



## Daniel Meagher

Partner of Winston & Strawn London LLP

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Daniel is an international commercial disputes specialist with particular expertise in international arbitration and English Court litigation. He provides strategic advice and input for clients from the earliest stages of contractual disputes, through to representing clients in fully-fledged arbitration or litigation proceedings and any subsequent enforcement action. Daniel's work relates to projects, companies, governments, state entities, and individuals spanning many sectors and a range of regions worldwide.

With an English law background primarily focused on international commercial arbitration, Daniel's work relates to projects, companies, governments, state entities, and individuals based in various regions worldwide, including MENA, UK/Europe, Central and South Asia, sub-Saharan Africa and Russia/CIS. He has represented clients in matters ranging from shareholder and joint venture disputes, through to aviation-sector litigation and repossessions, through to delay and disruption claims in infrastructure and construction projects (please see "Experience" for selected representative matters).

Daniel has represented and advised clients in a broad range of types of disputes procedures, including international arbitration (ICC, LCIA, HKIAC, SCC, AAA/ICDR, DIFC-LCIA, DIAC, LMAA, ICSID, UNCITRAL administered by PCA, and many other leading arbitral rules and institutions), English Court litigation (in particular, Commercial Court, Chancery, Court of Appeal), mediation, and expert determination.

Daniel also frequently advises as to other strategic aspects of multi-jurisdictional disputes where arbitration, litigation, and/or regulatory proceedings may be afoot in a number of jurisdictions worldwide. This can include, for example, applying for urgent injunctive relief (or responding to such applications) or pursuing enforcement of judgments and arbitral awards.

## Key Matters

Below are selected representative matters:

### INTERNATIONAL COMMERCIAL ARBITRATION

- *Aviation Component Supplier v Airline*: LCIA arbitration concerning non-payment of charges for certain services and exchange components supplied to an airline.
- *Aircraft Owner-Lessor v South-East Asian Airline*: Representation of owner-lessor of numerous aircraft to south-east Asian airline in dispute arising from failure to make monthly lease payments and consequent default and termination of leases, and recovery of aircraft from different locations in south-east Asia. English courts, SIAC arbitration and LCIA arbitration.
- *Technology Start-Up Shareholders' Dispute*: Representation of majority shareholder in multi-billion USD dispute with founder/minority shareholder regarding the operation of a technology start-up in the Middle East. Claims of unfair prejudice, counterclaims based on theft of intellectual property and the creation of a competitor business using copied source code. Technical issues of software coding and copying. DIFC-LCIA arbitration, Dubai seat.
- *International Oil and Gas Company v. African State Entity*: Ad hoc international conciliation between an international oil and gas company and African state-owned oil and gas entity concerning the triggering of a renegotiation clause of a production sharing contract following a change in profit oil taxation. Dispute valued at approximately \$2 billion.
- *Owners of Petrochemicals Plant v. Owners of Refinery*: ICC arbitration commenced by foreign investor-owners of petrochemicals plant against a local state-owned refinery arising out of delay to construction of both the petrochemicals plant and the refinery due to both design/engineering failures and force majeure events, and subsequent failures to accept and supply feedstock. The claim was valued at \$100 million.
- *Seller v. Purchaser (iron ore pellets)*: Dispute concerning the failed purchase and delivery of iron ore pellets DAP (Incoterms 2010) under a series of related English-law governed contracts, such claim arising from failure by buyers to open letters of credit in accordance with the contractual terms. ICC arbitration, Paris seat.
- *Long Term Commodities Supply Contract*: Representation of exporter of metals commodity in dispute with buyer under long-term supply agreement for failure to take delivery and issues regarding opening of letters of credit.
- *Dispute between Joint Venture Partners*: LCIA arbitration concerning distribution of profits of a mining/metals joint venture between several of Ukraine's leading businessmen. Dispute valued at over \$800 million.
- *Seller v. Purchaser (fuel oil)*: Dispute concerning the failed purchase and delivery of fuel oil FOB (Incoterms 2010) under an English law governed agreement (ICC, Geneva seat).
- *Shareholder A v. Shareholder B*: Multibillion-dollar shareholder dispute arising under a shareholders' agreement (governing law – New York; UNCITRAL arbitration; seated in London) relating to a major emerging market telecoms company.
- *Owner of Mixed Use Property v. Mediterranean Luxury Goods Retailer*: DIAC arbitration between a luxury goods Mediterranean retailer and an owner of large mixed-use development in the UAE concerning construction delay and resulting harm. The claim was valued at \$30 million.

