward purchase of electricity.
- **Dispute concerning app development**  
Acted in dispute involving the developer of a well-known app concerning an attempt to develop a new form of digital service.
- **Capita v RFIB**  
Acted in a long-running dispute on an indemnity given in a share purchase agreement in relation to liabilities arising from negligent provision of services in the pensions industry. The case led to a significant judgment by the Court of Appeal on the principles governing the interpretation of indemnities and on the circumstances in which a professional (in this case a pensions advisor) comes under an obligation to correct advice that has previously been given. See [2015] EWCA Civ 1310. This was followed by a separate hearing in the Court of Appeal on the effect of a Part 36 offer, which was made in unusual circumstances. See [2017] EWCA Civ 1032.
- **Endeavour Energy UK Limited v Hess Ltd**  
Acting for the defendant in Commercial Court proceedings concerning the conduct of decommissioning activities in a number of adjacent North Sea fields. The case is listed for trial in May 2018.
- **Scottish Power UK plc v BP Exploration Operating Company Limited [2015] EWHC 2568 (Comm)**  
Acted for Scottish Power in a long-running dispute over a 3½-year outage in production from the Andrew Field in the North Sea, with issues including the meaning and application of the “Reasonable and Prudent Operator” standard and the extent to which clauses giving the buyer (Scottish Power) the remedy of “Default Gas” exclude the sellers’ liability in damages. A number of preliminary issues were determined by Leggatt J in September 2015: see [2015] EWHC 2568 (Comm), and the judgment of the Court of Appeal in relation to an issue in the interpretation of an exemption clause at [2016] EWCA Civ 1043.
- **Transocean Drilling U.K. Ltd v Providence Resources plc (“The Arctic III”)**  
Acted for Providence Resources, the hirer of a drilling rig which proved to be defective. The case involved complex technical issues as to the operation of well control equipment (particularly a blow-out preventer), well construction and the progress of drilling operations; as well as legal issues relating to the interpretation of the rig hire contract. See the judgment of Popplewell J at first instance at [2014] EWHC 4260 (Comm); and the judgment of the Court of Appeal at [2016] EWCA Civ 372. Following the appeal, there was a further
- **Product liability claim in relation to manufacture of pharmaceuticals**  
Acted for a pharmaceuticals manufacturer in relation to claims brought by the distributor of a pharmaceutical product for an indemnity and damages as a result of the distributor’s liability to customers in a foreign jurisdiction.

- **Environmental indemnity claim**

Acted for the sellers of a major international chemicals manufacturing business defending a claim by the Buyer on environmental indemnities.

- **The Royal Bank of Scotland plc v. Highland Financial Partners LP [2013] EWCA Civ 328**

For Highland, defending Commercial Court proceedings for an anti-suit injunction in connection with claims arising out of a collateralised debt obligation (CDO) transaction following a trial.

- **Antonio Gramsci Shipping Corporation v. Lembergs [2013] EWCA Civ 730; [2013] 4 All ER 157**

Acted for the Seventh Defendant, Mr Lembergs, in a jurisdiction challenge arising in a claim relating to an alleged fraud in the Latvian shipping industry. The case considered (among other matters), whether it is possible to establish jurisdiction by 'piercing the corporate veil', the nature and application of the 'good, arguable case' test in relation to facts establishing jurisdiction, and the operation of Articles 23 and 24 of the Brussels Regulation.

- **Port of Tilbury London Ltd v Stora Enso Transport & Distribution UK Ltd [2009] 1 Lloyd's Rep 391**

Acted for the claimant in a technical dispute concerning the construction and provision of an automated cargo-handling facility. The dispute included issues of contractual interpretation and complex factual issues as to the automated handling of cargo.

- **Kurtha v. Marks [2008] EWHC 336 (QB)**

Acted for the claimant art collector, in a dispute over the ownership of paintings by the artist Francis Newton Souza. The Court found that it was appropriate for the paintings to be returned in circumstances where it could not be proved, on the balance of probabilities, that having been stolen the pieces were sold in good faith and earlier than six years before the claim was commenced.

