



Anna Gotts

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Practice Profile

Anna specialises in commercial litigation and arbitration. Her practice covers all areas of commercial law, with a particular emphasis on insurance, reinsurance, shipping, sale of goods and general commercial disputes. However, Anna also has experience in a wide range of other areas, including: agency, construction, professional negligence, conflicts of laws, jurisdiction, road transport and energy. Anna undertakes a broad range of advocacy and advisory work, both on her own and as a junior and has extensive experience of both court and arbitration, including ICC and LCIA arbitration. Anna is happy to accept instructions on matters which fall outside the areas of expertise listed above, provided she feels that her skills and experience are suitable for the case. If you are interested in instructing her on any particular matter, please contact our clerks to discuss the requirements of the case and Anna's availability.

Commodities

Selected cases:

- A €130million ICC arbitration relating to the supply of steel plates for use in a subsea pipeline. Anna was led by Stephen Hofmeyr QC.

Energy & Natural Resources

Energy represents a growing area of Anna's work. Anna has been instructed as junior counsel by a Middle East Government in two ICC arbitrations concerning oil exploration and production rights.

Selected cases:

- A €130m ICC arbitration relating to the supply of steel plates for use in a subsea pipeline, led by Stephen Hofmeyr QC.

- A US\$50m ICC arbitration concerning oil exploration and production rights in which Anna acted for a Middle East government, led by Rebecca Sabben-Clare QC.
- An LCIA arbitration concerning the termination of a 3D seismic acquisition contract.
- An ICC arbitration arising out of a consultancy agreement concluded in connection with a Middle East gas to liquids project.
- A US\$2billion ICC arbitration concerning rights under an oil production sharing agreement in which Anna acted for a Middle East government, led by Alistair Schaff QC.

General Commercial Disputes

Anna has recently conducted an appeal before the Privy Council concerning aspects of Bahamian company law, led by Stephen Hofmeyr QC. Anna has also recently appeared in the first decision of the English Court to address the impact of President Trump's re-imposition of sanctions against Iran.

Selected cases:

- ***Galantis (Respondent) v Alexiou and another (Appellants) (Bahamas)*** [2019] 1 WLR 3636. Acted for the successful appellants in an appeal to the Privy Council concerning issues of statutory construction and the scope of the oppression remedy. Led by Stephen Hofmeyr QC.
- ***Mamancochet Mining Ltd v Aegis Managing Agency Ltd (and others)*** [2018] EWHC 2643 (Comm); [2018] 2 Lloyd's Rep. 441. Acted for the successful claimant in an expedited trial concerning the proper construction of a market sanctions clause in the context of President Trump's re-imposition of sanctions against Iran. Led by Jawdat Khurshid QC.
- ***Aircraft Purchase Fleet Limited v Compagnia Aerea Italiana S.p.A.*** [2018] EWHC 3315 (Comm). Successfully defended a US\$260m claim for damages by Aircraft Purchase Fleet Limited ("**APFL**") on behalf of Compagnia Aerea Italiana S.p.A ("**CAI**"), the former operator of the Alitalia airline. Anna was part of a team of counsel led by Gavin Kealey QC.
- A dispute concerning the duties owed by a Self-Invested Personal Pension operator both at common law and under COBS.
- An arbitration concerning delay to the construction of a superyacht, led by Stephen Hofmeyr QC.
- An arbitration arising out of the non-performance of shipments under a COA, led by Stephen Hofmeyr QC.
- An arbitration arising out of a contract for the construction of port facilities, led by Robert Bright QC.
- A €130m ICC arbitration arising out of the supply of steel for use in a subsea pipeline, led by Stephen Hofmeyr QC.

- An arbitration involving claims for conspiracy to injure and wrongful Rule B attachment, led by Richard Southern QC.
- **The Rays** [2005] 2 Lloyd's Rep. 479. Acted for the UK Mutual Steamship Assurance Association (Bermuda) Ltd in a trial concerning the alleged breach of a letter of undertaking.
- A trial of preliminary issues concerning the incorporation and application of a contractual time bar. Successfully resisted a subsequent application to amend raising issues of res judicata and abuse of process.

Insurance & Reinsurance

Much of Anna's work over the last few years has involved insurance and reinsurance, both in a commercial and consumer context. She regularly advises on aspects of coverage and validity in connection with a variety of policies, including D&O, management liability and trade credit.

