

Partner, London

International Litigation and Arbitration



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## Education

Legal Practice Course, BPP University, 2002

Post Graduate Diploma In Law, BPP Law School, 2001

B.A., University College London, 2000 (Honors)

## Bar Admissions

England & Wales

Kate Davies KC is head of Skadden's Europe International Litigation and Arbitration Group. She focuses on international commercial and investment treaty arbitration, with extensive experience in institutional and *ad hoc* arbitrations, seated in both common and civil law jurisdictions, including ICC, LCIA and LMAA arbitrations. She also has advised investors and governments in ICSID arbitrations.

Ms. Davies represents clients at all stages of international arbitration disputes, including before several renowned international tribunals. She has extensive experience advising on commercial disputes in the pharmaceutical, telecommunications, automotive, technology, energy and construction sectors, as well as those arising out of a variety of agreements, including joint venture, shareholder, post-M&A, licensing, distribution, technology transfer, patent and construction agreements. Additionally, she counsels on disputes arising from complex contracts and projects, including in the energy, mining and transport sectors. She also has handled a range of matters involving investment treaty arbitration and public international law.

Ms. Davies recently served as secretary to the International Bar Association's Arbitration Committee and on the ICC Task Force considering dispute resolution in the context of climate change and the Paris Agreement, and is a recent former member of the ICC U.K. Appointments Committee. She also sits on the Executive Committee of the Foundation for International Arbitration Advocacy and was co-chair of the 2022 Institute for Transnational Arbitration Workshop. Ms. Davies also regularly sits as arbitrator on single- and three-member tribunals.

In recognition of her work, Ms. Davies was named *Best Lawyers' 2024 London International Arbitration Lawyer of the Year* and has been repeatedly recognized by *Chambers Global* and *Chambers UK*, in which clients have described her as "absolutely phenomenal" and "a comprehensive lawyer" who "gets every aspect of the case." She also has been named a Global Leader in *Lexology Index* (formerly *Who's Who Legal*) *Arbitration*, recognized in *The Legal 500* for International Arbitration and Public International Law and ranked in *The Legal 500's* U.K. Private Practice Arbitration Powerlist and U.K. International Arbitration Powerlist. Additionally, she has been named one of Lawdragon's 500 Leading Global Litigators.

Prior to joining Skadden, Ms. Davies represented:

- a major mobile telecommunications operator in a long-running joint venture dispute with its minority shareholder in an African jurisdiction relating to ownership of a disputed interest in the company as well as the group's transfer pricing practices
- a global data and information technology company in relation to a FRAND dispute (ICC rules, English law, English seat) arising out of a license for the use of standard essential patents
- a PE fund in relation to a €2 billion post-M&A dispute arising out of the sale of a multinational pharmaceutical business
- an oil and gas company in a series of disputes under different contracts with different entities all arising out of the delayed delivery of infrastructure for an exploration and production project due to the impact of COVID-19
- a major offshore drilling and engineering contractor in a multifaceted dispute with a supplier of components for oil rigs, subject to LCIA arbitration proceedings (also including parallel proceedings and a successful application for an anti-suit injunction in the English High Court)

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- a global oil and gas exploration and production company in a series of multibillion-dollar ICC arbitrations arising from the onshore works at one of the world's largest LNG projects
  - a European state as respondent in Paris-seated ICC arbitration proceedings brought by a major bank against the client and two financial institutions. The claim arose under a consortium agreement following the takeover of a major European financial institution in the wake of the 2008 global financial crisis. The tribunal dismissed the claimant's claims in their entirety. Most unusually, the client was awarded 100% of its costs. Ms. Davies carried out the advocacy at the jurisdictional and final merits hearings in this case
  - International Finance Corporation and OPEC Fund for International Development in a successful LCIA arbitration arising from the cancellation of loans for a project in Ghana
  - a litigation funder in London-seated LCIA arbitration proceedings against three Spanish entities, in relation to a funding agreement allowing the Spanish entities to bring an ICSID claim against a South American state and secure a multimillion-dollar award
  - one of the world's leading waste management companies in four disputes arising under EPC contracts, extensions of time and additional sums sought under the agreements, including a £120 million dispute relating to a facility in the U.K., which is subject to adjudication over certain defects
  - a major international shipbuilding concern in multiple disputes arising out of the construction of one of the world's largest, and most expensive, super yachts
  - a Brazil-based manufacturing company in a Paris-seated ICC arbitration relating to a suite of share sale, technology transfer and distribution agreements (with related litigation in France, Brazil and the U.S.)
  - a Europe-based telecommunications company in a long-running ICC arbitration with a France-based corporation arising out of a joint venture located in Eastern Europe, with several billion euros in dispute

## Public International Law Cases

- The Islamic Republic of Pakistan in:
  - an ICSID investment treaty arbitration relating to the Reko Diq copper and gold mining project, brought by the Australia-based company Tethyan Copper Company (TCC), a joint venture between Barrick Gold and Antofagasta
  - an investment treaty claim, brought by a Turkey-based company, arising from Pakistan's power rental programme (in excess of \$2 billion in damages claimed). The claim settled without any payment by Pakistan
  - an ICC commercial arbitration
- The Sudan People's Liberation Movement (of southern Sudan) in its dispute with the Government of Sudan at the Permanent Court of Arbitration (PCA) in The Hague, regarding the delimitation of the Abyei region of central Sudan