## Energy and Natural Resources

Laurence Emmett has an extensive practice in the energy industry. It encompasses both oil and gas (upstream and downstream) as well as renewable energy; he has covered contractual disputes, technical issues and regulatory/advisory work.

As set out below, his recent work includes a series of cases on significant issues relating to the UK offshore oil and gas industries, as well as renewable energy and unconventional onshore gas resources.

Comments include:

*"His strengths are his intelligence and thoroughness."* (Chambers & Partners, 2020)

*"Active on renewable energy and environmental issues as well as on the more traditional upstream and downstream oil and gas disputes. "He processes complex information in a very short space of time and then gives you a response that is very thorough, well thought out and well expressed."* (Chambers & Partners, 2016)

*"Acts in commercial litigation and arbitration, and is highly regarded by sources for his knowledge of the energy industry. "He has excellent attention to detail and a forensic mind."* (Chambers & Partners, 2015)

*'A first-choice senior junior for complex commercial energy cases.'* (Legal 500, 2015)

*'He leaves no stone unturned and provides robust and courageous remedies.'* (Legal 500, 2014)

- **ConocoPhillips A/S v Aker BP ASA**  
Acting for the claimant in a price review dispute relating to the sale of gas produced from the Valhall field. Unusually, the dispute is being resolved in the High Court.
- **Dispute concerning the validity of service of English proceedings in Texas**  
Currently acting for a party seeking to set aside a default judgment, including on the basis that the proceedings were not validly served in Texas.
- **ICC proceedings**  
Acted in arbitral proceedings under ICC rules concerning a force majeure claim relating to a long-term gas supply contract.
- **Biosol Renewables UK Ltd v R&A Properties**  
Acted for the buyers of a system of biofuel-powered boilers. See [2021] EWHC 71 (Comm).
- **Ad hoc arbitral proceedings**  
Acted in an ad hoc arbitration concerning the interpretation of deferred consideration and escrow provisions in an agreement for the purchase and sale of shares in a company incorporated to construct and operate a solar farm.
- **Dispute concerning forward purchases of electricity**  
Acted in dispute concerning the effect of close-out provisions under an agreement for the forward purchase of electricity.
- **Nexen Petroleum Dragon UK Ltd v BP Exploration Operating Company Ltd and others**  
Acted for the Claimant in Commercial Court proceedings concerning an extended shut-down of oil production from the Farragon field.
- **Advice in relation to schemes administered by Ofgem**  
Laurence is frequently instructed to advise on renewable energy-related schemes administered by Ofgem. Recent examples include advising the operators of CHP and waste-powered installations.
- **Endeavour Energy UK Limited v Hess Ltd**  
Acted for the defendant in Commercial Court proceedings concerning the conduct of decommissioning activities in a number of adjacent North Sea fields.
- **Scottish Power UK plc v BP Exploration Operating Company Limited [2015] EWHC 2568 (Comm)**  
Acted for Scottish Power in a long-running dispute over a 3½-year outage in production from the Andrew Field in the North Sea, with issues including the meaning and application of the “Reasonable and Prudent Operator” standard and the extent to which clauses giving the buyer (Scottish Power) the remedy of “Default Gas” exclude the sellers’ liability in damages. A number of preliminary issues were determined by Leggatt J in September 2015: see [2015] EWHC 2568 (Comm), and the judgment of the Court of Appeal in relation to an issue in the interpretation of an exemption clause at [2016] EWCA Civ 1043.
- **Regulatory matter**  
Currently instructed on behalf of a major company involved in the generation of electricity in relation to a substantial regulatory matter.
- **Transocean Drilling U.K. Ltd v Providence Resources plc (“The Arctic III”)**  
Acted for Providence Resources, the hirer of a drilling rig which proved to be defective. The case involved complex technical issues as to the operation of well control equipment (particularly a blow-out preventer),



well construction and the progress of drilling operations; as well as legal issues relating to the interpretation of the rig hire contract. See the judgment of Popplewell J at first instance at [2014] EWHC 4260 (Comm); and the judgment of the Court of Appeal at [2016] EWCA Civ 372. See also [2016] EWHC 2611 (Comm), re the application of Part 36.

