

Daniel Goodkin

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Daniel Goodkin specialises in commercial dispute resolution across chambers' core practice areas.

He regularly acts as a junior on heavyweight litigation and as sole counsel in the High Court, Court of Appeal, arbitrations, and adjudications. In addition to advisory and drafting work, Daniel has extensive trial advocacy experience, ranging from short to multi-week hearings and appellate work. He regularly attends interlocutory hearings, including urgent applications, and has conducted numerous mediations. He represents both individuals and commercial enterprises of all sizes.

Daniel has particular expertise in the following practice areas:

- Energy & Construction
- Commercial Litigation
- Technology & Telecoms
- Professional Negligence
- Insurance
- Shipping, Ship Repair & Construction Disputes
- Civil Litigation & Sports Law

Daniel is qualified to undertake public access work.

Energy & Construction

Daniel is regularly instructed to advise, settle court pleadings and arbitration submissions, and prepare and conduct adjudication proceedings in the full range of disputes between employers, contractors, engineers, consultants, and architects. Daniel has been instructed in several heavy offshore construction disputes and numerous domestic matters. He has extensive advocacy experience in the High Court, arbitration international proceedings, and of all stages of adjudication.

Featured Energy & Construction cases

Acting with Sean Brannigan KC for a major international engineering procurement and construction management contractor in a US\$ 700 million dispute arising from the largest single stage petrochemical plant ever constructed. Daniel prepared pleadings, submissions and cross-examined factual and expert witnesses in the recent five-week evidentiary hearing.

Several large arbitrations concerning master developer/developer, employer/contractor and contractor/specialist sub-contractor disputes arising out of airport and infrastructure contracts in the Middle East.

Representing a sub-contractor in an ICC Arbitration in relation to high value claims in relation to the construction of a petrochemical refining plant in the Middle East.

Acting in a series of high-value adjudications concerning delays and defects in the construction of a nuclear power plant.

Acting in adjudication for specialist project management and engineering contractors in a heavy technical dispute concerning the first batch based glycerolysis in the UK.

Acting for an NHS Trust in a series of disputes arising out of the construction of a complex proton beam therapy unit in central London.

Adjudication proceedings in a £25 million dispute concerning an availability guarantee for a steam turbine facility.

Acting as junior counsel in a multi-party dispute concerning delays and defects in a major highway construction project.

Acting as sole counsel in TCC litigation concerning the failure of geotechnical engineers to detect and remove underground structures.

Representing a structural and civil engineer in relation to allegedly defective works. The dispute concerns complex issues of civil and geotechnical engineering.

Advising in relation to alleged design and construction defects in a nuclear facility.

Sole counsel for a week long, £30 million ICC arbitration seated in Bahrain and concerning the final account valuation of a substantial construction project.

Instructed in a US\$250 million arbitration concerning a major EPIC project for the installation of subsea gas pipelines off the west coast of Africa.

Representing mechanical and electrical engineers in domestic litigation concerning the construction of a campus facility and an allegedly defective ventilation system.

Acting for civil and structural engineers in an £8 million related to the construction of a school facility.

Acting as junior counsel in a US\$150 million arbitration concerning the world's largest ever oil pipeline hookup contract.

Instructed in a US\$600 million ICC arbitration concerning the construction of a gas power plant in Qatar.

Commercial Litigation

Daniel undertakes advisory and drafting work across a wide range of domestic and international commercial litigation and arbitration. He has extensive experience in the High Court and the County Courts. Daniel is also instructed in disputes relating to Asia, Europe, the Middle-East, South-America, and Africa, often subject to foreign law.

Daniel has extensive experience of interlocutory proceedings, including a range of injunctions and applications to pursue and restrain the presentation of winding up petitions. He has prepared and presented appeals and s. 69 applications.

Featured Commercial Litigation cases

Acting successfully for Amazon in legal first to obtain a High Court injunction that shut down a Europe-wide ‘fake review’ business.

Acting for successful Applicants/Respondents in Butcher v Pike [2021] EWCA Civ 1407. The underlying claim concerned the sale of a lettings agency which had developed bespoke software. The appeal concerned the proper interpretation of Rightmove and Zoopla’s standard terms of business. Contrary to the conventional view of the lettings industry, the Court of Appeal concluded that those terms do not prohibit the practice of “sleeving” whereby one agents lists properties on behalf of another.

Advising an African government in relation to a substantial dispute about the ownership and control of a major petrochemical company.

Acting as junior counsel in a £4 billion claim by an international bank against the UK government.

Appearing as sole counsel in a two-week LCIA arbitration concerning a US\$40 million claim arising out of the cancellation of loan facilities issued to oil and gas ventures in Africa.

Acting in Commercial Court proceedings for an African government seeking to recover in excess of US\$100 million from a former public official. He worked closely with foreign law experts in France and Africa and senior government officials.

Acting for insurance brokers in a substantial claim concerning commission entitlements related to the sale of tens of thousands of consumer policies.

Instructed to advise on a claim valued in excess of US\$100 million concerning the refusal by a foreign government to grant fishing rights.

Appearing as sole counsel in a two week High Court trial representing a housing developer who was allegedly induced to purchase property by fraudulent misrepresentations.

