



Clare Kempkens

Partner

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OVERVIEW

Clare Kempkens is a partner at the firm's London office. She serves as a practice group coordinator for the oil, gas, and resources practice within the firm's energy, infrastructure, and resources practice group. Clare focuses her practice on energy work and deals with a range of associated maritime and insurance matters. Clare advises a range of contractor clients on both contentious and non-contentious issues connected with offshore operations around the world. On a day to day basis she advises on drilling contracts, supply and services contracts, EPC contracts, Sale and Purchase agreements, MOUs and associated insurance cover (WELCAR in particular). Clare has been involved in a number of large disputes with a heavy technical content including claims concerning the design, engineering and construction of a variety of offshore units, off and onshore drilling and engineering issues and contract and insurance claims following damage to offshore installations.

PROFESSIONAL BACKGROUND

Prior to joining the firm, Clare served as partner for an international commercial law firm where she focused on energy work.

SPEAKING ENGAGEMENTS

- IADC 2020 Are You Building a Well? The Creep of EPC Type Terms
- IMCA 2018 Contracts and Insurance Seminar
- IMCA 2016 Contracts and Insurance Seminar
- IADC 2016 "Transocean v. Providence: The restoration of sanity to English Law" (co-presenter)
- IADC 2014 Pollution Liabilities and Termination of Contracts for Breach under English Law

EDUCATION

- LL.B.(Eur.), University of Leeds

- Legal Practice Course, The College of Law, York

ADMISSIONS

- Solicitor of the Senior Courts of England and Wales

THOUGHT LEADERSHIP POWERED BY HUB

- 13 September 2021, ESG and the Sustainable Economy Handbook (*Books*)
- September 2020, Offshore Energy Webinar Series: "I am Concerned About Termination" - Issues Around Termination of Contracts (*Webinar*)
- September 2020, Offshore Energy Webinar Series: Preserving Your Contract - Best Practice in Contract Management in the Current Climate (*Webinar*)
- 29 July 2020, COVID-19: The New Normal, Social Distancing on Site, and Other Pandemic Problems (*Webinar*)
- 12 June 2020, JOA Disputes, Energy/Oil and Gas Industry, and International Arbitration Trends (*Webinar*)
- 06 November 2018, Comparative Law Seminar (*Presentations*)

NEWS & EVENTS

- 13 September 2021, K&L Gates Releases ESG and the Sustainable Economy Handbook (*Press Release, Practice & Regional News*)
- 10 July 2020, K&L Gates Energy, Infrastructure and Resources Practice Ranked by The Legal 500 United States 2020 Guide in Eight Categories with 28 Lawyers Recommended (*Rankings & Recognitions*)
- 3 January 2018, K&L Gates Hires Three-Partner Energy Disputes Team in London (*Press Release*)

AREAS OF FOCUS

- Oil and Gas
- Complex Commercial Litigation and Disputes
- E-Discovery Analysis and Technology (e-DAT)
- Insurance Recovery and Counseling
- International Arbitration
- Maritime
- Maritime Disputes

- Maritime Transactions and Finance
- Offshore Construction
- Offshore Wind Energy
- Power
- Renewables

INDUSTRIES

- Energy
- Energy Disputes

EMERGING ISSUES

- Sustainable Economy

REPRESENTATIVE EXPERIENCE

- Conducting London arbitration (ICC) for an engineering sub-contractor against EPC contractor with regard to the design of the topsides of an offshore production platform.
- Advising assured on recovery under WELCAR policy following offshore installation damage.
- Advising assured on recovery under WELCAR policy following subsea installation damage.
- Advising offshore service providers on the terms of energy package policies.
- Advising insurers in relation to an offshore installation casualty and resulting claims.
- Advising in relation to warranty and delay claims in two middle-Eastern offshore construction projects.
- Conducting ICC arbitration over a major African pipeline project.
- High Court injunction proceedings and associated advice for an international industry body concerning pollution liabilities and immunity of international organisations.
- Advising in an EPC contract dispute in High Court for major European yard, delay, disruption, completion and sailaway issues.
- Advising on an offshore contract termination and disputes concerning associated yard project.
- Support for drilling contractor concerning potential termination of high value drilling contract.
- Conducting an LCIA arbitration in London concerning high value equipment supply for a series of major offshore projects.

- Conducting an LCIA arbitration in London concerning the termination of a drilling contract.
- Conducting London arbitration proceedings following the termination of an offshore construction contract.
- Advising an assured in relation to potential claims under an amended WINDCAR form.
- Advising an offshore service provider on termination, commencement and force majeure issues under a series of drilling contracts.
- Advising an assured in relation to insurance claims following hurricane damage and related contract issues.
- Advising an EPC contractor on a WELCAR coverage dispute.
- Advising in relation to vessel liability insurance cover.
- Advising a drilling contractor on the charter, purchase and finance arrangements for the purchase of a series of MODUs.
- Advising on negotiations and subsequent operations under drilling contracts for North Sea drilling operations.