



## Tvister i bygge- og anlægsprojekter

Greater regulation, new environmental issues, more complex ownership structures and increasing pressures on margins are just some of the challenges involved in construction, engineering and infrastructure projects.

Our dedicated Infrastructure and Construction Disputes team is specifically targeted to resolve high-value and complex construction and infrastructure disputes. We work alongside our other highly experienced teams to provide in-depth and commercially astute advice and representation on a broad range of matters, from contract formation to the resolution of disputes when they arise.

We have extensive experience in major construction and infrastructure disputes worldwide and are well used to working collaboratively with dedicated and on-the-ground specialist resources.

What sets our practice apart is the fact that many of our lawyers have first-hand front-end and back-end construction experience from acting on some of the largest and most complex construction projects and disputes in the world, including in the Middle East and throughout Asia and Australia, Europe and the Americas. Importantly, our team consists of lawyers who have previously worked in the industry (some with engineering backgrounds and experience), as well as internationally regarded practitioners with decades of experience with some of the world's most significant projects. We believe this experience is invaluable as it means we are able to combine actual practical technical knowledge and experience with legal advice, thus allowing for seamless coordination with the client team and exceptional value.

Read more information on our non-contentious capabilities.

### CAPABILITES

Our team has extensive experience in managing all aspects of construction and infrastructure disputes, including:

- Advising clients on emerging problems, before the commencement of formal legal proceedings, to avoid escalation and obtain early resolutions and to optimise the negotiating leverage.
- Delay and disruption, cost overruns, variations, professional negligence, defects, termination issues.
- Deep industry knowledge in particular sectors such as Infrastructure and Defence, Oil and

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Gas, Power, Shipping and Offshore, Sports, Hotels and Leisure, Technology, Media and Communications and other commercial developments including building construction, schools, and mixed use.

- Experience in international arbitration through all of the major institutions as well as experience of all forms of dispute resolution – litigation, arbitration, expert determination, mediation and adjudication.
- An understanding of all types of construction, engineering, project and infrastructure contracts, including extensive experience drafting and negotiating such contracts.
- Effective marshalling of technical and factual evidence, including working with factual and expert witness.
- Advising on sensible strategies for 'case management' where the dispute necessitates analysis of a great amount of detail, including identifying priority issues and common themes.
- Advising and assisting with claim preparation, document review, document management and electronic record management and disclosure.

## EXPERIENCE

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- Acting for a government in ICC arbitration proceedings in respect of dispute resulting from the termination of an EPC contract in connection with a multi-billion dollar project to upgrade a commuter rail system including a new sub-sea tunnel and all associated infrastructure.
- Acting for a Canadian and Turkish joint venture in an ICC arbitration concerning claims of US\$450 million by and against the Jordanian employer, regarding a magnesium oxide plant on the banks of the Dead Sea in Jordan.
- Acting for a Far Eastern contractor in relation to two ad hoc arbitrations arising from the construction of offshore rigs with sums in dispute in excess of US\$200 million.
- Acting for a Dubai Government entity in an adhoc capacity on a US\$200 million construction dispute in relation to a significant infrastructure project.
- Acting for the Government of India in an investment treaty arbitration in London under the UNCITRAL Rules arising out of the construction and operation of a power station at Dabhol near Mumbai. Shareholders in the power company brought claims valued at \$6.5 billion pursuant to a treaty between India and Mauritius, alleging that acts of the Government of India constituted expropriation and inequitable and unlawful conduct, in violation of the treaty.
- Acting for a prominent UAE family in a AED 2.3 billion construction dispute in relation to the redevelopment and expansion of an existing retail complex .
- Acting for project owners and turnkey contractors on power station disputes throughout Asia (eg. Philippines - Sual Power Station; China - Shajiao C and Zhuhai Power Stations (Guangdong Province), Hefei No. 2 Power Plant (Anhui Province)), including ongoing roles over a number of years in relation to construction delays, completion issues, EOTs, defects, claims against designers and project insurers.
- Acting for a Korean contractor in relation to disputes subject to ICC arbitration with a value of US \$50 million arising from a power plant project in Jordan
- Advising a Japanese contractor on an ICC arbitration regarding a power plant in Singapore. The dispute was with the US Joint Venture partner and involved US \$50 million
- Acting for a global engineering consultant in relation to the £250m dispute regarding the new Wembley Stadium.
- Acting for a Korean contractor in relation to negotiations as to the terms of a modified Silver book contract for a US \$4 billion power and water project in Saudi Arabia.
- Acting for the developer of the World Trade Center site in New York following 9/11, including handling several arbitrations and litigation matters, including a multi-billion private arbitration in Manhattan.
- Acting for a Korean contractor in relation to the design and construction of a chlorine plant outside of Houston, Texas,

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### FAGOMRÅDER

- Entreprise og byggeri
- International voldgift
- Energi og infrastruktur

### BRANCHER

- Energi

including an ICDR arbitration involving claims exceeding US \$100 million.

- Acting for several American football franchises (and other sports franchises) in relation to new stadiums, including handling three major disputes involving multi-million dollar design and construction defect claims, each of which was successfully resolved using alternative dispute resolution.
- Acting for a major national US developer of multi-family projects, in litigation involving US\$70 million in damages due to water intrusion on 20 buildings outside New York City.

## AKTUELLE SAGER

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### Principiel højesteretsdom om firmapensioner og god skik

17. maj 2018

Medhold i Højesteret: Vilkår i firmapensionsaftale var vedtaget trods efterfølgende dækningsmeddelelser, og det var ikke i strid med reglerne om god skik, at Danica Pension havde fastholdt sin opfattelse af aftalegrundlaget.

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