

## Craig Morrison

YEAR OF CALL: 2008

*"Absolutely inexhaustible, a total super star." "He has a razor-sharp brain and is incredibly courteous and charming - he's the complete package."*

Legal 500 2021; Chambers & Partners 2020

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## Practice Overview

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Craig Morrison practises in all areas of Commercial litigation and arbitration. He has acted for the successful parties in some of the most high-profile commercial disputes of the last decade, including *the Ingenious Litigation*, *Libyan Investment Authority v. Societe Generale* and *UBS v. KWL*. He has also acted unled in several substantial High Court trials and arbitration hearings, and has significant experience cross-examining both factual and expert witnesses.

In 2020 he was nominated as Banking Law Junior of the Year by Chambers & Partners and as Commercial Litigation Junior of the Year by the Legal 500. He earlier appeared as one of *Legal Week's* "Stars at the Bar" in 2016, being described as *"one of the outstanding intellects at the junior Bar; he has a remarkable ability to master law and facts and to present them in a clear and persuasive way."*

Before coming to the bar Craig studied law at Cambridge University, where he graduated with the top first in his year. He subsequently studied at Harvard University and taught commercial law at Cambridge.

Particular cases and practice areas in which Craig has acted are set out below.

## Commercial

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## General Commercial Litigation and Arbitration

Cases in which Craig has been instructed include:

- *The Ingenious Litigation* – Craig acts for the principal Defendants in the ongoing Ingenious Litigation, a £200 million claim arising out of the marketing and operation of film production partnerships between 2002 and 2007. The dispute has resulted in numerous High Court judgments, and a prominent recent decision in the Court of Appeal considering applications for security for costs against commercial funders ([2021] EWCA Civ 29). The trial is listed for April-October 2022. Craig is led by Tim Lord QC and Simon Birt QC.
- *Toucan Energy Holdings Ltd v. Wirsol Energy Limited* [2021] EWHC 895 (Comm) – Craig led for Wirsol in a long-running £40m dispute, arising out of the construction and maintenance of a large number of industrial-scale solar parks. Craig acted unled in the five week trial in the Commercial Court in October-November 2020, cross-examining numerous factual and expert witnesses. Wirsol succeeded in defending the claims against it and succeeded on its counterclaim, making a very substantial net recovery.
- *The Racing Partnership v. Sports Information Services* [2019] 3 WLR 779, [2021] Ch. 233 – Craig acts for Sports Information Services in its ongoing dispute with The Racing Partnership, a leading case on confidentiality and data rights arising from sporting events. The case has led to wide-ranging judgments from Zacaroli J and the Court of Appeal that considered important issues in the law of conspiracy, breach of confidence and copyright. Permission has now been given for a further appeal to the Supreme Court. Craig has been led by Michael Bloch QC and Paul Stanley QC.
- *Al Sadeq v. Dechert LLP and Quzmar v. Dechert LLP* [2021] EWHC 1149 (QB) – Craig acts for the Defendants in claims arising out of a fraud investigation in the United Arab Emirates, which the Claimants allege were conducted in breach of UAE law. Craig is led by Philip Edey QC, and appeared unled at substantial interlocutory hearings in both sets of proceedings.
- *Minister of Finance (Inc) v. International Petroleum Investment Co* [2019] EWCA Civ 2080; [2021] EWHC (Comm) 2949 – Craig acted in the Court of Appeal, led by Mark Howard QC, in a dispute arising out of the notorious “IMDB” fraud. The case raises important issues regarding the scope of a party’s right to challenge an arbitration award under ss.67-68 of the Arbitration Act 1996. He now appears in the ongoing ss.67-68 challenges in the High Court, led by Laurence Rabinowitz QC.
- *Leidos Inc v. Hellenic Republic* [2019] EWHC 2738 – Craig acted unled for the state of Greece in an ongoing dispute with Leidos Inc, arising out of an attempt to enforce an arbitration award. The case raised important issues regarding the scope of the New York Convention, with Jacobs J upholding Greece’s argument that Leidos had failed to disclose an arguable defence to enforcement under the NY Convention when it made an *ex parte* application to enforce in England.
- Craig acted (unled) for a well-known telecommunications company in an international arbitration, in a dispute arising from a South East Asian joint venture. Following an LCIA trial Craig’s client was successful on all points.