- **Environmental indemnity claim**

Acted for the sellers of a major international chemicals manufacturing business defending a claim by the Buyer on environmental indemnities.

- **Dispute over classification of expenses**

Acted in ad hoc arbitral proceedings between joint venture partners as to the proper classification of expenses incurred by the operator for the purposes of an operating agreement governing a North Sea asset. The proceedings involve complex technical and legal issues.

- **Dispute over pre-emption provisions**

Acted in an ICC arbitration over the interpretation of pre-emption provisions under a joint venture agreement.

- **Dispute over conditional consideration**

Acted in LCIA arbitration over the interpretation of conditional consideration provisions in an agreement for the sale of shares in a company established to build and operate a windfarm.

- **Dispute over construction of on-shore wells.**

Acted for the claimant in a claim for breach of warranty and misrepresentation, in relation to the purchase of the shares in a company involved in the development of unconventional onshore gas resources. The case involved technical issues as to the construction of onshore wells.

- **Ithaca Energy (UK) Ltd v. North Sea Energy (UK) Ltd [2012] EWHC 1823 (Comm)**

Acted in a dispute over the interpretation of a joint operating agreement. The case included technical issues over the nature and status of a well.

## Pharmaceutical Industry

Laurence has extensive recent experience of disputes in the pharmaceutical industry. All of them have involved detailed consideration of scientific and technical questions, as well as of the regulatory framework of the industry.

- **Indemnity claim**

Acted for the patent-holder of a pharmaceutical product in relation to a claim on an indemnity brought by a distributor, following substantial product liability claims brought by patients against the distributor.

- **Allergy Therapeutics (UK) Limited v Inflamm Research Inc.**

Acted for the claimant in Commercial Court proceedings concerning an alleged fraud in the conduct of a clinical study relating to a new pharmaceutical product. The case settled following exchange of skeleton arguments on the eve of trial.

- **Cardiorientis AG v IQVIA Ltd**

Acting for IQVIA Ltd in relation to a dispute concerning the conduct of a clinical trial of a product originally intended to treat heart failure.

## Jurisdiction, Conflict of Laws & International Litigation

Laurence Emmett's practice has a strong focus on issues of jurisdiction. This includes challenges to the jurisdiction of the English court, injunctions to prevent foreign proceedings and disputes over the enforcement of foreign judgments.

- **Allergy Therapeutics (UK) Limited v Inflamax Research Inc.**  
Acted for the claimant in Commercial Court proceedings concerning an alleged fraud in the conduct of a clinical study of an allergy vaccine. The matter settled in the allotted reading week for a six-week trial commencing in mid-June 2019. It included (in 2018) a heavy application by additional defendants to set aside service out of the jurisdiction, which was compromised shortly before it was heard.
- Recently acted in a substantial claim in relation to a performance bond in which there was a dispute as to jurisdiction (2016).
- Advised on a potential challenges to English jurisdiction in relation to a commodity-trading dispute (2015).
- Acted for the English defendant in a claim on a Judgment of the Commercial Court of Kemerovo in Russia (2014).
- Acted for the English defendant in proceedings to enforce an award of damages made by a French criminal court (2014).
- **Black Cube v Vincos Limited**  
Acted for Vincos, resisting an anti-suit injunction sought by Black Cube (security consultants), to prevent Vincos bringing fraud proceedings in Israel (2013).
- **Antonio Gramsci Shipping Corporation v Lembergs [2013] EWCA Civ 730**  
Acted for the Seventh Defendant, Mr Lembergs, in a jurisdiction challenge arising in a claim relating to an alleged fraud in the Latvian shipping industry. The case considered (among other matters), whether it is possible to establish jurisdiction by 'piercing the corporate veil', the nature and application of the 'good, arguable case' test in relation to facts establishing jurisdiction, and the operation of Articles 23 and 24 of the Brussels Regulation.
- **The Royal Bank of Scotland plc v Highland Financial Partners LP [2013] EWCA Civ 328**  
For Highland, defending Commercial Court proceedings (with Stephen Auld KC and Ben Strong) for an anti-suit injunction in connection with claims arising out of a collateralised debt obligation (CDO) transaction following a trial.]

