

Kevin Pettican

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Kevin has a wide-ranging commercial practice with an emphasis on advocacy before the High Court, County Courts and arbitral tribunals (both in London and internationally). He is known for his clear commercial advice, client-friendly manner, and robust advocacy. Kevin will always seek to identify the key strengths and weaknesses of the client's position at an early stage, and is a firm believer in negotiation (but only from a position of strength). However, if negotiation fails, his approach is to vigorously advance or defend his clients' interests to maximum effect. Prior to joining Chambers, Kevin was Counsel with one of the world's leading international arbitration practices.

Commercial

Kevin's commercial practice covers a wide range of industry sectors including (but not limited to) banking and financial services (including investment banking); construction and engineering (including project finance); oil and gas; commodities; leasing arrangements and all types of commercial and consumer finance. His clients range from large multi-national companies to private individuals and Kevin gives all of his cases (whatever the size and value) the same level of service and individual attention. He has particular experience in disputes arising from the sale of businesses, partnership disputes and claims involving the sale and supply of goods and services, as well as disputes involving issues of the conflict of laws. Consistent with the nature of his practice, Kevin is regularly instructed to obtain urgent interim relief.

Arbitration

Kevin has substantial experience of both domestic and international commercial arbitration. Prior to joining Chambers, Kevin was Counsel with one of the world's leading international arbitration practices and spent five years involved in some of the largest cases. He has experience of conducting cases administered by the main arbitral institutions (ICC, LCIA, AAA etc) as well as *ad hoc* arbitrations, either pursuant to the UNCITRAL Rules or pursuant to national arbitration legislation. A representative sample of Kevin's experience includes the following:

- ◆ Acting for the Italian Claimant in an ICC arbitration sited in London concerning a contract to supply 70,000 tons of Granulated Blast Furnace Slag.
- ◆ Acting for the Dutch Claimant in an LCIA Arbitration sited in London concerning the disputed control of a US\$120 million Greek joint venture company.
- ◆ Representing a US oil products company in an ICC arbitration sited in London involving claims by an Indian company in excess of US\$90 million arising out of a technology transfer agreement.
- ◆ Acting for a BVI company controlled by Russian interests in an ICC arbitration in London involving claims in excess of US\$60 million (and counterclaims in excess of US\$350 million) arising out of the sale of a Russian oil company.

Kevin has experience in the enforcement of arbitral awards in the UK (and pursuant to the New York Convention internationally) as well as of applications in the High Court pursuant to the Arbitration Act 1996.

Property

Kevin is regularly instructed in contentious property matters, frequently by property developers and other industry professionals, but also by private individuals. His recent experience includes a number of cases relating to remedies for failure to complete and delayed completion; disputes over easements and rights of way and boundary disputes, as well

as disputes between co-owners involving the application of *Stack v. Dowden*. In addition, Kevin is frequently instructed in possession proceedings by banks and other lenders.

Construction

Over the years, Kevin has been instructed in a number of construction disputes, acting at various times for employers, contractors and sub-contractors, both within the UK and internationally. His recent work includes:

- ◆ Acting for a contractor in respect of a claim for in excess of £300,000 of outstanding payments
- ◆ Acting for the employer in a dispute arising out of the refurbishment of a multi-million pound London residential property

Employment

Arising from his commercial practice, Kevin often deals with employment matters, frequently involving directors and other senior executives. His experience includes litigation involving claims for wrongful dismissal, share option and contractual bonus schemes, the enforcement of restrictive covenants and non-compete provisions, as well as the protection of confidential information and trade secrets.