

SPENSER UNDERHILL NEWMARK

Spenser Underhill Newmark LLP
4-5 Gray's Inn Square
Gray's Inn
London WC1R 5AH
Tel: +44 (0)207 269 9026
Mobile: +44 (0)7824 435533

dspenserunderhill@sunlaw.co.uk

www.sunlaw.co.uk



Dominic Paul Spenser Underhill

Professional Background

English Solicitor Advocate. Educated in England (Oxford and Durham Universities). Based in London.

Dominic has practised international commercial litigation and arbitration since 1989. He has been sitting regularly as an arbitrator since 2002.

Professional Endorsements

“A top class arbitrator; I have nothing but good things to say about him.”
Chambers 2014

“Excellent”
Chambers 2017 (Ranked Band 1)

“Excellent and very experienced”
Chambers 2018 (Ranked Band 1)

“...highly regarded...”
Chambers 2019 (Ranked Band 1)

Legal 500 Power List 2019

Career Path

1989 – 1996	Rowe & Maw – Assistant Solicitor
1996 – 2000	Rowe & Maw - Partner
2000- 2004	Mayer, Brown Rowe & Maw LLP (now, Mayer Brown International LLP) – Partner/member
2004 – 2007	Spenser Underhill – Principal
2007 – present	Spenser Underhill Newmark LLP – Partner/member

Arbitral Appointments

Dominic was the head of International Arbitration at Mayer Brown (London and Paris offices) until 2004, when he left to concentrate on his career as an arbitrator. Dominic regularly sits as arbitrator in domestic and international arbitrations. Appointments come both from International Institutions and parties. He sits both as a sole arbitrator and a panel arbitrator. He acts as presiding arbitrator of arbitral tribunals.

His sole and panel appointments in international and domestic arbitrations include those arising under the ICC, LCIA, LMAA and UNCITRAL Rules.

His cases concern oil & gas disputes (up, mid and down), banking, financial instruments, international sale of goods, (including petroleum, heavy plant and engineering products), business sale agreements (representations, warranties etc) shipped cargo (machinery and ferrous and non-ferrous metals and feeds), product liability, fraud, mistake, repudiation, restitution, agency and agency fees, breaches of confidentiality and misuse of confidential information, international property, military secrets, and international commercial engineering contracts.

Here are some of his appointments:

- IP licencing dispute – Australian and Irish parties – ad hoc – Sole arbitrator
- Telecomms joint venture dispute – Iraqi and UAE parties – ICC – Presiding arbitrator
- Partnership dispute – English and US parties – LCIA - Panel
- Oil supply dispute between Russian and Kazakh parties – LCIA Rules - Panel
- Oil pipeline manufacturing dispute between Dutch parties in Holland – LCIA Rules – Sole
- Claims arising from the sale of an oil company – English and African parties – LCIA – Panel.
- Dispute arising from large engineering & property development project in Dubai– Singaporean and Middle Eastern parties – LCIA Rules – Panel
- Dispute concerning oil and gas trading software licences – Emirati and Dutch parties – LCIA Panel
- Multiple claims under multiple banking facilities relating to financing of mining operations – Mongolian, British and South African parties - LCIA – Panel
- Claim over territorial invasion in a global distributorship arrangement – Brazilian and Chinese parties - UNCITRAL – Panel
- Short-load cargo dispute between Pakistani and Indian parties – LCIA Rules - Panel
- SWAPS / Derivatives dispute ISDA/Asia – ICC – Sole
- Hotel property development in Spain/ joint venture – ICC Rules – Panel

- Shopping centre development in Europe/ joint venture – UNCITRAL Rules - Panel
- Dispute over bank bailout agreement \$1billion non-African and African parties – ICC Rules - Panel
- Dispute over failed distribution agreement of agrochemicals – Europe LCIA - Sole
- Hotel property development in Bulgaria/joint venture – ICC - Panel
- Agency fee dispute – English parties UNCITRAL - Sole
- Product supply dispute between US and Saudi parties - ICC Rules - Sole
- Heavy plant manufacturing dispute between Ukrainian and German parties (manufacturer and buyer) – LCIA Rules - Sole
- Metal trading dispute between Swiss and Indian parties – LCIA Rules - Sole
- Telecommunications dispute regarding provision of telephony services – US and Greek parties – UNCITRAL Rules - Sole
- Commercial lending dispute between Maltese and Italian parties – LCIA Rules – Panel & Chairman
- Civil defence dispute involving military vehicles – ICC – Panel
- Bulk sale of agricultural machinery between Germany and Ukraine – LCIA Rules – Sole
- Defaulting settlement agreement regarding the sale of scrap metal – English parties. LCIA Rules – Sole.
- Financial consultancy dispute – Serbian and Greek parties – LCIA Rules - Sole
- Cargo claim – Swiss and Hong Kong Parties – LCIA Rules – Panel (Chair)
- Claim for alleged breaches of representations and warranties in a sale of a business – German and British parties – ICC Rules – Sole
- Claim for breaches of multiple contracts in large property development joint venture in Southern Europe – Greek and Luxembourg parties – UNCITRAL – Panel (three conjoined cases)
- Claim for breach of an international supply and distribution agreement – Irish and French parties LCIA Rules – Sole
- Claim for breach of contract arising out of ISDA Master Agreement – Asian parties – ICC Rules Sole
- Claim for breach of contract in the banking sector – US and African parties – ICC Rules – Sole

- Claim over the design and build of a super yacht - Italian and British parties – LMAA – Panel
- Claim over distributorship of medical products in Russia – British and Russian parties – Panel
- Claim over distributorship of medical products in Nigeria – British and Nigerian parties – Panel
- Claim about ownership of a Mediterranean fishing fleet – Tunisian and Turkish parties – ICC – Panel
- Claims about national distribution of earth moving equipment – Chinese and Brazilian parties – UNCITRAL – Panel
- Claims under joint venture agreement for development of IT – Dutch and Middle Eastern parties – LCIA – Panel

As an arbitrator, Dominic has experience in jurisdictions including, and parties from Mongolia, Cameroon, Malta, Brazil, Spain, France, Ireland, The Netherlands, Germany, China, Dubai, USA, Thailand, Bulgaria, BVI, Ukraine, Greece, Canada, Thailand, India, Italy, Iraq, UAE, Pakistan, United Kingdom, Switzerland, Saudi Arabia, Serbia, Lichtenstein, Nigeria and South Africa.

Legal Assessor, Adjudicator and Mediator

Dominic has been the Legal Assessor to the Disciplinary Tribunal of the Institute of Chartered Accountants since 2004. He has also acted as the Legal Assessor the Disciplinary Tribunal of the Actuarial Profession in the United Kingdom. He has sat as an Adjudicator for the Solicitors Regulation Authority since 2009. Dominic is a CEDR Accredited Mediator (1997)).

Academic Appointments

Since 2008, Dominic has been a visiting lecturer at the School of International Arbitration, Queen Mary, University of London.

In 2018, Dominic became a visiting professor in international arbitration at the University of Turin, Italy.

DSU