Selected cases:

- **Confidential** –an LCIA arbitration involving a claim on a trade credit insurance policy, led by Siobán Healy QC.
- **Confidential** – an LCIA arbitration involving US sanctions in relation to Ukraine, led by Jawdat Khurshid QC.
- **Confidential** –a substantial claim on a D&O policy involving allegations of fraud, led by Andrew Wales QC.
- **Confidential** –a reinsurance arbitration arising out of the 9/11 terrorist attacks, led by Stephen Hofmeyr QC.
- **Confidential** – a coverage dispute arising under a Mortgagee's Interest Insurance Policy, led by Peter MacDonald Eggers QC.
- **Mamancochet Mining Ltd v Aegis Managing Agency Ltd (and others)** [2018] EWHC 2643 (Comm); [2018] 2 Lloyd's Rep. 441. Acted for the successful claimant in an expedited trial concerning the proper construction of a market sanctions clause in a marine insurance policy, arising in the context of President Trump's re-imposition of sanctions against Iran. Anna was led by Jawdat Khurshid QC.
- **Confidential** – an arbitration concerning the recovery of costs under the Third Parties (Rights Against Insurers) Act 2010.
- **Confidential** – a coverage dispute applying CIDRA 2012.
- **Confidential** – junior counsel in an arbitration concerning the reinsurance of personal accident and workers' compensation carve out risk.
- **Confidential** – junior counsel in a reinsurance arbitration concerning the proper construction and application of a sue and labour clause.

- **Hollywood 4 and 5** - junior counsel in film finance litigation.

International Arbitration

Many of the cases in which Anna is instructed are determined in international arbitration. In 2015, Anna was involved in a major ICC arbitration relating to the supply of steel for use in a subsea pipeline. Anna is currently instructed in a number of LCIA arbitrations in the insurance field.

Selected cases:

An LCIA arbitration involving a claim on a trade credit insurance policy, led by Siobán Healy QC.

An LCIA arbitration involving US sanctions in relation to Ukraine, led by Jawdat Khurshid QC

A €130m ICC arbitration arising out of the supply of steel for use in a subsea pipeline, led by Stephen Hofmeyr QC.

A US\$50m ICC arbitration concerning oil exploration and production rights in which Anna acted for a Middle East Government, led by Rebecca Sabben-Clare QC.

Shipping & Transport

Anna has extensive experience of all kinds of dry shipping disputes including those under charterparties, bills of lading, FOB and CIF contracts. She has been instructed in cases involving dangerous cargoes, negligent stowage, unseaworthiness, demurrage, delivery and redelivery obligations, cancellation clauses, withdrawal and anti-technicality clauses, speed and consumption claims, bunker disputes and unsafe ports. Anna has also advised and settled statements of case in salvage disputes.

Selected cases:

- An arbitration concerning the alleged excessive generation of boil-off gas by LNG vessels under time charter, led by Stephen Hofmeyr QC.
- A time charter dispute arising out of tank damage sustained following the shipment of phosphoric acid, led by Charles Friday.
- An arbitration arising out of the non-performance of shipments under a COA, led by Stephen Hofmeyr QC.
- A US\$ 6m unsafe port claim arising out of the collision and detention of a vessel by authorities in Bangladesh, led by Charles Friday.
- A US\$ 750,000 voyage charter dispute arising out of charterers' failure to provide cargo for loading, led by Charles Friday.
- A US\$ 800,000 bill of lading claim.

- ***The Aconcagua*** [2010] 1 Lloyd's Rep. 1. Acted for the defendant shippers in a case arising out of the explosion of a dangerous and negligently stowed cargo, led by Robert Bright QC.
- An arbitration arising out of the carriage of DRI cargo, led by Stephen Hofmeyr QC.
- A multi-party shipping dispute concerning the proper allocation of responsibility for loss and damage caused by a failure properly to load, stow and secure. Led by Richard Lord QC.
- An arbitration under LOF 2000, led by Timothy Brenton QC.

Company & Partnership

- ***Galantis (Respondent) v Alexiou and another (Appellants) (Bahamas)*** [2019] UKPC 15. Acted for the successful appellants in this appeal to the Privy Council concerning issues of statutory construction and the scope of the oppression remedy. Led by Stephen Hofmeyr QC.

Education

University College, Oxford: BA Jurisprudence (1999); College of Law, London: Bar Vocational Course (2001).

During her time at Oxford, Anna was awarded an Exhibition Scholarship and the Alan Urbach Memorial Prize for Jurisprudence. Anna was also made a Lincoln's Inn Hardwicke Entrance Scholar and a Lincoln's Inn Sunley Scholar in 2000.

Directories

'Her written work is excellent - very clear and considered. She never misses a deadline.' Legal 500 2021