

Georges Chalfoun

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Year Of Call: **2014 (Solicitor 2010)**



Georges is an experienced commercial practitioner. Prior to transferring to the Bar in 2014, he spent six years at Freshfields Bruckhaus Deringer LLP. He also spent time on secondment to the legal team of ExxonMobil Corporation.

Georges is ranked in all the leading directories where he is described as ***“an impressive junior .. a great team player ... detail-oriented and incredibly smart”*** (Chambers & Partners) and as being ***“truly outstanding in extremely complicated cases involving technical issues”*** (Legal 500).

He is also recognised by Who's Who Legal and Global Arbitration Review as a Future Leader in International Arbitration where he is noted as an ***“extremely clever individual”*** with ***“first-class drafting skills and legal analysis”***.

Since joining 3VB, Georges has quickly established a commercial and financial litigation practice. He has recently been involved in several large banking and energy disputes, instructed by amongst others Herbert Smith Freehills, Baker McKenzie, Gardner Leader and Brown Rudnick, in the High Court (*BP Gas Marketing v Sonatrach* [2016] EWHC 2461; the RBS Rights Issue Litigation; *New Ventures Capital NV and Eastern Capital NV v Thomas Moser and RMU Capital Limited* [2018] EWHC 2067 (Comm); *Lakatamia Shipping Company Limited v Nobu Su and ors* [2019] EWHC 1145 (Ch)) and the Court of Appeal (*Kaupthing Singer & Friedlander v UBS AG* [2016] EWCA Civ 319). He also routinely takes instructions as sole counsel for small matters in the County Court and the High Court.

Georges is also a junior with a thriving and ***“multifaceted”*** arbitration practice and ***“regularly handles significant disputes for clients”*** (Chambers & Partners); a practice which ***“many silks would envy”*** (Legal 500). He is currently instructed by or co-instructed with Debevoise & Plimpton, the Kingdom of Morocco, Bird & Bird, Latham & Watkins and Brodies in a number of large-scale arbitrations, both commercial and investment treaty (in *ICSID Cases No. ARB/16/19* and *ARB/18/29*). He has also been appointed as sole arbitrator by the ICC Court and the DIAC Executive Committee.

Throughout his career, Georges has been involved in a large number of pro bono matters, including advising Oxfam, the Global Fund to Fight AIDS, Tuberculosis and Malaria, the Democratic Progress Institute and the Aga Khan Foundation. He has also appeared on a large number of occasions on a pro bono basis at appeal hearings before the Asylum Support Tribunal in London, as part of the Asylum Support Appeals Project.

Georges is currently co-teaching the Seminars on the Practice of International Arbitration to Masters of Laws students at the London School of Economics with Constantine Partasides QC (Three Crowns LLP) and Jean Paul Dechamps (Dechamps Law).

Georges is bilingual French.

Expertise

Recent Cases

Commercial Litigation

“Truly outstanding in extremely complicated cases involving technical issues” (Legal 500, Energy, 2019)

Acting for the Defendant (instructed by Baker McKenzie, led by David Head QC) in a high-value claim including for unlawful means conspiracy and the (novel) tort of inducing and/or facilitating a failure to pay a judgment debt. The proceedings included an application for a freezing injunction successfully discharged at the return date (*Lakatamia Shipping Company Limited v Nobu Su and ors* [2019] EWHC 1145 (Ch)), with an appeal to be heard in November 2019.

Acting for the Defendants (instructed by Gardner Leader, led by David Head QC) in a major fraud claim in the Commercial Court relating to the ownership of a port and associated facilities in Moldova (*New Ventures Capital NV and Eastern Capital NV v Thomas Moser and RMU Capital Limited* [2018] EWHC 2067 (Comm)).

Acting for the Sixth Defendant (instructed by Brown Rudnick, led by David Head QC) in a claim by a minority shareholder alleging unfair prejudice, fraud and breach of contract in relation to the restructuring of a bank finance and dilution of a minority interests in a substantial UK hotel group holding structure (*Re TPD Investments Limited/Destiny v TH Holdings & Ors* [2017] EWHC 657 (Ch)).

Acting for UBS (instructed by Herbert Smith Freehills, led by Sonia Tolaney QC) in the Court of Appeal, successfully defending UBS in a substantial claim brought by Kaupthing in relation to a payment made by mistake (*Kaupthing Singer & Friedlander v UBS AG* [2016] EWCA Civ 319).

Instructed by RBS in the RBS Rights Issue Litigation.

Advising an international development bank (instructed by Bird & Bird, sole counsel) in considering a High Court claim and a summary judgment application for payment under a performance bond.

Acting for Sonatrach (instructed by Bracewell Law, led by Christopher Harris) in a dispute arising out of a Joint Shippers Agreement for LNG heard over 7 days in the Commercial Court (*BP Gas Marketing v Sonatrach* [2016] EWHC 2461).

Advising for a large pension fund (instructed by Eversheds, led by Sonia Tolaney QC) in a potential claim for professional negligence against its investment advisors, including consideration for a Beddoes application.

Regularly instructed as sole counsel, appearing in the county court on a variety of commercial matters, including an application for pre-action disclosure, a two-day trial arising out of unpaid invoices for professional services, a one-day trial for unpaid professional invoices and an application for a charging order against property.