## INVESTOR-STATE ARBITRATION

- *Renewable Energy Investor v. Italian Republic*: Representation of claimant in significant ECT claim against the Italian Republic regarding changes in legislation concerning feed-in-tariffs for newly constructed solar photovoltaic plants.
- *Mining Company v. Central Asian Government*: Representation of respondent host state in an investment treaty UNCITRAL arbitration commenced by a multinational mining investor alleging expropriation of a mining investment. Claim valued at approximately \$400 million.
- *Bank Shareholders v. Central Asian Government*: Representation of respondent host state in trio of investment treaty UNCITRAL arbitrations commenced by former shareholders in a commercial bank, alleging expropriation of their investment. Combined claims valued at over \$400 million.

## ENGLISH COURT LITIGATION

- *Repossession of Aircraft*: Representation of owner-lessor in multi-jurisdiction repossession of a number of its aircraft and engines following the insolvency of a global airline.
- *Lender/Borrower Dispute Relating to Oil and Gas Project*: Representation of respondent borrower (emerging market oil and gas company) in proceedings brought by syndicate pursuant to failure to repay under LMA facility agreement for \$150 million, which facility was intended to increase off-shore production at designated oil field. Pursuit of counterclaims due to failure to disburse funds in a timely manner, with knock-on effects for operations.
- *Recovery of Unpaid Aircraft Lease Payments*: Representation of lessor against airline for the recovery of over \$10 million in unpaid aircraft rental charges.
- *Obtaining injunctive relief*: Dispute concerning the management and sale of two oil tanker vessels. Representation of claimants in successfully obtaining injunctive relief from the English Commercial Court requiring the proceeds of sale to be paid into an English Court account. Injunctive relief obtained in support of arbitral proceedings which were then commenced by claimants (LCIA and LMAA, London seat, English law as governing law of contract).
- *Enforcement of LMAA award*: Dispute concerning the construction and delivery of platform supply vessels. Late-stage representation of defendant shipbuilder in English court proceedings following LMAA arbitral award (London seat, English law as governing law of contract) and the granting of an anti-suit injunction by the English court against the defendant, including issues concerning personal liability of directors for contempt of court.
- *Individual Shareholder v. Emerging Market Oil/Gas Company*: English Chancery Court proceedings. Advised defendant in proceedings brought by an individual claiming to have purchased shares in a large oil and gas company, but claiming a failure in the printing and delivery of the share certificates.
- *Defrauded Investor v. Individual*: Representation of investor in its recovery of approximately \$30 million which had been invested in a Ponzi scheme. This included successfully obtaining a freezing injunction from the English Commercial Court against the defendant who had orchestrated the scheme.

# Recognitions

Daniel has been identified as a “Next Generation Partner” for International Arbitration in *The Legal 500 UK 2024* and a Future Leader for International Arbitration in *Who’s Who Legal (2020–2023)*. He is recognized in the 2023 edition of *Lawdragon 500’s “Leading Global Litigators.”* and also as a leading practitioner in *The Legal 500 Arbitration Powerlist: UK 2023*

Editorial commentary, based on client and peer review, describe Daniel as “extremely efficient and effective in approaching complex legal problems”. He wins praise for being “very responsive to client requirements” and has the “ability to pinpoint quickly the key issues”. They go on to praise Daniel saying he is “exceptionally good”, “someone who can take on any matter with aplomb” and “very quick, very sensible and a delight to work with”.

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## Activities

Daniel is a member of the firm’s Technology, New Media & Telecommunications Group and the Videogame, Gaming & Esports Group, dedicated to providing comprehensive legal solutions to companies in these industries.

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“standout arbitration lawyer and very strong operator”

The Legal 500 UK

## Credentials

### EDUCATION

Daniel received an M.A. with honors from the University of Cambridge (Clare College) and an LL.M. in International Legal Studies from New York University School of Law.