Representing a property developer in a six day trial in the Chancery Division relating to the alleged breach of an oral agreement and a counterclaim for unpaid construction works.

Instructed as junior counsel in a substantial ship-finance dispute involving complex issues related to the assignment of interests in multiple new build vessels.

Representing the purchaser of two aircraft that the seller failed to deliver.

Acting as sole counsel for thousands of passengers against an airline following the cancellation of their flights.

Technology & Telecoms

Daniel regularly acts for employers, contractors and indemnity insurers in a wide variety of IT disputes. Daniel has experience of claims concerning IT hardware/software suppliers, telecoms companies, consultants, software engineers, and web services providers. Daniel is often instructed in relation to contractual disputes arising out of IT business, such as joint venture and partnership arrangements, maintenance services, and licensing agreements. Daniel has advised leading telecoms providers in relation to network operations in the UK and the interception of communications.

Daniel also has personal experience of software development projects and an understanding of computer programming.

Featured Technology & Telecoms cases

Instructed as junior counsel in a £550 million arbitration concerning alleged delays and defects in a major software project for the health industry.

Acting in a £70 million dispute concerning alleged defects in the design and manufacture of telecommunications infrastructure components.

Acting as junior counsel in a £100 million dispute concerning alleged defects and delays in the supply of software for smart-meters in the UK energy sector.

Instructed by a leading ICT company in a £150 million dispute concerning the provision of a hardware and software platform to a governmental client.

Acting as sole counsel in a £2 million TCC claim arising out of the alleged failure of a website development and hosting project.

Obtained an urgent injunction to restrain wrongful disclosure of commercially sensitive information belonging to a telecom services provider.

Acting for the developer of a series of databases and software applications used within the gaming industry.

Professional Negligence

Daniel is instructed in a wide range of professional negligence work, including claims against valuers, solicitors, accountants, construction, IT and marketing professionals. Daniel acts both for claimants and defendants.

Featured Professional Negligence cases

Acting as sole counsel representing over 40 selling agents in multi-party litigation concerning the sale of several hundred Cyprus investment properties.

Acting as sole counsel in a £3.6 million claim against a firm of accountants and nominee directors concerning the alleged failure to prevent the theft of company assets.

Instructed to act for a haulage company in a claim against their accountants for failure to detect and prevent employee thefts.

Instructed in relation to the allegedly negligent preparation of a merger agreement between law firms.

Representing a firm of property managers before an Appeal Panel of the Royal Institution of Chartered Surveyors.

Shipping, Ship Repair & Construction Disputes

Daniel undertakes general shipping work including hire claims and charterparty disputes. He has worked on several arbitrations concerning new build vessels and repair works.

Featured Shipping, Ship Repair & Construction Disputes cases

Acting as junior Counsel at trial in a Singapore seated arbitration concerning the cancellation of a multi-year charterparty for a diving support vessel.

Acting in a US\$40 million claim concerning the failure of a shuttle and regasification vessel to comply with its warranted performance criteria.

Acting for alleged buyers in a US\$10 million arbitration related to the purchase of two newbuild vessels.

Acting for hirers of a drilling rig in a US\$10 million arbitration related to unpaid hire and suspended drilling operations.

Acting as counsel in a US\$8 million arbitration concerning the catastrophic failure of a diving vessel and early termination.

Instructed as junior counsel representing a South American ship repair yard in a substantial arbitration concerning repair works carried out to a semi-submersible drilling unit.

Acting as junior counsel in a four week \$120 million arbitration arising out of the conversion of a VLCC.

Instructed by a Chinese shipyard in an LMAA arbitration arising out of a shipbuilding contract.

Insurance & Reinsurance

Daniel provides written advice, settles pleadings, and appears in court in a wide range of Chambers' insurance work. He has considerable experience acting both for insurers and insured parties.

Civil Litigation and Sports Law

Daniel undertakes general civil work, including claims in tort, conversion, and property disputes. Daniel regularly advises and represents insurers in claims concerning allegations of fraud.

Daniel has also acted in sports law disputes, advising and preparing proceedings for the Court of Arbitration for Sport. Daniel acted as sole counsel in an arbitration seated in Hong Kong concerning the Hong Kong Football Association as well as disputes relating to sailing and motor sports.

Publications

- Contributing author of LexisNexis online Dispute Resolution Knowhow.
- Contributor to Law Brief Update IT section.
- A New Black Hole, analysis of Tuita International Ltd v De Villiers Surveyors (2015) and causation in valuer's negligence claims, New Law Journal (2015)

Education

- AB (Harvard) Economics, cum laude
- Dip Law (City)
- BVC (BPP), Outstanding

Recommendations

Daniel is recommended in the Chambers and Partners and Legal 500 directories as a Leading Junior in:

- International Arbitrations: Construction and Engineering;
- Construction;
- Energy; and
- IT and Telecoms (Infrastructure and Contracts)

Comments include:

- *“Daniel Goodkin is renowned for his ability to handle disputes arising from infrastructure projects in Europe, the Middle East and Africa.”*
- *“He’s great at harnessing a huge amount of data and understanding it really quickly.”*
- *“A thoughtful and solid advocate.”*
- *“A fine eye for detail. Daniel can always be relied upon to not buckle under pressure or unexpected case developments but instead to devise a responsive strategy with a very cool head.”*