

# PROFESSIONAL BIOGRAPHY

## Philip Clifford

Philip Clifford is a senior Partner and former Global Co-Chair of Latham & Watkins' International Arbitration Practice. He is a Fellow of the Chartered Institute of Arbitrators, a UK representative on the ICC Commission on Arbitration and ADR, and a member of the ICC UK Arbitration and ADR Committee. He sits on LexisNexis' Consulting Editorial Board for Dispute Resolution and is co-author of a leading text on the LCIA Arbitration Rules. Mr. Clifford has sat as sole arbitrator, chairman / presiding arbitrator and co-arbitrator in a range of commercial disputes.

### Profile

Mr. Clifford has over 25 years' experience of resolving a broad range of disputes through arbitration under major institutional and ad hoc rules. He has substantial experience of shareholder, SPA, JV, M&A, agency, pricing, EPC and general commercial disputes across a range of sectors, including oil and gas, power, engineering and construction, metals and mining, healthcare, pharmaceuticals, banking, funds, finance and telecommunications.

### Selected Experience

- JV and shareholder disputes across a number of sectors, from aviation, transport, healthcare and pharmaceutical projects to banking and insurance collaborations.
- Natural gas and LNG supply contract arbitrations: from SPA pricing and termination for hardship to engineering and construction disputes.
- Nuclear disputes: representing various nuclear power companies in a range of disputes relating to the construction and operation of nuclear facilities and the treatment of nuclear material and decommissioning.
- Sovereign wealth fund corporate acquisition disputes in Europe and the Middle East.
- Multiple arbitration and court proceedings over the acquisition of stakes in mobile telecommunications companies in Eastern Europe.
- An arbitration relating to the transfer of a Bank's operations following the financial crisis in Cyprus.
- An arbitration relating to the construction of a power plant in Russia.
- An arbitration over the construction of an Asian petrochemical and refinery complex.
- Arbitrations between the owner of an integrated mining operation in Africa and its principal operator.
- An arbitration between a BOT contractor and a government department over a multi-purpose power project in Asia.
- An arbitration between a major oil company and its main contractor over an oil pipeline construction project in Africa.
- Arbitrations relating to financial institution disputes in Europe and the Middle East.



Partner, London

T +44.20.7710.1861  
E philip.clifford@lw.com

### Education

M.Sc. (Arbitration and Construction), King's College London

MA (Law), Oxford University (Scholar)

### Bar Qualifications

England and Wales (Solicitor), England and Wales (Solicitor-Advocate)

### Recognition Highlights

Noted in major legal guides as a leading arbitration practitioner

*The Legal 500* quotes sources saying that Mr. Clifford is "simply the best", "one of the best in the profession" and "renowned for energy cases"

*Chambers* recognises Mr. Clifford as a key individual in international arbitration and quotes a source describing him as "a pleasure to work with and extremely adept at resolving cross-border disputes"

Mr. Clifford is a regular speaker and author on arbitration topics. He has lectured on arbitration at numerous conferences, at the British Institute of International and Comparative Law and at University College London

- An arbitration concerning the establishment of a manufacturing and distribution operation in Brazil.
- An arbitration between a principal and agent over work performed in China.
- An arbitration over the construction of a Middle-Eastern landmark building.
- An arbitration over the leasing of drilling equipment in Africa.
- An insurance arbitration concerning the leasing of a fleet of aircraft.

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### Selected Thought Leadership

- A Commentary on the LCIA Rules 2014 (published by Sweet & Maxwell, 2015)
- Latham & Watkins' Guide to International Arbitration
- Latham & Watkins' International Arbitration Newsletter (Editor, 2013-present)
- International Arbitration: Resolving a World of Disputes
- Avoiding Pitfalls in Drafting and Using Unilateral Option Clauses
- English Supreme Court Confirms Power to Issue an Anti-suit Injunction, Even if No Arbitration is Contemplated (Ust-Kamenogorsk Hydropower Plant JSC v. AES Ust-Kamenogorsk Hydropower Plant LLP)
- New Draft LCIA Rules Issued for Comments
- New EU Regulation Clarifies the Status of Extra-European BITs
- Reform of the Brussels Regulation — Latest Developments and the "Arbitration Exception"
- Saving Time and Money in International Arbitrations
- Litigation or Arbitration: How Best to Resolve Cross-Border Disputes in the Financial Sector?
- New Dispute Resolution Options in the DIFC Courts
- *Jivraj v. Hashwani*: Arbitrator Nationality and the Law of Unintended Consequences
- India Announces That It Will Now Recognize and Enforce Arbitral Awards From China and Hong Kong
- Courts Deliver Landmark Backing For Arbitral Process
- India's Decision to Recognise Chinese Arbitral Awards is a Bold Step - But What Happens Next?
- England: Scope of Challenges Following an Alleged Error of Foreign Law
- BSKyB v EDS: How to Avoid a Liability Cap
- International Arbitration and the English Courts: A Robust Approach to Challenges Based on Foreign Law
- A "Fresh Start": The Construction of Arbitration Clauses Under English Law Following Premium Nafta v Fili
- Lost At Sea Or A Storm In A Teacup?
- Dispute Resolution and Financial Transactions: Is Arbitration the Answer?
- Economic Torts Unravelled
- Finance Agreements: A Practical Approach to Options to Arbitrate