

MFB

Casualty Response

The
**LEGAL
500**

UNITED KINGDOM

LEADING FIRM

2017

Expert advice for the global shipping community

The Firm

MFB is a specialist shipping law firm established in 1988. Our international client base includes ship owners, charterers, cargo interests, salvors, P&I Clubs and other insurers.

We pride ourselves on our wealth of legal knowledge and experience in shipping, insurance and international trade. Our integrated team, which is hallmarked by a high level of partner involvement, is big enough to handle the largest of shipping matters, yet small enough to provide a personal touch from experienced practitioners, at reasonable cost. Difficult issues can arise in low-value cases as well as large ones. We do not consider that small cases are unimportant but recognise that they may require a different approach: flexibility is the key.

The firm provides high quality legal advice, placing great importance on working closely with clients and understanding their business requirements. Our aim is to provide prompt, cost-effective results and we offer a variety of pricing arrangements tailored to our clients' needs and wishes. We do not aim to take cases to court or arbitration. Sometimes that is unavoidable, but we recognise that it is usually better for all if an early solution can be achieved. Often, we can achieve that without any formality but, where appropriate, we have extensive experience of Alternative Dispute Resolution, including mediation.

“The team at MFB is not just extremely able intellectually, it is practical and sensible”

The Legal 500

Casualty Response

MFB has an experienced Casualty Response team that includes three ex-mariners.

Our team advises P&I Clubs, H&M insurers, Owners, Charterers and Salvors in relation to all aspects of maritime casualties, including collisions, salvage, towage, groundings, fires, container losses, pollution, unsafe ports, wreck removal and general average.

We advise on all types of investigation, risk management and emergency planning. We have a network of lawyers and experts around the world and, unrestricted by overseas offices or other arrangements, we can recommend the most appropriate choices for our clients' needs. We also have close relationships with technical experts who can extract and present digital navigation data (including MADAS data), allowing us to conduct a desktop review of causation and liability. This form of casualty investigation, which may avoid the need for travel or witness statements, can often provide the necessary information in the most efficient and cost-effective manner. We offer fixed fee investigations.



Our Team's Experience

Collisions of various complexities and values, including:

- A collision between a container vessel and the largest hopper dredger in the world in China, resulting in the loss of the latter and litigation in various jurisdictions
- A collision between a tanker and a container vessel in the approach to Jebel Ali port

Groundings, including:

- An unsafe port claim in relation to the grounding of a bulk carrier in Japan, in which the firm and its clients were successful in the Supreme Court
- A tanker in the Sea of Japan, which led to wreck removal and numerous oil pollution claims in multiple jurisdictions
- A major crude oil cargo spillage following a grounding
- The grounding and subsequent collision of a bulk carrier in the approach to Mumbai, which resulted in significant pollution
- The grounding of a tanker off Uruguay, resulting in pollution risk requiring transshipment of cargo
- The grounding of a Capesize bulk carrier in the Suez Canal, requiring transshipment of a wetted iron ore cargo
- Cargo damage and indemnity claims arising out of the grounding of a bulk carrier in the Chilean Channels, including transshipment and salvage operations

LOF and common law salvage cases, including:

- A large container ship fire and the vessel's subsequent salvage
- The salvage of a container vessel that broke in half in the Indian Ocean
- The salvage and redelivery to Germany of a large container vessel that suffered a fire whilst on passage in the Atlantic Ocean
- The salvage of a bulk carrier off the Canary Islands following the decomposition of its cargo of fertiliser

Other marine casualty cases, including:

- The intentional sinking of a bulk carrier and subsequent proceedings before the English courts and in arbitration
- The sinking of a vessel off West Africa and resultant claims
- A fire on a Ro-Ro ferry in the Mediterranean Sea involving significant loss of life that resulted in proceedings in various jurisdictions
- Advising the Russian government in respect of the wreck removal of a nuclear-powered submarine
- Alleged anchor damage to an oil and gas pipeline
- Damage to a communication cable between Sweden and Denmark
- Acting in relation to the total loss of a warship being towed for scrap
- Damage to power and communication cables off Land's End and the related limitation action
- Acting for one of the largest Pilot co-operatives in the UK, advising on issues associated with the provision of a pilotage service and the interface with the Competent Harbour Authority, private port owners and port users
- Providing casualty response training to owners, operators and insurers of vessels, including advice on Emergency Response plans
- Acting for the IOPC Fund following a high-profile oil spill in the Mediterranean Sea



Contacts

In addition to the key contacts mentioned below, most partners in the firm regularly handle cases arising from casualties as part of their service to their clients. This allows whoever is handling your case to draw upon the broad experience within the firm. Enquiries can, of course, be directed to your usual contact at MFB, either through the Emergency Response number or our main number.



Kevin Cooper

Kevin is a partner who served at sea and ashore in the British Navy for ten years and has almost two decades of experience as a shipping lawyer. Major cases include the collision between the container vessel MSC Joanna and the hopper dredger W D Fairway, the grounding and subsequent collision of the bulk carrier Khalijia 3, the container fire on board the Amsterdam Bridge, the sinking of the bulk carrier Atlantik Confidence and the Norman Atlantic ferry fire.

Kevin also has significant experience of handling casualties in the offshore oil and gas and yachting sectors. The current edition of The Legal 500 comments that he is "noted for large scale casualty cases".

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Helene Peter-Davies

Helene is a partner and Master Mariner with more than 25 years' experience of the shipping industry, including 12 years at sea serving on tankers, bulk carriers and Ro-Ro, general cargo, passenger and offshore vessels. She also has several years' shore experience in tanker vetting and maritime education roles. She is frequently instructed to act for salvors, P&I Clubs and Owners and Operators. Notable cases have included MOL Discovery, Shen Neng, MSC Flaminia, MOL Comfort, Cheshire and Genessa. Having a strong operational background, many of her instructions are of a technical nature and include salvage, collisions, machinery failures, structural damage, bunker quality issues, cargo damage and safe port claims/groundings.

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Nick Wilson

Nick is a partner and handles a wide range of shipping matters, including high value groundings, container losses overboard, fire and explosions, sinkings, allisions and undersea cable damage. His practice involves unsafe port cases and disputes concerning charterparties, including repudiatory breach, oil major approval issues and bill of lading disputes. Nick is described by clients as being "a great tactician" in The Legal 500.

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Peter Harris

Peter is a solicitor and Master Mariner with 18 years' seagoing experience, having served on reefer, general cargo, RoRo, container and offshore vessels. He has also acted as a marine surveyor and consultant to the shipping and offshore industries and worked as a senior claims director in an International Group P&I Club.

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Matthew Montgomery

Matthew has a broad shipping practice, advising primarily on contentious matters across wet and dry shipping. He has particular expertise in the investigation and handling of disputes arising out of marine casualties including groundings, collisions and salvage cases.

Over recent years, Matthew has been closely involved in a number of high profile casualties, including Kea Trader, New Katerina, Agia Zoni II and Siteam Anja.

His experience includes advising on challenging transhipment and wreck removal operations, as well as legal issues arising from general average, unsafe ports, pollution and the carriage of dangerous goods.

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