## Administrative & Public Law

Laurence Emmett's practice includes the statutory regulation of both Financial Services and Utilities industries. He advises both Regulators and industry participants alike.

- **Enforcement proceedings**  
Has recently been instructed by the FCA in relation to a number of high-profile enforcement matters.
- **Regulatory matter**  
Currently instructed on behalf of a major company involved in the generation of electricity in relation to a substantial regulatory matter.

- Decision of regulatory body - advised a major energy supply company in relation to JR proceedings following a highly technical decision affecting a large number of industry participants.
- **Pharmaceutical Industry**  
Acting and advising on a number of disputes concerning the ownership of retail pharmacies involving the regulatory provisions governing the sale of pharmaceutical products to the public, as well as a dispute between a patent-holder and a licensee manufacturer.
- **Advice to Energy Sector**  
Frequently instructed to advise Ofgem and industry participants on administrative law and regulatory issues, with a particular focus on renewable energy schemes.
- **In the Matter of Cattles plc**  
For the FSA Enforcement team in disciplinary proceedings arising out of the collapse of the 'subprime' lender Cattles plc and its subsidiary Welcome Financial Services Limited. The proceedings concerned allegations of market abuse (under s118 FSMA 2000) and breaches of Listing Rules and Listing Principles.
- **In the Matter of Equitable Life**  
Counsel to the Office of Sir John Chadwick, appointed to advise HM Treasury on the extent of losses suffered by policyholders in Equitable Life as a result of maladministration found by the Parliamentary Ombudsman. This involved extensive analysis of the regulation of financial services, particularly life assurance and pensions.

## Art & Antiques

Laurence Emmett's practice has covered the range of legal issues that arise in relation to art and antiques, including liabilities arising from loss, theft, forgery and non-delivery. He also has experience addressing technical issues of valuation and authenticity, in relation to works that range from Egyptian antiquities to 20th century paintings. His clients have included artists, individual purchasers and sellers, trade sellers, auction houses, museum owners and the Art Loss Register.

Comments include:

*"Strong junior who is most noted for his expertise in connection with energy and natural resources disputes, and who has additional experience in banking, and art and cultural property proceedings. "He is an excellent lawyer who is very good at analysing and drafting documents." "In a very complex case he was fantastically on top of the detail and offered a very thorough defence." (Chambers & Partners, 2016)*

- Acted for prominent artist in dispute with his agent.
- Acted in a claim relating to authenticity of paintings allegedly by prominent 20th- Century artist.
- Acted on claim relating to delivery terms in the sale of paintings by prominent contemporary artist.
- Acted on a claim relating to the age and provenance of an item of furniture, purchased for a substantial amount pursuant to a private treaty.
- Advised on issues of valuation and limitation arising from the loss of allegedly valuable antiquities.
- Advised on issues (including as to authenticity) arising from the sale of an item purporting to be a very valuable ancient artefact.

- Advised on claim relating to the freezing of funds representing the proceeds of sale of allegedly stolen antiques.
  - **Kurtha v. Marks [2008] EWHC 336 (QB)**  
Acted for the claimant art collector, in a dispute over the ownership of paintings by the artist Francis Newton Souza. The Court found that it was appropriate for the paintings to be returned in circumstances where it could not be proved, on the balance of probabilities, that having been stolen the pieces were sold in good faith and earlier than six years before the claim was commenced.
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## What the Directories Say

*"Laurence is really easy going, down to earth and very bright. People who are not easily impressed by lawyers are impressed by Laurence Emmett."* (Chambers Global 2024, Energy)

*"He's very good on oil and gas matters and on moving into the energy transition. He's a very thorough and thoughtful lawyer."* (Chambers Global 2024, Energy)

*"Laurence is extremely good at getting into great levels of detail and he can get his head around complex technical issues."* (Chambers Global 2024, Commercial Dispute Resolution)

*"He is very pragmatic, thorough and commercially minded."* (Chambers Global 2024, Commercial Dispute Resolution)

*"A safe pair of hands and very good forensically." "He gets up to speed very quickly."* (Chambers Global 2021, Commercial)