- *Libyan Investment Authority v. Societe Generale* – Craig acted for the LIA in its \$1.5 billion claim against SocGen. The LIA sought damages arising out of transactions allegedly procured by fraud and bribery, including via links with the former Gaddafi regime. The case settled on the eve of trial, with SocGen paying a settlement of over \$1 billion and apologising to the LIA. Craig was led by Mark Howard QC and Roger Masefield QC.
- *Berezovsky v. Abramovich* [2012] EWHC 2463 (Comm) – Craig acted for the successful Defendant in one of the largest claims ever to come before the Commercial Court (with Jonathan Sumption QC, Helen Davies QC and Daniel Jowell QC).
- *Coll v. Floreat Merchant Banking* – Craig was instructed by the third party Defendants (unled) for a three week trial, in a £10 million claim arising out of alleged breaches of confidence and breaches of fiduciary duties.
- *Wyndham Heron Limited v. ManRoland Great Britain Limited* – Craig acted (unled) for the Defendant in a £15 million claim arising out of a major fire at a printing press.
- *FBS Limited v. FBS Lease Finance US* – Craig acted for the successful Claimants in a short-notice application for a mandatory injunction seeking specific performance (with Tom Adam QC), and successfully represented the Claimants (unled) in the subsequent summary judgment application before Popplewell J.
- *Arsanovia Ltd v. Cruz City 1 Mauritius Holdings* [2013] 2 All ER (Comm) 1; [2013] 1 Lloyd’s Rep 235 – Craig acted for the Claimants in a successful application to overturn an arbitration award, based upon the application of Indian law (with Jonathan Hirst QC). He subsequently acted for the same parties in follow-up litigation arising out of the enforcement of the remaining awards, appearing in the High Court ([2013] 2 All ER (Comm) 1137) and Court of Appeal ([2013] EWCA Civ 1512).
- *Fortress Value Recovery Fund I v. Blue Skye Special Opportunities Fund LP* – Craig acted for the Defendants in a large-scale claim arising out of the reorganisation of an investment fund. The interlocutory stages of the dispute (in which Craig acted with Tim Lord QC and Mark Hapgood QC) gave rise to several reported decisions including the leading case on the application of the Contracts (Rights of Third Parties) Act 1999 to arbitration clauses ([2013] EWCA Civ 367; [2013] 1 Lloyd’s Rep 606).
- Craig has been instructed in a substantial number of oil and gas disputes, including disputes regarding repairs to onshore facilities and claims for urgent injunctive relief arising out of the safety of offshore platforms.

## Banking and finance

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Craig has been instructed in a number of leading banking and finance cases, including some of the key

cases arising out of the credit crunch. In addition to the recent cases set out above, these include:

- *UBS v. Kommunale Wasserwerke Leipzig (KWL)* [2014] EWHC 3615 (Comm) and [2017] EWCA Civ 1567 – Craig acted for the successful Defendant, at trial and on appeal, in a widely reported \$350M structured finance dispute involving the Leipzig Water Company (with Tim Lord QC and Simon Salzedo QC). KWL obtained rescission of multiple complex interest rate derivatives, following a 13 week trial, on the basis that they had been procured by corrupt intermediaries. This result was upheld in 2017 following a three week appeal.
- *Cornwall Luxembourg S.A.R.L v. International Game Technology Plc* [2018] EWHC 42 (Comm) – Craig acted (unled) in the claim by Cornwall, arising out of a multi-billion dollar merger between an American and Italian gaming company. *Cornwall's* claim alleged that IGT had failed to pay substantial dividends owed to it as a former shareholder, under Italian law, and the Commercial Court trial involved extensive cross-examination of Italian legal experts.
- *Administrators of Lehman Brothers International (Europe) v. Goldman Sachs International* – Craig acted for Goldman Sachs in the Waterfall II Application, a claim arising from the collapse of Lehman Brothers which determined a number of important points of interpretation under the ISDA Master Agreement. Craig acted for Goldman Sachs in both its application to join the proceedings (led by Mark Howard QC) and at the subsequent trial (led by David Foxtton QC of Essex Court Chambers).
- *Lancashire County Cricket Club v. NatWest* – Craig was instructed (unled) by the Lancashire County Cricket Club in a £3.5 million claim against NatWest, arising out of the mis-selling of derivatives.
- *Taberna Europe CDO II Plc v. Selskabet AF 1* [2016] EWCA Civ 1262 – Craig acted for Taberna on appeal in a leading case on the application of the Misrepresentation Act 1967, determining whether the Act applied to sales of debt in the secondary market (with Tim Lord QC).
- *McKay and others v. Bank of Scotland Plc and others* – Craig assisted the Claimants in a dispute arising out of a substantial number of loan facilities and interest rate derivatives, in the Northern Ireland High Court (with Brian Fee QC and Nick Hanna QC of the Northern Irish bar).
- *Domingos Da Silva Teixeira v. Barclays Bank Plc* – Craig acted for the Portuguese Claimants in a claim arising out of the misselling of complex interest rate derivatives (with Tim Lord QC).
- *Kaupthing, Singer & Freidlander v. Kitchin* – Craig acted for the counterclaiming Defendant in a claim for misrepresentation and/or negligence arising out of loan facilities provided by the Claimant prior to its insolvency (with David Allison QC of South Square Chambers).

