

## Judy Fu

Email Address: [jf@3vb.com](mailto:jf@3vb.com)

Year Of Call: **2019; 2014 (Solicitor of England and Wales)**



Named a “Rising Star” in international arbitration by The Legal 500, Judy is a commercial barrister with broad experience in complex disputes, particularly in commercial arbitration and litigation. Judy has acted in disputes conducted under the auspices of major arbitral institutions, including under LCIA, ICC, ICSID, HKIAC, and SIAC rules as well as in *ad hoc* arbitration. She also has a broad commercial litigation practice, including in civil fraud.

Before transferring to the bar, Judy practiced in the international arbitration group at Skadden, Arps, Slate, Meagher & Flom, where her experience included advising some of the world’s largest companies, often in high-value disputes with an international element. As a former solicitor, Judy is equally comfortable working independently, as co-counsel or junior counsel, or as part of a team.

Judy has also served as Judicial Assistant to HHJ Pelling QC (in the Commercial Court and London Circuit Commercial Court) and Zacaroli J (in the Chancery Division).

Alongside practice, Judy is working with the British Institute of International and Comparative Law (BIICL) on its “Breathing Space” project, examining the effect of the COVID-19 pandemic on commercial contracts and disputes. Judy is a co-author of the project’s research Concept Note, together with Sir William Blair, Professor Eva Lein, and Professor Louise Gullifer QC.

### Recent work

#### ***International arbitration and arbitration-related proceedings***

- Acting for a commodities trading company in an HKIAC arbitration against a state-owned enterprise. Led by Ali Malek QC, Peter de Verneuil Smith QC, and Penny Madden QC of Gibson Dunn.
- Acting for an advertising company in an LCIA arbitration, as sole counsel.
- Acting for an investor in the energy sector in Angola in an LCIA arbitration, with related proceedings in the Southern District of New York and in ICC arbitration. Led by Adam Kramer QC.
- Acting in a promoters’ dispute of a listed airline company in an LCIA India arbitration. Led by David Kavanagh QC of Skadden and Ciccu Mukhopadhaya SA.
- Acting for a commodities trading company in an HKIAC arbitration. Led by Ali Malek QC and Nigel Rawding QC of Freshfields with Ben Woolgar.
- Acting for a European state-owned asset management fund in an LCIA arbitration concerning

a privatization in the gambling sector. Led by David Kavanagh QC of Skadden.

- *Republic of Korea v Dayyani & Ors* [2019] EWHC 3580 (Comm). Acting for Iranian investors opposing a challenge under s. 67 of the Arbitration Act to a bilateral investment treaty award against the Republic of Korea. Led by Ali Malek QC with Cameron Miles.

### ***Civil fraud and commercial litigation***

- Acting for a law firm in third-party disclosure applications following an authorised push payment fraud. Led by Peter de Verneuil Smith QC.
- Acting for an interdealer broking firm in claims arising out of a cyber fraud. Led by Rajesh Pillai QC.
- Acting for a property investment company in a contract dispute under an asset management agreement, as sole counsel.
- Acting for a litigation funder in a misfeasance claim against a former director, as sole counsel.
- Acting in a swaps mis-selling case. Led by Farhaz Khan.
- Acting for a manufacturer in a dispute arising out of the construction of the Elizabeth Line (the London Crossrail project). Led by Adam Kramer QC.
- Various pleadings and applications in the High Court, recently in an application for a freezing injunction in the Chancery Division as sole counsel.
- Various County Court hearings and trials in a range of commercial and finance disputes, as sole counsel.

### ***As arbitrator***

- LCIA Arbitration (2021). Appointed by the LCIA Court as sole arbitrator in a sports sponsorship dispute.
- LCIA Arbitration (2020). Appointed by the LCIA Court as wingperson in a commercial arbitration concerning the metals industry in the Middle East.

### ***As arbitral tribunal secretary***

- Serving as Tribunal Secretary to Ali Malek QC as sole arbitrator in an UNCITRAL arbitration brought by an investor against a Central Asian state.
- Serving as Tribunal Secretary to Ali Malek QC as sole arbitrator in an LCIA arbitration concerning the ownership interest of a hedge fund.

## **Directory Quotes**

“Incredibly quick to get across the detail of claims and forensically hones in on the crucial legal issues. Brilliant academically with an excellent intellect.”

The Legal 500 2022

## **Expertise**

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## Previous Experience

As a solicitor, Judy practiced in the international arbitration group at Skadden, Arps, Slate, Meagher & Flom in London. She initially trained and qualified in the commercial disputes group at Freshfields Bruckhaus Deringer in London and was seconded to the firm's disputes teams in Singapore and Hong Kong.

Judy's experience encompassed a wide range of commercial litigation, challenges before the English and European Courts, international arbitration, and tax controversies. Examples include:

- *DP World Limited v. Kingdom of Belgium* (ICSID Case No. ARB/17/21). Acting for a UAE investor in a dispute concerning the treatment of a strategic port concession in Flanders under a bilateral investment treaty.
- Acting in an ICC arbitration, concerning ownership control over one of India's largest petrochemical businesses, with related proceedings in India.
- *Shulman v Kolomoisky and Bogolyubov* [2018] EWHC 160 (Ch). Acting for Mr Gennadiy Bogolyubov in a challenge to the jurisdiction of the English Court.
- Acting for Philip Morris in Case C-547/14 *Philip Morris v Secretary of State for Health* before the Court of Justice of the European Union, challenging the second Tobacco Products Directive.
- *R (British American Tobacco) v Secretary of State for Health* [2016] EWHC 1169 (Admin). Acting for Philip Morris in a challenge to the UK plain packaging regulations.
- *Tempo Group Ltd v Fortuna Development Corp and ors*, Cayman Islands Grand Court [2015]. Acting for the defendant in an eight-week trial in the Cayman Islands of a shareholder dispute.

Judy has also worked as a Research Assistant in the Commercial and Common Law Team at the Law Commission for England and Wales, where she worked on the reform of insurance contract law. Many of the Law Commission's recommendations culminated in the Insurance Act 2015.

From January to March 2021, Judy served as Judicial Assistant to HHJ Pelling QC (in the Commercial Court and London Circuit Commercial Court) and Zacaroli J (in the Chancery Division).

## Admissions

Called to the Bar (England and Wales), 2019

Solicitor Advocate (Higher Rights of Audience, civil proceedings), 2015

Solicitor (England and Wales), 2014

## Education

LLM, Magdalene College, University of Cambridge

LLB, London School of Economics

## **Professional Associations**

Commercial Bar Association (COMBAR)

Chancery Bar Association

LCIA Users' Council

International Council for Commercial Arbitration (ICCA)

International Advisory & Dispute Resolution Unit (IADRU)

## **Recent Publications**

Sir William Blair, Eva Lein, Louise Gullifer, Judy Fu, ““Breathing space”: Concept Note 2 on the effect of the 2020 pandemic on commercial contracts”, available: [https://www.biicl.org/documents/10316\\_concept\\_note\\_2\\_final\\_.pdf](https://www.biicl.org/documents/10316_concept_note_2_final_.pdf)

LexisPSL, Standing of third parties to join proceedings under section 283A of the Insolvency Act 1986 (Brake v Swift), 11/05/2020

LexisPSL, Limited standing to attack decisions of insolvency officeholders (Re Stay in Style), 24/03/2020

Matthew Parker and Judy Fu, “Knowledge and ignorance in contractual construction: an analysis of Lehman v Exotix”, (2020) 1 JIBFL 28

## **Languages**

In addition to English, Judy is fluent in Mandarin and Cantonese and has working knowledge of French.