BRICK COURT
CHAMBERS

Brick Court Chambers
7-8 Essex Street, London WC2R 3LD
DX 302 London Chancery Lane

Matthew Kennedy

YEAR OF CALL: 2013

"... incredibly hard working and responsive. He is a team player who is happy to roll up his sleeves. His advocacy style is excellent, confident and very easy to follow. Definitely one to watch."

The Legal 500 2024

Clerk's Email: **TonysClerkingTeam@brickcourt.co.uk**



Practice Overview

Matthew is a leading competition law junior. Matthew has been described in the Directories as " *a fantastic junior*", "*an extremely good advocate*" and "*definitely one to watch*."

Matthew has been instructed in many of the most high-profile competition disputes in recent years, including the *Trucks* litigation, *Phones 4u v EE and ors*, *Coll v Google*, *Kent v Apple*, *PROFAA v FIFA, CAA Base v the FA and FIFA, Roberts v United Utilities* and *Gutmann v Virgin Media/O2*. He has particular experience in the collective proceedings regime in the Competition Appeal Tribunal and in competition law issues arising in the context of sport. Matthew acts both led and unled, and regularly appears as an advocate in the Competition Appeal Tribunal and the High Court.

Highlights of current and recent instructions include:

- ***Dr Rachael Kent v Apple Inc*** – acting for the class representative in collective proceedings against Apple arising out of alleged abuse of dominance in connection with the App store (with Mark Hoskins KC).
- ***Elizabeth Helen Coll v Alphabet Inc*** – acting for the class representative in collective proceeding against Google arising out of alleged abuse of dominance in connection with the Google Play store (with Mark Hoskins KC and Jennifer MacLeod).
- ***The Trucks Litigation*** – acting for Iveco in defence of multiple follow-on claims in the Competition Appeal Tribunal estimated to be worth over £1 billion, including two applications for a collective proceedings order (with Charles Hollander KC, Tony Singla KC and Aaron Khan).
- ***Phones4U v Telefonica & ors*** : acting for O2/Telefonica in the litigation brought by the administrators of Phones4U regarding an alleged collective withdrawal from Phones4U

by mobile network operators (with Mark Hoskins KC and Sarah Abram KC).

- ***Roberts v United Utilities***: acting for United Utilities in proposed collective proceedings arising out of alleged abuse of dominance in connection with the reporting of pollution incidents by water companies to Ofwat (with Mark Hoskins KC).
- ***Gutmann v Telefonica UK Limited:*** acting for Virgin Media/O2 in proposed collective proceedings arising out of alleged "loyal penalties" on mobile phone contracts (with Mark Hoskins KC and Jacob Rabinowitz).

In addition to his competition law practice, Matthew has experience across Chambers' specialisms including data protection law, commercial law (including arbitration), public law, and public international law.

Prior to joining chambers, Matthew worked for a number of years in the international arbitration group at Wilmer Cutler Pickering Hale and Dorr, a leading US firm. Matthew graduated from the University of Oxford (St. Hugh's) with a first in history and subsequently achieved a first on the LLM at the University of Cambridge (St. John's), graduating third in his year.

Competition

- *Roberts v United Utilities* (proposed collective proceedings arising out of alleged abuse of dominance in connection with the reporting of pollution incidents by water companies (with Mark Hoskins KC)).
- *Elizabeth Helen Coll v Alphabet Inc* (collective proceeding against Google arising out of alleged abuse of dominance in connection with the Google Play store (with Mark Hoskins KC and Jennifer MacLeod)).
- *The Trucks Litigation* (multiple follow-on claims in the Competition Appeal Tribunal estimated to be worth over £1 billion (with Charles Hollander KC , Tony Singla KC and Aaron Khan)).
- *Phones4U v Telefonica & ors* (claim brought by the administrators of Phones4U regarding an alleged collective withdrawal from Phones4U by mobile network operators (with Mark Hoskins KC and Sarah Abram KC)).
- *Euronet v Visa and Mastercard* (standalone claim for breach of EU and national competition laws arising out of allegedly unlawful anti-competitive arrangements for ATM transactions (with David Bailey and others)).
- *Kodak v Glencore & Ors* (acting for Kodak in a standalone claim for alleged breaches of EU competition law in the aluminium market (with Maya Lester KC and Sarah Love)).

