

Of Counsel, Hong Kong

International Litigation and Arbitration



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Education

B.A., University of Oxford,
Faculty of Law, 1979

Bar Admissions

Solicitor of the Senior Courts of England
and Wales (Holds Rights of Audience
in High Court)

Hong Kong

Rory McAlpine is a recognized leader in the field of international dispute resolution and advocacy.

Mr. McAlpine has three decades of experience in dispute resolution and is one of the most senior dispute resolution lawyers in Asia. He holds rights of audience in England and in Hong Kong and has held rights in the English Court for a longer period than any solicitor-advocate currently in practise. Mr. McAlpine practised at the English Bar for 10 years and for 21 years was a partner and the leader of the litigation and advocacy group at another international law firm, later becoming deputy chairman of the firm.

Mr. McAlpine acts for corporates and financial institutions in complex and multijurisdictional disputes. He handles domestic and international litigation, as well as alternative dispute resolution, including mediation and arbitration, including ad hoc and those in the LCIA, ICC, LMAA and UNCITRAL. He was one of the very first solicitors to appear in the High Court in England and has conducted dozens of hearings under this jurisdiction. He is currently the chair of the ICC Hong Kong Arbitration Committee.

Mr. McAlpine's experience includes representing:

- the Australian subsidiary of a Japanese company with respect to a potential SIAC arbitration (with governing of Western Australian law) concerning its joint venture with a French multinational company involving one of the largest liquefied natural gas projects in the world (valued at approximately US\$34 billion)
- a major Taiwanese client in a very high-value and complex multibillion-dollar dispute, involving court proceedings in Hong Kong, Bermuda, the British Virgin Islands, Taiwan and the U.S.
- a Chinese private equity firm specializing in the media and technology sector in an HKIAC arbitration brought by its partner, a Dutch television format company
- one of the major shareholders of a leading Chinese gaming company in an HKIAC arbitration relating to a US\$2 billion contest for control of the company. Following an attempt to take over the company, the minority shareholder launched injunction proceedings in Hong Kong and a winding-up petition in the Cayman Islands. Mr. McAlpine defended the major shareholders in the HKIAC arbitration and in the Hong Kong courts (where a significant hearing was decided in their favour)
- a prestigious New York property development company in an SCIA arbitration/mediation in Shenzhen, China with respect to a US\$1.5 billion dispute with a joint venture partner over a landmark real estate project in a new financial zone in China. As a result of the joint venture partner being unable to raise the funds necessary to develop the project, the clients were likely to be sued by the Chinese government. Mr. McAlpine led the team acting for the property development company at a successful seven-day hearing in Shenzhen
- Russian oligarch Roman Abramovich in a landmark victory in a US\$6 billion dispute with Boris Berezovsky over alleged interests in the oil company Sibneft and the metals company Rusal. The court dismissed the claims, ruling in favour of Mr. Abramovich. This high-profile case was the largest case ever to be heard in the English Commercial Court and the largest private dispute in the world

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- various Greek and Cypriot banks in multibillion-euro litigation (in London and in Cyprus) arising out of the Greek banking crisis
- Bermuda trust companies and Taiwanese clients in multibillion-dollar disputes involving complex litigation in various jurisdictions around the world
- American Sugar Corporation, the world's largest sugar producer, in multimillion-pound litigation relating to the growth of sugar cane in Cambodia

In addition, Mr. McAlpine has acted for many of the world's leading banks, including Citi, Lloyds, HSBC, Deutsche Bank, Société Générale, Credit Agricole, NatWest/RBS, BNP and Lloyds Banking Group.

While at his previous firm, his notable cases included successfully defending a major international bank on a multibillion-pound shared appreciation mortgage group action; successfully defending a multi-national oil company in a US\$100 million ICC arbitration relating to alleged breaches of operating agreements in an offshore Nigerian oil block; achieving a successful recovery for a Brazilian aircraft manufacturer in an LCIA arbitration relating to the default of an Indian passenger airline; and defending Royal Bank of Scotland in a multimillion-pound action relating to breach-of-confidence and use of trade secrets resulting from the takeover of the U.K. Conoco fuel station network.

For over 20 years, Mr. McAlpine has been recognized as a leading individual for arbitration/dispute resolution in *Chambers* and *The Legal 500*, with the latter noting his practise leadership and praising him as "an excellent tactician who displays good judgement" and "leads from the front, often conducting the advocacy himself on some high-profile disputes." He has also been named a Leading Individual by *The Legal 500* for both arbitration and international litigation and been described as "absolutely first-rate – both as a lawyer and as an advocate; he is someone you would certainly want to have on your side." In *Chambers Asia Pacific*, clients commented that Mr. McAlpine is an "extremely senior and excellent dispute resolution expert" who "has shown excellent professional level and ability to handle complex legal affairs, and has won a favourable situation for us in cross-border dispute resolution projects." In previous *Chambers* editions he has been described as "super intelligent," with clients remarking that he is "good to work with and very hands-on in case management" and that he "gets on really well with clients and brings decades of experience." In addition to receiving these accolades, Mr. McAlpine has been recognized among *Lawdragon's* 500 Leading Global Litigators and was named International Firm Lawyer of the Year at the 2022 *Benchmark Litigation Asia-Pacific* Awards.