



## CHRISTOPHER MOGER QC

Year of call 1972

Queen's Counsel 1992

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### Appointments

Recorder 1992

Deputy High Court Judge 1999

Chairman Lloyd's Disciplinary Committee

Commissioner, Alderney Gambling Control Commission 2014

Fellow Chartered Institute of Arbitrators

Fellow of the Hong Kong International Arbitration Centre (HKIAC)

Member of the HKIAC Panel of Arbitrators

Member of the SIAC Panel of Arbitrators (Singapore)

Member of the KLRCA Panel of Arbitrators (Kuala Lumpur)

Member of the CIETAC Panel of Arbitrators (Beijing and Hong Kong)

Member ADR Chambers (International)

Trained Mediator

Christopher practices from London and from his office in Hong Kong where he is a member of Arbitration Chambers Hong Kong.

Christopher now practices as a full time Arbitrator. His work at the Bar was initially weighted towards construction litigation but after appointment as Queen's Counsel he focused on commercial litigation, insurance and reinsurance disputes, and the negligence of insurance and financial professionals. He was recommended as a leading silk in Legal 500 (UK and Asia Pacific) and in Chambers & Partners UK. He is also ranked in Chambers & Partners as an Arbitrator.

### Recommendations

- He is an excellent advocate, and he has been able to transfer his skills seamlessly into his role as an arbitrator.
- An excellent barrister and arbitrator, who sits on a lot of China-related matters.
- Quite simply one of the best barristers to work with, both as counsel and arbitrator.
- Exactly what clients want in an arbitrator: diligent, penetrating and civil.
- He is fiercely intelligent and has a tremendous work ethic, as well as a great mind for detail.
- Excellent judgment and miraculous attention to detail.

### Arbitration

Recent appointments as an arbitrator include:

- Party appointed arbitrator in an ad hoc arbitration under UNCITRAL Rules in relation to the alleged mismanagement of the development of an offshore gas field in the East China Sea and breaches of contract and of good faith in relation to the enforcement of agreements for the sale of gas: PRC law: Hong Kong seat; over US\$ 250m involved: (with Dr Klaus Sachs and Mr Bernard Hanotiau).
- Party appointed arbitrator in an ad hoc dispute relating to long term contracts for the distribution of air-conditioning equipment in Israel: Hong Kong seat; (with Professor Anselmo Reyes and Mr Peter Thorp).



- Party appointed arbitrator in a dispute administered under the HKIAC Administered Arbitration Rules arising out of a substantial joint venture project for commercial and residential development of land in China: Hong Kong seat: (with Mr David Kavanagh and Matthew Gearing QC)
- Presiding Arbitrator in three consolidated arbitrations arising out of an investment in excess of US\$100m by a Cayman Islands entity in a PRC based group of companies engaged in the business of pharmaceutical manufacturing involving allegations of breaches of covenant, unjust enrichment, and deceit. Hong Kong Law; Hong Kong Seat; HKIAC Administered Arbitration Rules; (with Dr Michael Moser and Matthew Gearing Q.C.)
- Party Appointed arbitrator in a US\$100m dispute between Australian and South African vendors and PRC purchasers of an Australian mining company; Hong Kong Law; Hong Kong seat; HKIAC Rules (with Professor Anselmo Reyes and Mr Gavin Denton).
- President of an ICC Tribunal (with Lee Eng Beng SC and Christopher Lau SC) in a SGD 400m dispute in Singapore involving allegations of fraud in connection with to a share purchase agreement for the acquisition of an hotel in Singapore: ICC Rules; Singapore seat.
- Chairman of the Tribunal in a dispute between the purchasers, vendors, and Israeli guarantors of the vendors under a Share Purchase Agreement in relation to shares in a Chinese Group of companies engaged in the marketing and sale of air-conditioning and heating equipment. HKIAC Administered Arbitration Rules; Hong Kong Seat; Hong Kong Law (with Dr Michael Moser and Mr Charles Manzoni QC, SC).
- President of the tribunal in disputes under two licensing agreements requiring the establishment of fashion stores and the purchase of fashion products for sale in them and the promotion of the brand in Korea and Malaysia. ICC Rules: Hong Kong seat; Hong Kong Law (with Michael Hwang SC and Russell Coleman SC).
- Party appointed arbitrator in a dispute between a US supplier and a Chinese purchaser of equipment required for a new chemical engineering plant being constructed in the PRC. New York Law or UN Convention in International Sales of Goods: ICC Rules: Stockholm seat (with Mr Alexander Foerster and Mr Sigvard Jarvin).
- Sole Arbitrator (appointed by HKIAC) in a US\$135m dispute between Western (US and German) investors in a PRC joint venture for the provision of internet services in the PRC and the Chinese Founders of the Company about the exercise of put options, termination of the joint venture, non payment of sums due and damages: HKIAC Rules; Hong Kong Law and seat.
- Party appointed arbitrator in a dispute between a Kazakhstan Bank and European finance company arising out of an allegedly fraudulent scheme causing damage to the Claimant – English and Kazakhstan law; LCIA Rules; London seat (with Sir Gordon Langley and Mr David Sutton).

Examples of Christopher's experience as an advocate in International Arbitrations include:

- Lead Counsel representing a Chinese State Owned entity in arbitration proceedings in Stockholm in a dispute with two U.S. corporations concerning the alleged misuse of confidential information relating to petro-chemical technology.
- Lead Counsel representing a department of the UK Government in relation to claims against it for payments allegedly due to Croatian entities for the supply of services to the Implementation Force established by the Dayton Peace Accord in 1996.
- Joint Lead Counsel (with Swedish and Chinese Counsel) representing one of China's major companies in respect of its arbitration against French investors in joint venture agreements with it. The claim by the French Group was made in 8 related arbitrations under 27
- Joint Venture Agreements for alleged breaches of non-compete obligations by the Chinese side. The seat of the Arbitration was Sweden. The applicable law of the contract was mainly Chinese but, in one respect, English law.