

Uche Nwokedi SAN

Uche Nwokedi & Co.
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GENERAL PROFILE

- **Uche Nwokedi SAN** is a distinguished Senior Advocate of Nigeria, and the Principal Counsel at Uche Nwokedi & Co. He graduated from the University of Lagos in 1983 and was called to the Nigerian Bar in 1984. In 2007, he was conferred with the rank of Senior Advocate of Nigeria.
- Uche began his career as a Legal Officer with Ashland Oil Company Nigeria from where he proceeded to Chief Rotimi Williams Chambers as Senior Counsel. In 1990, he set up his practice, Uche Nwokedi & Co. which has grown to become one of the leading commercial law firms in Nigeria.
- He has been involved in many precedent setting litigation and international commercial arbitration cases and is currently engaged as counsel in several high profile international arbitrations, and litigation across the courts of Nigeria.
- He is the founder and Editor of the Nigerian Oil & Gas Cases (NOGC), a law reporting service published by Lexis Nexis.

NOTABLE CASES

Arbitration and Mediation

- Counsel to two IOCs in a commercial arbitration under the International Chamber of Commerce (ICC) and the Permanent Court of Arbitration (PCA). The Billion Dollar dispute arose from the findings in the Report of an Expert made in the course of a Re-Determination process of a Unitized Oilfield.
- Counsel to an IOC in an International Commercial Arbitration under the London Court of International Arbitration (LCIA) in a dispute involving claims for monies that are allegedly owed in relation to a series of Contractor Work Estimates (CWEs) issued in respect of a Gas Pipeline Project governed by the contract between the parties.
- Counsel to a Multinational Exploration & Production company in an international commercial arbitration dispute involving the breach of a geophysical agreement and OBC sub-agreement resulting in the subsequent damage to an existing platform operated our client

- Counsel in an arbitration to settle disputes between an Exploration & Production company and a Drilling Services company arising from the former's termination of contract on the grounds of misrepresentation of fact by the latter.
- Member of Arbitral Tribunal at the London Court of International Arbitration in a dispute arising from withdrawal of an OPL license by the Nigerian National Petroleum Corporation from a foreign National Oil Company.
- Lutin Investment Limited v. Nigerian National Petroleum Corporation – Counsel to Lutin Investment in a dispute with the Nigerian National Petroleum Corporation, arising from termination of a Volume Charter/Strategic Storage Reserve Contract and subsequent breach of settlement agreed upon.
- Interkel Nigeria Limited v. M-B Automobile Services – Counsel to the claimant in a mediation conducted by the Lagos Multi-Door Courthouse, which dispute arose from the breach of a construction contract for an automobile showroom.
- Cross River State Government v. Kora Entertainment Southern Africa (Propriety) Ltd – Counsel to the Cross River State Government in an International Commercial Arbitration brought by our client against Kora Entertainment Southern Africa (Propriety) Ltd., due to Kora's breach of the contract which gave the State the exclusive hosting rights to the Kora All Africa Music Awards for a continuous period of five years.
- Counsel to an IOC in a mediation brought against our client. The dispute arose as a result of breach of contract claims arising from a contract for the Claimant (an Oilfield Services Provider) to supply FPSO and support services to our client's oil field.
- Counsel to Shebah Exploration And Production Company Ltd at the London Court of International Arbitration in a matter brought to determine the acquisition and transfer of license interest and the operations of an Oil Prospecting License in offshore Nigeria.

Litigation

- Inducon & Dr. John Abebe v. Statoil - Counsel to Inducon & Dr. Abebe in a series of litigations up to the Supreme Court of Nigeria, which settled for the first time the assignment of a net profit interest in oil concessions granted to the licence holder pursuant to the business development effort of the indigenous partner
- NNPC vs Lutin Investments Ltd – Counsel to Lutin Investment in a matter, which dealt with the controversial strategic storage reserve project, and defined the rights of a sole arbitrator
- Federal Government of Nigeria vs Zebbra Energy Limited – Counsel to Zebbra Energy Limited in a matter, which challenged the power of revocation by the Federal Government and settled for the first time, the rights of concession interest holders in Nigeria
- Afribank Nigeria PLC vs Chima Akwara – Counsel to the Respondent in this matter which dealt with the treatment of debts claimed in foreign currency.
- Federal Government of Nigeria vs. Zebbra Energy Limited – Counsel to the Respondents in a series of litigations up to the Supreme Court of Nigeria, which challenged the rights of the Federal Government of Nigeria to revoke concession interests, and thereby defined the oil prospecting license in Nigeria and settled the rights accruing in respect thereof.

- NNPC vs. Lutin Investment Limited (2006) – Counsel to Lutin Investment in this matter before the Supreme Court of Nigeria, which settled the issue of extent of the powers of an arbitrator in the conduct of international commercial arbitrations in Nigeria, and issues relating to the removal of arbitrators.
- Counsel to the Petitioners in a suit filed at the Federal High Court pursuant to certain relevant provisions of the Companies and Allied Matters Act with respect to their claims to the Net Present Value of their Net Profit Interest in some of the Respondents’ oil and gas assets which interest crystallised upon the execution of a series of agreements.

