

## Timothy Cooke

Timothy is a barrister and international arbitration partner based in Singapore. He advises on and acts as counsel in arbitrations under the rules of the major arbitral institutions with a focus on investment disputes in a wide range of sectors and across jurisdictions such as Vietnam, Indonesia, China, India, Malaysia and Myanmar.

Timothy represents clients in international arbitrations under all the major institutional rules of arbitration such as the ICC, UNCITRAL, LCIA and SIAC. His practice focuses on disputes concerning energy (oil and gas, power and renewables), infrastructure and projects, construction and engineering and other commercial disputes. He frequently appears before arbitral tribunals and emergency arbitrators, and sits as arbitrator appointed by institutions, other arbitrators and parties.

He is the author of the leading Singapore arbitration book, *International Arbitration in Singapore: Legislation and Materials* (Sweet & Maxwell, 2018), reviewed as "an impressive comprehensive guide to the law and practice of international arbitration in Singapore", "learned, succinct, and absolutely to the point", "an invaluable resource" whose "breadth of coverage is truly remarkable".

The Legal 500 Asia Pacific (2020) notes: "Timothy Cooke is brilliant. He assimilates information and facts quickly and has a sound understanding of arbitration rules and procedures. He produces succinct responses, is very hands-on and engages directly with client.", and "Timothy Cooke is an outstanding advocate for international arbitration. He is exceptionally bright and hardworking. He can take the most complicated matter and distil it into a clear and persuasive case. He has a calm and commanding presence in hearings. Arbitrators really listen to him."

Chambers & Partners (2020) reports: "Timothy Cooke stands out for his "combination of soft skills and experience." "He is incredibly commercial and doesn't overcomplicate a problem. Even when up against somebody who is throwing ridiculous requests, he stays calm and focused."

### Selected recent experience

- **SIAC joint venture dispute** - Represented private equity house in claims worth \$2.6 billion arising out of investment and shareholder agreements related to an investment in Southeast Asia.
- **ICC share sale agreement** - Represented Southeast Asian company in claims for fraud worth \$600 million with respect to sale of majority shareholding of an Asian company.
- **SIAC shareholder dispute** - Represented private equity house in claims worth \$1.1 billion against shareholders for breaches of a shareholders agreement.
- **UNCITRAL farm-in dispute** - Represented Southeast Asian energy company in claims worth \$24 million against joint venture partners for payment of expenses due under a farm in agreement.



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Recommended lawyer for International  
Arbitration and Shipping  
– The Legal 500 Asia Pacific 2020



Leading individual for Dispute  
Resolution: Arbitration  
– Chambers Asia Pacific 2020



Litigation Star for International  
Arbitration and Dispute Resolution –  
Benchmark Litigation 2020



Commended External Counsel of the Year –  
In-House Community Awards 2020

- **SIAC investment dispute** – Represented purchasers of education business in disputes arising out of related investment agreements.
- **SIAC media dispute** – Represented streaming video on demand company in disputes concerning payments under a distribution partnership agreement.
- **LCIA charterparty dispute** – Represented oil and gas major in disputes arising out of redelivery of a vessel under long term charter.
- **ICC telecommunications shareholder dispute** – Represented respondent in shareholder disputes arising out of mobile telephone network project in the Middle East.
- **ICC power plant dispute** - Represented owner-operator of power plant in Asia against statutory authority in \$80 million claim arising out of power purchase agreement.
- **ICC offshore wind turbine dispute** - Represented vendor of subsea levelling tools for turbine foundation piling in claims against main contractor of offshore wind farm for breach of sale and purchase contract; case concerned allegations of kick-back payments and inter-related criminal investigations.
- **SIAC emergency arbitration** – Acted for claimant to obtain prohibitory injunctions in emergency arbitration proceedings leading to settlement of all claims worth in excess of \$600 million wholly in client’s favour.
- **SIAC-SIMC ‘Arb-med-arb’ proceedings** - Represented Singapore investment company in arbitration-mediation-arbitration proceedings pursuant to the SIAC-SIMC Protocol in relation to disputes arising out of an investment agreement worth \$65 million.
- **SIAC telecommunications equipment dispute** - Represented Southeast Asian network operator in claims worth \$20 million arising out of telecoms equipment and services contracts and related claims of defamation.
- **SIAC joint operating agreement dispute** - Represented party in dispute arising under joint operating agreement concerning production sharing arrangement between JOA partners.
- **SIAC technical assistance contract dispute** - Represented Southeast Asian energy company in claims for indemnities under a sale and purchase agreement for shares in a company holding a participating interest in a technical assistance contract.
- **SIAC telecommunications services dispute** - Represented telecommunications services company in dispute with principal network service contractor for a leading network operator in Southeast Asia for breaches of services agreement.
- **LMAA charterparty dispute** - Represented charterer against shipowners in LMAA arbitration proceedings arising out of charterparty purportedly concluded by shipbrokers on behalf of client.
- **ICC banking dispute** - Represented international bank against another bank in ICC arbitration proceedings in claims for fees due under a business co-operation agreement for development of a proprietary trading platform.
- **SIAC joint venture dispute** - Represented international company in dispute arising from licensing and franchise agreements in the food and beverage industry.
- **SIAC franchise dispute** - Represented international vehicle rental and leasing company in claims against a former franchisee in Asia for breaches of a Licence Agreement.
- **SIAC broadcasting rights dispute** - Represented multi-national broadcaster in claim against international distributor of sports programming arising from broadcasting rights agreement concerning international cricket matches.
- **LCIA shipbuilding dispute** - Represented shipowners in US\$160 million fraud claims brought by charterer for breach of charterparty on grounds of delivery of nonconforming vessel.
- **SIAC food and beverage dispute** - Represented food and beverage producer in claims against purchaser of a confectionary business in China.
- **ICC power plant dispute** - Represented investment companies in dispute against contractors concerning construction of a coal-fired power plant.
- **SIAC emergency arbitration (media)** – Sitting as emergency arbitrator in proceedings concerning distribution of movie in Asian territories. Award subsequently enforced by foreign court.
- **SIAC investment arbitration** – Sitting as sole arbitrator in dispute concerning substantial private equity investment into regional oil and gas business. Partial award on jurisdiction upheld by Singapore High Court.