*"He is calm, a safe pair of hands and has an attractive advocacy style." "He's outstanding for big contractual work."* (Chambers Global 2021, Energy)

*"He represents cases very well and is very impressive." "Incredibly easy to work with."* (Chambers & Partners 2022, Chambers UK, Energy)

*"He is extremely detailed, highly focused and fantastic at processing complex data."* (Chambers & Partners 2022, Chambers UK, Commercial Dispute Resolution)

*"A very astute operator and a brilliant advocate. He gets to the heart of the issue very quickly and can foresee potential challenges and strengths of the parties positions very quickly and often more so than the other side."* (Legal 500 2021, Commercial Litigation)

*"He gets to the heart of the issue very quickly and can foresee potential challenges and strengths of the parties positions very quickly and often more so than the other side."* (Legal 500 2021, Banking & Finance)

*"Laurence is intelligent, knowledgeable and thorough, and he understands clients' commercial needs."* (Legal 500 2021, Energy)

*"His advocacy is clear and persuasive, he prepares well and works collegiately with the solicitor team."* (Legal 500 2020, Banking)

*"A good and measured advocate who is a serious opponent with good legal instincts."* (Legal 500 2020, Energy)

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*"A brilliant advocate – his mind is razor sharp and his legal analysis (particularly his written work) and advice is first class."*  
(Legal 500 2020, Commercial Litigation)

*"He is calm, a safe pair of hands and has an attractive advocacy style ... Outstanding for big contractual work."* (Chambers & Partners 2020, Energy & Natural Resources)

*"A safe pair of hands and very good forensically."* (Chambers & Partners 2020, Commercial Dispute Resolution)

*"Has the rare combination of being bright, responsive and practically minded. He adds significant value with his input into a case." "He's very engaging; he gets to grips with the issues and really puts the work in."* (Chambers & Partners 2019, Energy)

*"Very commercial and clearly understands the client's commercial objectives." "He's an excellent senior junior who is measured and has sound judgement."* (Chambers & Partners 2019, Commercial Dispute Resolution)

*"Demonstrates a keen sense of detail and a good understanding of difficult technical issues."* (Legal 500 2019, Energy)

*"Stands out due to his outstanding legal knowledge and strategic decision making." "Intelligent, responsive and thorough."*  
(Chambers and Partners 2018, Commercial Dispute Resolution)

*"He is thorough, diligent intelligent and easy to work with." "A responsive junior with strong experience in energy disputes."*  
(Chambers and Partners 2018, Energy & Natural Resources)

*'Bright, user-friendly and great with clients.'* (Legal 500 2017, Energy)

*"He is a very clever draftsman who is creative in his analysis of difficult legal problems." "He really thinks deeply about the issues, and is not afraid to come up with novel arguments in difficult cases."* (Chambers and Partners 2017, Commercial Dispute Resolution)

*"He's very good to deal with as he's very clever and pragmatic. He has a common-sense approach and is measured." "He's very engaged, helpful and enthusiastic."* (Chambers and Partners 2017, Energy & Natural Resources)

*'He has an insightful and analytical mind, along with an eye for detail.'* (Legal 500 2016, Energy)

*'A real star in the making, providing quality, common-sense advice in a relaxed manner.'* (Legal 500 2016, Commercial Litigation)

*'He is collaborative and bright, and takes a constructive approach to solving tricky problems'* (Legal 500 2016, Banking and Finance)

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## Other Involvements

COMBAR

LCLCBA

Member of the Committee of the Anglo-Australian Lawyers Society

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# Major Academic Positions and Awards

Honorary Fellow in Classics, University College, London, 2003-2008

Official student, British School at Athens, 2001

Various teaching posts in Classics, Oxford University, 1999-2002

Commonwealth Scholar, Oxford University, 1997-2001

Cooper Scholar, Sydney University, 1997

Classics and English teacher, Sydney Grammar School, 1995-96

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# Other Professional Experience

*Clifford Chance LLP, 2003-04*

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# Education

BA (Sydney University), 1995: (Greek, English)

DPhil (Brasenose College, Oxford), 2001

PgDL (Oxford Brookes University), 2002

LPC (BPP Law School), 2003

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# Awards



# Contact Clerks



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