### ADMISSIONS

- England & Wales
- New York

## Related Insights & News

Daniel has co-authored articles and spoken at events on a range of dispute-related topics, including:

- “[Jurisdiction Clauses Post-Brexit: Drafting and Strategy Considerations](#)”, Speaker at joint event (“Problematichhe Cross-Border ITA/UK Nel Contesto Giuridico Post Brexit”), hosted by ICC Italy, Ordine Degli Avvocati Di Roma (Rome Bar Association) and The Law Society of England and Wales, December 2021;
- International Law Weekend, organized by the American Branch of the International Law Association – speaker on panel: “Practitioner: Gaining a solid foundation in lawyering”, November 2021;
- “[A Fantastic Beast Called “Non-Binding Arbitration”](#)”, Winston & Strawn Newsletter, September 2021;
- [Winston & Strawn Pocket Guide to International Arbitration](#) (co-author), June 2021;

- [“Belt and Road Initiative Disputes: An Arbitration Perspective on the Impact of the China-USA Trade War and COVID-19,”](#) African Arbitration Association, May 2021 (together with presenting on the same topic at the Africa Arbitration Association annual conference, April 2021);
- [“Post-Brexit Disputes,”](#) *The Oath*, April 2021;
- ICC Moot Shanghai, Arbitrator, March 2021;
- [“EU targets reform of anti-greening Energy Charter Treaty,”](#) *IHS Markit*, March 2021;
- [“Brexit: Key Dispute Resolution Considerations for In-House Counsel,”](#) Winston & Strawn Newsletter, January 2021;
- [“Force Majeure in Aviation Contracts”](#), Winston & Strawn Newsletter, April 2020;
- [“Is the MAC clause now showing its pearly whites?”](#), Winston & Strawn Newsletter, April 2020;
- [“Airline Insolvencies”](#), Winston & Strawn Newsletter, April 2020;
- [“COVID-19 Crisis: Force Majeure and Impact on Contracts from an English Law Perspective”](#), Winston & Strawn Client Alert, March 2020;
- [“Broken Promises: Legal Recourse for Retroactive FIT Cuts”](#), *PV Magazine*, January 2020;
- [“PV Solar Investor Claims against Italy: Update regarding recent pro-investor arbitral tribunal award in Greentech”](#), Winston & Strawn Client Alert, April 2019;
- [“Litigation & Dispute Resolution 2018, England and Wales”](#) in *Global Legal Insights, Litigation & Dispute Resolution (7<sup>th</sup> Edition)*, August 2019
- [“Corruption Investigations by Governmental Authorities and Investment Treaty Arbitration: An Uneasy Relationship,”](#) *ICSID Review*, (Spring 2014) 29 (2) 493;
- [“The use of dispute boards in international disputes,”](#) *LexisNexis*, November 2013;
- [“Contempt of court: A salutary reminder,”](#) *IBA Arbitration Newsletter*, September 2013;
- [“The meaning of ‘investor’ and ‘investment’ in investment treaty arbitration,”](#) *LexisNexis*, September 2013;
- [“Anti-bribery policies: Not as Easy as ABC,”](#) *Financial Director*, August 2012.

Daniel has also acted as co-editor of a Winston & Strawn fortnightly publication on regulatory enforcement in the financial services sector.

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## RECOGNITIONS

Winston & Strawn Recognized in *Global Arbitration Review’s* GAR100 17<sup>th</sup> Edition

MARCH 22, 2024

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## RECOGNITIONS

Winston Attorneys Recognized in *Who’s Who Legal: Arbitration* 2024

DECEMBER 7, 2023

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## SPEAKING ENGAGEMENT

Winston Supports SOBAL Conference 2023

NOVEMBER 30, 2023

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## RECOGNITIONS

Daniel Meagher Recognized in *The Legal 500 Arbitration Powerlist: UK2023*

OCTOBER 30, 2023

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## RECOGNITIONS

Winston & Strawn Recognized in *The Legal 500 UK2024*

OCTOBER 4, 2023

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## RECOGNITIONS

Winston Attorneys Featured on *Lawdragon's 500 Leading Global Litigators List 2023*

JULY 21, 2023

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## CLIENT ALERT

Winston & Strawn's 2023 Pocket Guide to International Arbitration

MAY 2023

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## RECOGNITIONS

Winston & Strawn Recognized in *Global Arbitration Review's GAR 100 16th Edition*

APRIL 18, 2023

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## SPONSORSHIP

Winston Sponsors, Speaks at 11th ITA-IEL-ICC Joint Conference on International Energy Arbitration

JANUARY 19-20, 2023

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## SPONSORSHIP

Winston Sponsors Airline Economics Growth Frontiers Global Dublin 2023

15-18 JANUARY 2023

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## RECOGNITIONS

Winston Attorneys Recognized in *Who's Who Legal: Arbitration 2023*

DECEMBER 15, 2022

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Winston & Strawn Recognized in *The Legal 500 UK2023*

SEPTEMBER 30, 2022

# Capabilities

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- International Arbitration
- Commercial Litigation & Disputes
- Energy
- Medical Devices
- Technology, Media & Telecommunications