



## Thomas Young

Partner

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Thomas specialises in the resolution of complex construction, engineering and energy disputes through arbitration, the courts, adjudication and all forms of alternative dispute resolution, with an emphasis on resolving matters before costs escalate.

Thomas' practice spans both the domestic and international markets, including the UK, Europe, the Middle East, Africa, the Caspian, Russia and Asia.

Thomas has significant experience in resolving disputes across all the main construction and energy sectors, including major infrastructure, oil and gas, power, water treatment, tunnel, pipeline, rail, road, dam and offshore wind projects.

Thomas advises on all the major standard forms of contract, including FIDIC, JCT, NEC and ICE forms, and on a wide range of bespoke contracts.

*The Legal 500 UK 2019* lists Thomas in two sections: Power (including electricity, nuclear and renewables) and Construction. The publication notes that Thomas is "indefatigable, always on top of the detail, and a shrewd thinker" and that clients especially praise him as a "relentlessly hardworking and clear-thinking" lawyer.

### Specialist expertise

Thomas acts for clients at all levels of the supply chain, including governments, employers, contractors and designers, and has a particular expertise in ICC arbitration and the FIDIC forms of contract.

*Examples of Thomas' expertise include:*

- acting for a Chinese contractor in relation to a US\$2.4 billion dispute in ICC arbitration proceedings concerning a major infrastructure project in the Middle East;
- acting for a European offshore contractor in an ICC arbitration in relation to a dispute in excess of €150 million over responsibility for the delays, defects and variations in the construction of wind turbine foundations for an offshore wind farm in UK waters;
- acting for a Chinese contractor in relation to a US\$35 million dispute with a State Highway Authority in ICC arbitration proceedings concerning the responsibility for the delay to a highway project in the

Middle East;

- acting for the operator of a major crude oil facility in the Caspian region in the resolution of issues with a consortium of oil majors worth several billions of dollars, including conducting an ICC arbitration for disputes in excess of US\$200 million arising out of a long-term operating agreement;
- acting for a Chinese contractor in relation to a US\$25 million dispute with an African government concerning a dam project;
- acting for a European contractor in relation to a dispute with its employer arising from the engineering procurement and construction of a UK biomass power plant. The dispute concerned compliance with the performance specification and delay;
- acting for a Middle Eastern subcontractor in a US\$50 million dispute with a European main contractor in relation to the construction of a significant network of production water wells in the Middle East;
- acting for a Korean contractor in relation to disputes arising from a US\$182 million desalination project in the Middle East, including delay and disruption claims, liquidated damages claims in excess of US\$30 million and issues relating to the performance bond;
- acting for a state oil and gas corporation in an ICC arbitration in relation to a dispute in excess of US\$100 million concerning the construction of a major crude oil export pipeline;
- acting for a global consulting and engineering organisation in the defence of a multi-million claim in the Court of Appeal and Technology and Construction Court relating to geotechnical advice regarding the construction of a UK shopping centre;
- acting for a major UK pipeline and tunnelling contractor in an arbitration against a UK utilities company and related court proceedings in the High Court. This dispute concerned responsibility for damages resulting from a water main failure and was ultimately resolved through mediation and negotiation;
- acting for a European contractor in relation to disputes with an employer and subcontractor arising out of the construction of a 270MW power plant under an EPC contract in Kazakhstan. Total value of the works is US\$570 million.

#### **Other activities**

Thomas regularly contributes articles to the *Construction Industry Law Letter*, the Practical Law Company and the International Pacific Bar Association Journal.

#### **Thomas' memberships/positions include:**

- member of the Dispute Resolution Board Foundation;
- member of the Society of Construction Law;
- member of the International Pacific Bar Association.