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<u>Nationality/ Date of Birth</u>	British 1977/05/28

Educational/Professional Memberships

ADMISSIONS

Solicitor Advocate, All Higher Courts of England & Wales (2008)
Member of the Dai-Ichi Bar Association in Japan (2006)
Registered as a Gaikokuho Jimu Bengoshi (Registered Foreign Lawyer) in Japan (2006)
Solicitor of the Senior Courts, England & Wales (2003)

ASSOCIATIONS

Member of the SIAC Panel of Arbitrators (2017)
Member of the SIAC Japan Users Council (2017)
Fellow of the Chartered Institute of Arbitrators (2016)
Member of the Chartered Institute of Arbitrators (2009)

Current Position

International Arbitration Partner, Tokyo Head of Global Disputes, King & Spalding

Professional Experience

Chris Bailey leads the King & Spalding Global Disputes practice in Tokyo and specializes in arbitration, litigation and all forms of alternative dispute resolution. A partner in the King & Spalding International Arbitration practice, Chris represents clients in cross-border disputes and regulatory matters across a range of industries, with the core of his practice in the construction, energy and resource sectors. Chris has practiced for over 12 years in Tokyo, including a two-year secondment with one of Japan's leading trading houses, and is a member of the Dai-Ichi Bar Association and registered as a Gaikokuho Jimu Bengoshi.

Chris is a Fellow of the Chartered Institute of Arbitrators, a Member of the SIAC Japan Users Counsel, has been selected to become a member of the SIAC Panel of Arbitrators and appears as an advocate in international arbitration. He is also a Solicitor Advocate with rights of audience in the English High Courts. From Tokyo, he represents clients in a wide variety of commercial disputes submitted to arbitration under ICC, JCAA and SIAC Rules, amongst others; and in national courts including England, Japan, Singapore, Thailand and the U.S. In London, Chris was a commercial litigator appearing before the Commercial Court at the Royal Courts of Justice.

Since 2013, Chris has been featured in the Asia Pacific legal directories for Disputes and Projects & Energy. His current directory recognition includes:

- **Chambers & Partners Global & Asia Pacific Rankings** for Dispute Resolution: International in Japan (named as a Ranked Lawyer)
- **Who's Who Legal**: Arbitration's Future Leaders & Japan: Arbitration (named amongst the listed Partners)

- **Legal 500** for Japan Dispute Resolution International Firms (named as a Leading Individual)
- **Benchmark Litigation** (named as a Dispute Resolution Star)

In addition, Chris was named in *Asian Legal Business*' 40 Under 40 list in 2016. Client commentary includes:

"Christopher Bailey is a prominent figure in the Japanese arbitration market"; an "excellent arbitration practitioner to work with"; "authoritative and precise in his oral advocacy"; "endorsed by clients as "a fierce negotiator with a keen sense of how clients could win the important points" in arbitrations"; a lawyer clients "definitely want fighting their corner"; "his analytical ability is exceptional; "always went into great detail and left no stone unturned"; "wealth of experience acting on arbitrations"; "draws praise from observers"; "very knowledgeable on litigation, dispute resolution and regulatory investigations"; "energetic"; "tenacious, precise and excellent negotiator"; "a very smart guy"; "outstanding presentation skills and communication capabilities"; "a highly commercial practitioner"; "an experienced lawyer"; "a trusted adviser"; "popular choice of lawyer"; "fantastic to work with"; "outstanding"; "friendly and bright personality"; "approachable"; "sharp and considerate of his clients"; "garners recognition for his "keen insight into how the Japanese culture works"; "really understands the culture of Japanese companies"; "very good sense of how to deal with Japanese clients and has a lot of experience"; "knows a lot about Japanese clients, which makes things very easy for us"; "extensive experience representing clients from a range of industries in complex cross-border disputes".

Chris speaks on investment protection, arbitration, dispute resolution and anti-corruption matters throughout Asia. His articles have been featured in publications such as *Bloomberg Law Report* and on the *Lexology* website.

Arbitration Experience

- Represented a **Korean construction contractor** in respect of a multi-contract dispute involving EPC works at a mine in Australia with SIAC arbitration and related Australian proceedings commenced under numerous heads of claim and quantum in excess of AUD 1 billion, which ran through to a full multi-week hearing in Singapore and a final award.
- Represented a **global automobile groups** in separate JCAA arbitrations and litigation the Thai courts for in excess of USD 600 million arising out of the termination of long-term distribution agreements with local SEA counterparties governed by Japanese law. The second arbitration proceeded to a final hearing in Tokyo at which acted as lead advocate before a leading tribunal and a final award in the client's favour. In addition, parallel satellite litigation in the Singapore courts which proceeded to trial.
- Represented a **Japanese construction contractor** in relation to joint venture and owner disputes for in excess of USD 200 million relating to the EPCC works for the replacement of two power generating unit at a thermal power plant in Asia, with the principle issue being delays and costs caused by welding defects and referring disputes to ICC and SIAC arbitration seated in Asia.
- Represented a **Japanese trading house** in ICC arbitration, and a jurisdictional challenge that passed through to the Thai Supreme Court, in respect of claims brought by a Thai state owned entity for USD 100 million in respect of allegedly defective equipment for a Combined Cycle Power Plant.
- Advised a **Japanese energy company** on Energy Charter Treaty arbitration claims for fair and equitable treatment provisions and expropriation, and also Spanish judicial review, arising from changes to Spain's wind power incentives and energy tariff regime. Estimated losses in the region of EUR 100 million.
- Represented a **Japanese auto parts manufacturer** in a USD 84 million dispute with its US business partner arising out of Michigan law contracts that provided for AAA arbitration. The facts concerned treatment under the relevant contracts of a 2013 multi-million dollar corporate acquisition in Europe.