Transactions

- Rendered advisory services to Diamond Capital Financial Limited with respect to the divestment of Diamond Bank Plc, its holding company, and its acquisition by another entity.
- Rendered advisory services to Diamond Capital Finance Markets Limited with respect to the refinancing of the Aba IPP by Geometric Power Limited.
- Restructuring the shareholding and management of a leading international ship and offshore broking and investment company, obtaining regulatory approvals for the operation of the company as a foreign controlled entity and for its operation as a marine and petroleum industry service company and rendering legal opinions on contractual matters
- Legal Advisory to an oil and gas industry service company with respect to a USD25,000,000 financing from a Nigerian bank. The matter included reviewing the financial advisory mandate between the company and a business advisory and consulting firm
- Legal advisory and preparation of transaction documents for Xerxes Global Investments Limited, a member of KANN Utility, a consortium of companies that were pre-qualified by the bureau of public enterprises to bid to acquire Abuja electricity distribution plc as part of the privatisation of the Nigerian power sector.
- Due diligence checks and legal advisory to Cerberus Capital, New York, on investment proposal for the acquisition and financing of petroleum operations of some indigenous companies in Nigeria
- Worked on a hedge financing arrangement with Deloitte Touche of London for the provision of financing against a hedge arrangement based on the stream of crude from the Ukpokiti Field.
- Nigerian Counsel to Morgan Stanley Dean Witter of New York and their Nigerian representatives, Tristar Petroleum Nigeria Limited with regards to providing the Nigerian Government with an Alternative Funding Structure for development of Total’s (then Elf) Amenam/Kpono Field offshore Nigeria.
- Legal Advisory for a Mauritian bond guarantor, with respect to the creation and issuance of bonds up to N9,000,000,000 (Nine Billion Naira) for a Nigerian metal conglomerate.

PROFESSIONAL ASSOCIATIONS

- The Chartered Institute of Arbitrators, United Kingdom – Member
- The Maritime Arbitrators Association of Nigeria – Member & former Executive Committee Member
- The Nigerian Bar Association – Member
- International Bar Association – Member

PUBLICATIONS

- Founder and Editor-in-Chief, The Nigerian Oil and Gas Cases (NOGC)

PAPERS AND PRESENTATIONS

- International Arbitration in Oil and Gas Transactions. *Presented at the IBA Initiative for Women Business Lawyers Event Titled “Thematic Discussions on Challenges and Best Legal Practices in Nigeria”, on 2nd of November 2015*
- Legal Issues within the Cabotage and Local Content Regimes. *Presented at a workshop organised by the Nigerian Chamber of Shipping on 26th June 2013*
- Nigerian Oil and Gas Legal Regime: An Overview. *Presented to the conference of Judges at the National Judicial Institute on 17th of October, 2012*
- The Cabotage Act & the Oil Industry: The True Challenges. *Presented at a seminar organised by Uche Nwokedi & Co. in collaboration with the Nigerian National Petroleum Corporation, the National Petroleum Investment Management Services and the National Maritime Authority in 2004*
- Fiscal Incentives for Gas Development in Nigeria. *Published by Euromoney in the International Oil & Gas Finance Review 2003*
- Legal Issues Involved in Energy Infrastructure Maintenance. *Published by the Nigerian Energy Digest, December 2001*
- Nigeria’s Marginal Fields Guidelines: Appraisal of Legal and Other Issues. *Published by the Nigerian Energy Digest, July 2001.*
- Revocation of an Oil Prospecting Licence in Nigeria. *Published by Euromoney International Oil & Gas Finance Review 2001*
- Foreign Investment in Nigeria: a Regulatory Framework That Will Allow It to Boost the Nation’s Economy. *Published by Euromoney International Investment Review 2000*
- The Leasing of Refineries in Nigeria: Some Legal Issues. *Presented at a workshop organized by the National Association Of Energy Correspondents (NAEC) in 1995*
- The Indigenous Exploration Programme in Nigeria. *Presented to the National House of Representatives Committee on Petroleum.*

NATIONAL ASSIGNMENTS

- Served on the Ministerial Committee of Legal Experts set up to review the entire Minerals legislation of Nigeria for the Federal Government of Nigeria. The Committee was largely responsible for the current legal regime for the development of solid minerals in Nigeria.
- Served on the Oil and Gas Sector Reform Implementation Committee (Sub-Committee on legal regulatory framework)
- President, Karate Federation of Nigeria 2001 – 2005. Received a Merit Award from the Federal Ministry of Sports and Social Development for contribution and support towards the development of Karate in Nigeria.

PROFESSIONAL REPUTATION

- Chambers Global 2014 – *“Uche Nwokedi.....is an active figure in oil and gas litigation. Sources commend his thorough representation and resilient attitude”*
- Chambers Global 2016 – *“Uche Nwokedi of Uche Nwokedi & Co is a recognized lawyer in the energy and natural resources space who has experience in representing international oil companies”*

AREAS OF EXPERTISE OF THE FIRM

- Commercial Litigation
- International Commercial Arbitration
- Oil and Gas Law
- Solid Minerals Law
- Maritime Law
- Environmental Law
- Intellectual Property Law
- International Business Transaction
- General Corporate And Commercial Services