## Insurance and reinsurance

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Craig has provided opinions and advice in a broad range of insurance and reinsurance disputes, for both

insurers and claimants. Particular cases he has acted in or is currently instructed in include:

- *Glajz-THG Pte Ltd v. Calleija Ltd* – Craig acted for the Defendant in a claim arising from the theft of a number of valuable diamonds, and also advising on the related insurance claim (led by Tom Adam QC).
- *Soho House Ltd v. NIG Ltd* – Craig acted for the Claimant in an insurance dispute claiming rectification of an insurance policy and/or damages in negligence against the insured's broker (with Richard Slade QC).
- *HDI Gerling v. Howden North America Inc* [2012] Lloyd's Rep IR 1 (HC) and [2012] 2 CLC 969 (CA) – Craig acted for the Claimants in the English stage of an ongoing cross-border asbestos insurance litigation, in both the High Court and Court of Appeal (with Harry Matovu QC in the High Court and John Lockey QC of Essex Court Chambers in the Court of Appeal).
- *Man Truck & Bus UK Ltd v. Atradius Credit Insurance BV* – Craig acted for the Claimants in a claim for coverage under a policy of insurance (with Harry Matovu QC).
- Craig has also advised in a number of confidential insurance and reinsurance cases, including claims arising out of shipping losses, oil and gas disputes and construction disputes.

## Shipping and commodities

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Craig has acted in a range of shipping disputes that have gone to arbitration, including wet and dry claims and charterparty disputes. These include acting for the Defendants in *Cargill International SA v. Afra General Trading*, a series of claims arising out of shipments of grain and sugar to Iran, in the High Court and in related arbitration proceedings (with Richard Lord QC). He recently provided an expert opinion on English law for Lloyds Register, in relation to an ongoing shipping dispute before the Courts of Panama.

## Qualifications

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## **Education**

- 2003–2006 B.A., Cambridge University (First Class, top first in the year)
- 2006–2007 LL.M., Cambridge University (First Class)
- 2007–2008 Supervisor in Commercial Law, Cambridge University
- 2007–2008 BVC, BPP Law School (Outstanding)
- 2008–2009 LL.M., Harvard University
- 2009–2010 Pupillage, Brick Court Chambers
- 2010–present Tenant, Brick Court Chambers

## **Scholarships and Prizes**

### UNIVERSITY OF CAMBRIDGE

Slaughter and May Prize (for the top first in the year in Part II)

Norton Rose Prize (for the top first in Commercial Law)

Gareth Jones Prize (for the top first in the Law of Restitution)

James William Squire Scholarship

### ST. JOHN'S COLLEGE, UNIVERSITY OF CAMBRIDGE

The Winfield, Wright, Hughes and Malcolm Prizes

Prior Scholarship

### MIDDLE TEMPLE

Winner of the Rosamund Smith Mooting Competition

Ede & Ravenscroft Prize (for speaking performance in the Rosamund Smith Competition final)

Certificate of Honour (for outstanding performance on the BVC)