- Advised a **global protection & indemnity insurer** on a USD 47.6 million subrogated arbitration claim for breach of contract in relation to an oil spill from a vessel in a Californian port. Litigation was also pursued in California, with a separate negligence action brought against the US lawyers involved.
- Advised a **Japanese trading house** on a USD 28 million extension of time and wrongful termination dispute in respect of a construction sub-contract for a plant in the Middle East that provided for ICC arbitration in London. Key issue as to whether the contract was of fixed price and scope.
- Represented a **Japanese construction company** in ICC arbitration in London in relation to employer and sub-contractor disputes arising out of the construction of a plant in Algeria. Quantum was in the region of USD 25 million, with forty heads of claim and a tribunal including the Hon. Mr Justice Ramsey QC.
- Advised a **Japanese trading house** on a dispute involving non-compliance with specifications in a USD 19 million letter of credit that provided for ICC arbitration in Geneva in respect of a purchase of metal from a Brazilian vendor for onward sale to a Hong Kong based purchaser with delivery in China.
- Represented a **global provider of offshore drilling services** in a USD 17 million dispute arising out of damage caused to a jack-up oil drilling rig in the Gulf of Mexico during Hurricane Ivan, and involving a jurisdictional dispute and claims in both London arbitration and Texan civil court proceedings.
- Represented a **global financial institution** in parallel ICC arbitral and Thai court proceedings involving allegations of negligent banking services and employee fraud. Claims that USD 15 million in funds were diverted by various practices. The employee was found dead shortly after the discovery of the fraud.
- Represented a **Japanese manufacturer of high precise instruments** in relation to contracts concerning neurosurgical microscope systems that provided for ICC arbitration in Singapore. Claims included contractual interpretation, intellectual property and competition issues and multiple jurisdictions.
- Represented a **gas trading company** against a Sri Lankan company in respect of an LNG term contract containing exclusive English law and London arbitration clauses. Involved appearing before Mr. Justice Tomlinson in the English Commercial Court to seek assistance in the appointment of a sole arbitrator.
- Advised a **Japanese EPCI FPSO contractor** on a issues including the availability of ICSID claims arising out of the introduction of local regulations in Ghana, sovereign immunity issues arising out of a counter-guarantee, contractual interpretation of a pollution indemnity and the impact of a Ghanaian tax ruling.
- Advised a **Japanese trading house** on the availability of ICSID proceedings against the Government of Venezuela. Included issues of whether, in the absence of an express ICSID arbitration clause or an applicable BIT, Venezuela had given consent to ICSID through its national investment laws.
- Advised **Japanese interests** in relation to their involvement in the Gorgon offshore field development in Western Australia. The relevant contracts concerned supply to the project and provided for reference to institutional arbitration in Perth. The issues that arose impacted the critical path to completion.
- Advised **the Korean project operator of the Shwe gas field in Myanmar** on issues including a dispute over the volume and specification of natural gas delivered to the Chinese buyer, the disputed termination of a rig management contract, and the consequences of an explosion in the onshore gas terminal.
- Advised **various state and private Asian purchasers of LNG** on their contractual rights in relation to price review provisions under long-term LNG SPA contracts concerning offtake from amongst others Australia, Japan, Malaysia, Nigeria, Russia, South Korea, Thailand, the US and Yemen.

Publications

NEWSLETTER

2019-05-28

Tokyo Dispute Resolution & Crisis Management Newsletter (Edition 32) – May 2019: [“Global International Law Developments: Trends of Critical Importance to Multi-National Corporations”](#)

NEWSLETTER

2019-02-22

Tokyo Dispute Resolution & Crisis Management Newsletter (Edition 31) – February 2019: “[Disputes in the International Oil & Gas Industry](#)”

NEWSLETTER

2018-11-30

Tokyo Dispute Resolution & Crisis Management Newsletter (Edition 29) – November 2018: “[A Case Against One-Size-Fits-All Construction Contracts](#)”

NEWSLETTER

2018-10-29

Tokyo Dispute Resolution & Crisis Management Newsletter (Edition 28) – October 2018: “[Procedures for Speedy Appeals from Awards](#)”

NEWSLETTER

2018-08-23

Tokyo Dispute Resolution & Crisis Management Newsletter (Edition 26) – August 2018: “[Power Project Investor’s € 128 Million Victory Against Spain](#)”

Languages

English