

Invitation to Lecture

- Event : “Insurance claims – is contractual construction still the key?
A look at recent case law in relation to jurisdiction, coverage, contribution and injunctive relief”
- Speaker : Nigel Cooper QC, Quadrant Chambers
- Date and Time : 29 April 2019 (Monday); 1:00 - 2:00 pm. **Registration from 12:30pm onwards**
- Fee : \$150 (Members) \$250 (Non-Members) \$100 (Students)
- Venue : RPC, 3802-3806, 38/F One Taikoo Place, 979 King's Road, Quarry Bay, Hong Kong
: **Light lunch will be provided**
- RSVP : Please complete Registration Form overleaf. Places may be limited.

*** CPD accreditation from the Law Society is being applied for ***

Lecture Synopsis

Nigel Cooper QC will review recent case law with a view to exploring the continuing role of contractual construction as a key factor not just in relation to the scope of cover but also when it comes to establishing jurisdiction for claims or when it is necessary to seek injunctive relief to preserve policy rights. His review will include considering the importance of contract wordings when determining rights of contribution between co-insurers. Cases to be discussed will include:

- Mamancochet Mining Ltd. v. Aegis Managing Agency Ltd [2018] EWHC 2643, [2018] 2 Lloyd’s Rep. 441
- Aspen Underwriting Ltd. v. Credit Europe Bank NV [2018] EWCA Civ 2590
- Caitlin Syndicate v. Weyerhaeuser Co [2018] EWHC 3609 (Comm)
- Midnight Marine Ltd v. Thomas Miller Speciality Underwriting Agency [2018] EWHC 3431
- Kaefer Aislamientos SA v. AMS Drilling Mexico SA [2019] EWCA Civ 10
- NFU v. HSBC Ins. (UK) Ltd [2011] Lloyd’s Rep. IR 86
- IEG v. Zurich Ins. Plc [2016] AC 509
- Nori Holding Ltd v. PJSC Bank Otkritie [2018] EWHC 1343 (Comm)

Speaker Background

Nigel Cooper QC is a “very authoritative advocate, calm and measured” (Chambers UK, 2019) and “a class act, intelligent, sharp, quick on his feet and incisive in his thinking” (Legal 500 Asia Pacific, 2019). Nigel's commercial practice predominantly covers the fields of insurance/reinsurance, shipping and energy. He also has a strong arbitration practice advising on and acting in disputes before all the main international and domestic arbitral bodies. In all aspects of his practice, Nigel is often dealing with multi-jurisdictional disputes. His insurance practice covers both marine and non-marine insurance matters and related aspects of professional negligence. Nigel is instructed by many of the leading international firms as well as the UK government. He is a counsel of choice for a major mutual insurer advising on both particular high value coverage disputes and policy wordings. Recent insurance work has included:

- advising on coverage disputes relating to environmental damage, the impact of sanctions, the loss of goods in transit, insurers' exposure to third parties as a consequence of the insolvency of a multi-national shipping line, superyachts, collapse of terminal plant and machinery
- acting for insurers to obtain the dismissal of arbitration proceedings in circumstances where the proceedings were time-barred and stale
- providing strategic advice to an insurer in relation to claims worth in excess of US\$100 million being brought in another jurisdiction.

Registration Form

Lecture Title:

“Insurance claims – is contractual construction still the key? A look at recent case law in relation to jurisdiction, coverage, contribution and injunctive relief”

Lecture Date and Time:

Monday 29 April 2019, 12:30 – 2:00pm

Participant Details:

Name of Attendee: Dr / Mr / Mrs / Ms: _____

Member of Hong Kong Insurance Law Association: Yes/ No

Job Title: _____

Firm / Company / University: _____

E-mail: _____

Office Address: _____

Payment:

Payment is by cheque only.

The fee for this lecture is HK\$150 for Members of HILA, HK\$250 for Non-Members and HK\$100 for Students.

Please make cheque payable to “**Hong Kong Insurance Law Association Limited**” and send it together with this completed Registration Form to HILA c/o RPC, 3802-3806, 38/F, One Taikoo Place, 979 King's Road, Quarry Bay, Hong Kong. Mark it for the attention of Ms Aimee Alison.

As places are limited and places are allocated on a first come first serve basis, you may wish to first fax a copy of your completed Registration Form to: 2216 7001 (Attn: Aimee Alison). **However, the hard copy of your form and payment should immediately follow by mail.** If payment is not received by HILA, then HILA may allocate your place to another person (without notice).