- *Rest and Play Footwear Ltd v George Rye and Sons Ltd* (standalone claim in the Competition Appeal Tribunal in respect of resale price maintenance in the footwear sector (unled)).

- *Advice in respect of an agreement concerning certain patents (*with Marie Demetriou KC).

- *Dr Rachael Kent v Apple Inc* (collective proceedings against Apple arising out of alleged abuse of dominance in connection with the App store (with Mark Hoskins KC and Jennifer MacLeod)).

- *Gutmann v Telefonica UK Limited* (proposed collective proceedings arising out of alleged "loyal penalties" on mobile phone contracts (with Mark Hoskins KC and Jacob Rabinowitz).

Data protection and information law

- *Williams v Experian Limited* – acting for the claimant in a class action claim against Experian, the well-known credit referencing agency, for breaches of the General Data Protection Regulation (with Victoria Wakefield QC).

- *Jukes v Facebook Ireland Limited and anor* – acting for the claimant in a class action claim against Facebook for breaches of the Data Protection Act 1998 arising out of the Cambridge Analytica data breach (with Sarah Abram and others).

- *Bryant v Marriott Inc. and ors* – acting for the claimant in a class action claim against the Marriott hotel chain for breaches of the Data Protection Act 1998 and the General Data Protection Regulation (with Sarah Abram and others).

- *Oryema v Santander* – acting for the defendant bank in a claim concerning, inter alia, an alleged breach of the General Data Protection Regulation (unled).

- *Broadbent v Centre For Alternative Technology Charity Limited* – acting pro bono for the Claimant in a claim for breach of the Data Protection Act 1998.

- *X v Y* – acting for the claimant in a claim against a public authority for breach of the Data Protection Act 1998.

- *Advice in respect of several prospective class actions in respect of the breaches of the GDPR.*

Commercial

- *Phones4U v Telefonica & ors* (claim brought by the administrators of Phones4U regarding an alleged collective withdrawal from Phones4U by mobile network operators (with Mark Hoskins QC and Sarah Abram)).
- *Republic of Mozambique v Credit Suisse International* (a Commercial Court claim for rescission of State guarantees for loans of over US$1 billion for alleged bribery and fraud (with David Wolfson QC and others))
- *Medina Dairies Limited v Nampak Plastics Europe Limited* (commercial court claim for breach of contract and injunctive relief (with Stephen Midwinter QC)).

Arbitration

Arbitration-related litigation

- *Shell Energy Europe Limited v Meta Energia S.p.A* [2020] EWHC 1799 (Comm) (application to set aside an order pursuant to section 66 of the Arbitration Act 1996 (unled)).
- *A v B* (application for an anti-suit injunction restraining proceedings brought in Syria in breach of an arbitration agreement in a charterparty (unled)).

Commercial arbitration

- a LMAA arbitration arising out of a charterparty (with Richard Lord QC) a financial services arbitration under English law and the LCIA rules (at WilmerHale) an arbitration arising out of an oil-drilling contract under English law and the LCIA rules (a WilmerHale)
- an arbitration arising out of pharmaceuticals joint venture agreement under English law and the ICC Rules (at WilmerHale)
- an arbitration arising out of a contract for the hire of a deep-sea drilling rig under English law and the ICC Rules (at WilmerHale)
- an arbitration arising out of a large energy infrastructure project under Swiss law and the ICC Rules (at WilmerHale)

Investment arbitration

- *Merck Sharp & Dohme (I.A.) Corp. v Republic of Ecuador PCA* Case No. 2012-10 (at WilmerHale, acting for the Claimant in a claim under the US-Ecuador Bilateral Investment Treaty)

Matthew has also advised on a number of prospective claims under bilateral investment treaties and on particular issues arising in respect of intra-EU BITs.

Public international law

- Matthew regularly advises the Foreign, Commonwealth & Development Office on questions of public international law (with Maya Lester QC and Malcolm Birdling).
- *Merck Sharp & Dohme (I.A.) Corp. v Republic of Ecuador PCA* Case No. 2012-10 (at WilmerHale, acting for the Claimant in a claim under the US-Ecuador Bilateral Investment Treaty).
- Matthew has also advised on a number of prospective claims under bilateral investment treaties and on particular issues arising in respect of intra-EU BITs.