International Arbitration (counsel)

“An impressive junior with a multifaceted arbitration practice .. A great team player who integrates really well into a team. He leaves no stone unturned and is detail-oriented and incredibly smart” (Chambers & Partners 2019)

Acting for the Kingdom of Morocco (led by Christopher Harris QC) in a US\$ 400 million ICSID claim relating to the insolvency of a major refinery in the Kingdom (ICSID Case No. ARB/18/29).

Acting for the Nova Group (led by Christopher Harris QC, alongside Debevoise & Plimpton) against the government of Romania in a EUR 350 million ICSID claim relating to the expropriation of a large insurance undertaking (ICSID Case No ARB/16/19).

Acting (led by Tariq Baloch, instructed by Brodies LLP) for a large spirits distributor in an LCIA arbitration against a leading spirits manufacturer arising out of a distribution agreement.

Acting (as sole counsel, instructed by Bird & Bird) for a large multinational data storage corporation in a SIAC arbitration arising out of a joint venture in India.

Acting (as sole counsel, alongside Latham & Watkins) in a large LCIA arbitration arising out of a put option agreement.

Acting for a large national oil company (instructed by Akin Gump, led by Ali Malek QC) defending claims of over US\$ 150 million relating to the sale and marketing of base oil in UNCITRAL proceedings.

Acting for an agent (instructed by Vinson & Elkins, led by Christopher Harris) in a large claim for commission arising out of an oil and gas infrastructure project.

Acting for a middle-eastern state (led by Ali Malek QC) in a large UNCITRAL commercial arbitration arising out of alleged expropriations.

Acting for an oil & gas company (sole counsel, instructed by Bird & Bird) in a large UNCITRAL commercial arbitration relating to the re-development of mature oil and gas fields.

Instructed in a potential ICC arbitration arising out of an agency and consultancy contract in the oil & gas sector (sole counsel, instructed by Bird & Bird).

International Arbitration (arbitrator)

Appointed by the ICC Court as sole arbitrator in a dispute arising out of bank guarantees.

Appointed by the DIAC Executive Committee as sole arbitrator in a dispute in the hospitality sector in the United Arab Emirates.

Prior Experience

Acted for a leading investment bank in a €400 million ICC arbitration arising out of a project financing.

Acted for a major multinational pharmaceutical company in an ICC arbitration arising out of a licensing agreement relating to one of the "blockbuster" drugs of the 21st century.

Acted for a Luxembourg investor in a multi-billion dollars investment treaty dispute against the government of Algeria relating to an investment in the telecommunications sector.

Acted for a multinational chemical producer in a US\$ 200 million London seated ICC dispute arising out of a long term chemical supply contract with a state-owned European counterpart.

Advising multiple oil majors on the effects of the EU, UK and UN sanctions regimes on their operations in Libya, Syria, Iran and Russia.

Acting as ad hoc secretary to a Court of Arbitration for Sport tribunal in a dispute relating to the governance of the World Chess Federation.

Advising a number of oil major, mining majors, and international charities as the structuring of investments to benefit from bilateral investment treaty protection, and/or as to the merits of contemplated international arbitration proceedings in relation to, amongst others, investments in the Democratic Republic of Congo, Guinea, Tajikistan, Uzbekistan and Mozambique.

Publications & Seminars

Contributed the (new) chapter on International Sanctions in Paget on Banking Law 15th Edition.

Contributed the chapters on conspiracy (Ch 59), Intentional Economic Torts (Ch 60) and Constructive Trust and Tracing (Ch 62) of the (upcoming) 19th edition of Bullen & Leake & Jacob's Precedents of Pleadings.

Co-teaching the Seminar on the Practice of International Arbitration to Masters of Laws students at the London School of Economics

"Mass proceedings before ICSID; life after Abaclat and Ambiente Ufficio", Practical Law Company, 3 Sept 2013.

Presentations to Freshfields' corporate, finance and dispute resolution teams on bilateral investment treaty structuring, arbitration clauses and the basics of international arbitration, including delivering the bi-annual arbitration training for newly qualified solicitors in corporate and dispute resolution, 2011 to 2014.

Academic Achievements

LSE - Entrance scholarship (2006)

Ottawa - Merit Scholarships (2003, 2004, 2005)

Ottawa - Dean's List of the Law Faculty (2003, 2004, 2005)

Ottawa - Highest overall average in first year (Jean Martineau Award)

Ottawa - Highest overall average for the first three semesters (Ogilvy Renault Award)

Ottawa - Highest overall average in second year (Brouillete Charpentier Award)

Ottawa - Highest aggregate average in Civil Law classes (Davies, Ward, Phillips & Vineberg Award)

Ottawa - Highest aggregate average in Commercial Law classes (Desjardins, Ducharmes Stein Monast Award)

Ottawa - Top mark in Employment Law (Gaston Descoteaux Award)

Ottawa - Top mark in Criminal Law (Carswell Award)

Ottawa - Top mark in Civil Procedure (Wilson & Lafleur Award)

Professional Affiliations

Lincoln's Inn

COMBAR

International Bar Association (IBA)

YIAG - LCIA

Young ICCA