Astbury Scholarship

## **Professional Memberships**

Combar

South-Eastern Circuit

## Directory Quotes

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- "Has an outstanding intellect and couples it with being a delightful person to work with. He is a future star." (Chambers & Partners 2022)
- "He is very responsive, easy to work with and works well with the team at all levels." "He has fearsome intellect, Trojan work ethic and perfectly calibrated judgement combined in an incredibly user-friendly package." (Chambers & Partners 2022)
- "Craig is super clever and on top of that he is an absolute delight to work with." (Legal 500 2022)
- "An exceptional junior – one of solicitors' all time favourites. He has a very rare mix of qualities in that he is extremely clever, but also understands the client's commercial reality and is a really fantastic team player." (Legal 500 2022)
- "He brings a level of supreme brightness but also supreme niceness; he's always easy to deal with." "Craig is astounding. His appetite for work is simply phenomenal." (Chambers & Partners 2021)
- "Very clever, diligent and easy to work with." "He is really outstanding: he is responsive, he writes well, he is clever, he knows the law really well and he has good judgement." (Chambers & Partners 2021)
- "Absolutely inexhaustible, a total super star." (Legal 500 2021)
- "He's absolutely outstanding, and manages to combine it with being an absolute joy to work with." (Legal 500 2021)
- Craig Morrison is both "very clever and very easy to work with" and impresses clients and peers alike with his "hardworking and excellent team skills". (Who's Who Legal - UK Bar: Banking & Finance 2020)
- "He has a razor-sharp brain and is incredibly courteous and charming - he's the complete package." "Craig thinks in a beautifully structured way and invariably has the right answer." (Chambers & Partners 2020)
- "Extraordinarily smart and can master an enormous volume of documentation." "He's very clever and diligent, and he sees points that others don't necessarily see." (Chambers & Partners UK & Global 2020)
- "A superb junior and an up-and-coming star." (The Legal 500 2020)
- "A great advocate, excellent technical lawyer, and a great team member." (The Legal 500 2020)
- Craig Morrison has "outstanding intellect" and is described by peers as "one of the very cleverest juniors at the bar" when it comes to banking and finance disputes. (Who's Who Legal - UK Bar: Banking & Finance 2019)
- "Morrison combines a fearsome intellect, a Trojan work ethic and perfectly calibrated judgement in an incredibly user-friendly package." "An enormously industrious junior." (Chambers & Partners 2019)
- "Fearsome intellect, Trojan work ethic and perfectly calibrated judgement." (The Legal 500 2018-19)

- Craig Morrison is “a fantastic lawyer” who impresses commentators with “the speed and clarity of his advice”. (Who's Who Legal - UK Bar: Banking & Finance 2018)
- "An absolute delight to work with, he is really clever and incredibly personable." "He is exceptionally bright. If you want a significant analytical intellect applied to your case then he's your man." (Chambers & Partners 2018)
- "Super-hardworking, lightning-efficient and very user-friendly." (The Legal 500 2017)
- "Craig Morrison is “exceptionally accessible and client-friendly”, with experience of having been involved in some of the major banking litigation and regulatory disputes emerging from the credit crunch." (Who's Who Legal - UK Bar: Banking & Finance 2017)
- "Incredibly hard-working, utterly cheerful and a delight throughout." "His is a lively and versatile intellect." (Chambers & Partners 2017)
- "An absolutely standout junior with an encyclopaedic recall of both facts and law." (The Legal 500 2016)
- "He is very, very bright and hard-working. He really knows his way round complex derivatives." "A quick-thinking junior who is a delight to work with." (Chambers and Partners 2016)
- 'Excellent strategically and astonishingly good for a relatively junior barrister.' (The Legal 500 2015)
- "The 'enthusiastic' Craig Morrison is a 'real favourite' with both senior counsel and instructing solicitors and clients value his “modern approach and stellar commercial understanding” (Who's Who Legal 2015)
- "An intellectual heavyweight with exceptional clarity of thought." (The Legal 500 2014)
- "He is active in a number of large-scale banking disputes and is regularly led by leading commercial silks at the Bar. Consistently impresses peers with his intellectual abilities and easy manner." (Chambers & Partners 2014)