Education & Qualifications

Professional Experience:

Wilmer Cutler Pickering Hale and Dorr LLP

Education:

LLM, St. John's College, Cambridge (First Class, 3rd in year).

BPTC, BPP Law School (Outstanding)

GDL, City Law School (Distinction)

BA, History, St. Hugh's College, Oxford (First Class)

Scholarships and Prizes:

St. John's College, University of Cambridge

Prior Scholarship

Wright Prize

Jacovides Prize

The Honourable Society of Lincoln's Inn

Buchanan Prize

Lord Denning Scholarship,

Lord Brougham Scholarship

Hardwicke Scholarship

St. Hugh's College, University of Oxford

Jubilee Scholarship

Directory Quotes

"Matthew is very impressive. He has encyclopedic knowledge of complex rules and a strong command of all the authorities in a fast-developing area of law. He works seamlessly in the team." (Chambers & Partners 2027)

"Matthew has done a really good job. I like working with him; he's very good on detail. He's engaged and collaborative." (Chambers & Partners 2027)

"Matthew is really good. He is a great team player and just delightful to work with." (Chambers & Partners 2027)

"Thoughtful, considered and calm, Matthew delivers incredibly high-quality work and does so with a genial manner. He's a star in the making." (Chambers & Partners 2027)

"Matthew Kennedy has really good judgement, is an absolute pleasure to work with and is someone who produces superb drafting." (Chambers & Partners 2027)

"Matthew is really responsive, really hard-working and clearly very clever." (Chambers & Partners 2027)

"Really strong in the most difficult areas. Impressive on his feet. Client-friendly and approachable." (Legal 500 2027)

"Matthew Kennedy is involved in a large number of the leading cases concerning anti-competitive behaviour. He has notable experience acting for both the claimants and the defendants in class action litigation." (Chambers & Partners 2026)

"He is an absolute pleasure to work with and knows his cases inside out. He is fiercely intelligent, decisive and works exceedingly well with instructing solicitors and clients alike." (Chambers & Partners 2026)

"Matthew has encyclopedic knowledge of complex limitation rules in competition claims, including

interaction with Brexit-related issues. He's the best I've seen, I'm very impressed." (Chambers & Partners 2026)

"Matthew is superb - he is really bright and his drafting is excellent. He is always the engine room of the case. He has a really bright future ahead of him." (Chambers & Partners 2026)

"Matthew is superb and very hard-working. He has a phenomenal memory. His advocacy style is really good - a real master of the issues." (Chambers & Partners 2026)

"Matthew Kennedy provided excellent advocacy and great overall client service." (Chambers & Partners 2026)

"Matt is superb – he is really bright, and his drafting is excellent. He is always the kind of engine room of the case. On his feet, he was really impressive – calm and never flustered." (Chambers & Partners 2026)

"Offers an ideal blend of measured and commanding presence on his feet. Forensic understanding of some of the most complex issues that tend to arise in this area, and is able to explain them in a simple and strategic way." (Legal 500 2026)

"Matthew is a very bright junior with excellent instincts. He is easy to work with and very responsive and hard working. A real team player and his advocacy skills are first rate." (Legal 500 2025)

"I really like Matthew. He is very bright, has spot-on judgement, and delivers difficult advice that might be unwelcome diplomatically." (Chambers & Partners 2024)

"He is good at seeing issues for what they are and delivering advice that is really succinct. I trust his judgement." (Chambers & Partners 2024)

"Matthew works hard and produces high-quality work." (Chambers & Partners 2024)

"Matthew is incredibly hard working and responsive. He is a team player who is happy to roll up his sleeves. His advocacy style is excellent – confident and very easy to follow. Definitely one to watch." (Legal 500 2024)

"Matthew is an extremely good advocate. His advocacy more than matched that of an opposing KC. The key to this is his thorough preparation." (Chambers & Partners 2023)

"Matt is a fantastic junior; good drafting, strong judgement and extremely hard working." (Legal 500 2023)