

Jeremy Farr

Consultant

London
+44.20.7360.8190

Jeremy.Farr@klgates.com

OVERVIEW

Jeremy Farr is a retired partner and former practice area leader of the Energy, Infrastructure, and Resources practice area, now acting as a Consultant to the firm. As an offshore energy, maritime, and EPC lawyer, he draws upon four decades of practice to provide strategic and commercial insight to clients from contract negotiation, through project performance to close-out and dispute resolution. His experience includes upstream oil and gas projects and services, offshore wind, shipbuilding, super-yacht refit and construction, maritime issues, and major on-shore infrastructure engineering and construction disputes.

Jeremy has conducted, managed, or advised upon dispute resolution under both civil and common law in many jurisdictions in all regions of the world. He is responsible for a number of notable precedent decisions from English Courts on key contractual risk issues which are cited in text books. He is also a highly experienced arbitration practitioner under ICC, LCIA, LMAA, DIAC, and other Rules as well as ad hoc, and has a strong track record of successful mediations.

Notable industry sectors include EPC contracts for specialist offshore units such as drilling rigs, production platforms, cable-lay, pipe-lay and heavy lift vessels, floating production units, buoys and other offshore infrastructure, shipbuilding, and superyachts; subsea installation, drilling, and other services contracts, charters, operation, and maintenance contracts and other ancillary contracts for floating production units; supply-chain; joint operating agreements, joint ventures, production sharing agreements; design and engineering contracts and disputes in the energy, industrial and infrastructure sectors; real time strategic advice, assistance, and investigation into onshore and offshore incidents including blow outs, pollution, health and safety, loss of life and injury, breakdown and physical damage, energy, and marine insurance claims.

Jeremy is widely respected for his strategic insight, his ability to help clients to find commercial solutions to problems in accordance with their business objectives, and his dispute management.

PROFESSIONAL BACKGROUND

Jeremy qualified as a lawyer in 1987 and remained at the same City of London headquartered international law firm until the end of 2017. He became a partner in 1994. He served as a member of the firm's board, as global

head of energy and as managing partner for the energy group. He joined the firm in January 2018 and retired from the partnership at the end of 2024.

ACHIEVEMENTS

- Recognised by *Chambers Global* for Energy & Natural Resources: Disputes in the UK, 2024
- Recognised by *The Legal 500 United Kingdom* edition as a Recommended Lawyer in London
  - Oil and Gas, 2024-2025, 2027
  - Construction: Contentious, 2024-2025
  - International Arbitration, 2024-2025
- BTI Consulting Group *Client Service All-Stars - MPV,* 2023
- Ranked in *Chambers UK* guide for Global, Energy & Natural Resources: Disputes, 2017-2022

PROFESSIONAL / CIVIC ACTIVITIES

Jeremy joined the Advisory Board of the Center for Energy Law at Tulane University, New Orleans in November 2024. He also serves as a trustee of Pimlico Opera, a charity which brings the benefits of music to disadvantaged primary school children in the UK and to prisons.

SPEAKING ENGAGEMENTS

- “Adapting the IADC International Offshore Daywork Drilling Contract for use under English Law” 2006
- “Using the contract to contain risks” 2008
- “Risk and Liability in Offshore Contracts” 2010
- “How to get paid for extra work” 2010
- “Breaking the code: protecting your day rates (even in the event of breach)” 2010
- “Delay and Disruption” 2011
- “Can you exclude liability for negligence and wilful misconduct” 2011
- “Extending time for performing a construction contract – a guide to the black art” 2011
- “Battle of the Forms” 2012
- “Deconstructing Indemnities” 2013
- “Termination of contracts for breach” 2014

- "Meeting in the Middle: Understanding the fault lines arising from the choice of contract form for offshore construction" 2015
- "Liability and Bad Behaviour – a refresher on contractual fault" 2016
- "Enforceable liquidated damages or unenforceable penalty" (co-presenter) 2016
- "Transocean v. Providence: The restoration of sanity to English Law" (co-presenter) 2016
- "Experiences of FPSO Construction/Conversion Disputes: Learning the Lessons to Protect Budgets" FPSO Europe Congress 2019
- "Management of Shipyard Risks" IADC Contracts Conference, Houston 2022
- "Contractual Indemnities and Non-Derogable / Mandatory Provisions in International Arbitration" IADC Contracts Committee 2023

EDUCATION

- LSF, College of Law, Guildford, 1985
- B.Sc., University of Surrey, 1984

THOUGHT LEADERSHIP *POWERED BY HUB*

- April 2022, April 2022 Accolades
- 15 September 2020, Trends in Upstream Oil and Gas Disputes
- 19-20 February 2019, Experiences of FPSO Construction/Conversion Disputes: Learning the Lessons to Protect Budgets
- 06 November 2018, Comparative Law Seminar
- 29 May 2018, Making Sure Your Variations Stick

OTHER PUBLICATIONS

- Limitation of Liability for Maritime Claims 4th Edition, Griggs, Williams, Farr (Informa Law 2005)
- Contributor to Corporate Liability: Work Related Deaths and Criminal Prosecutions – Forlin (LexisNexis 2003)
- Contributor to Dispute Resolution in the Energy Sector: A Practitioner's Handbook – King (Globe Law and Business 2012)

NEWS & EVENTS

- 15 February 2024, *Chambers Global* 2024 Guide Ranks K&L Gates Lawyers, Practices

- 2 August 2023, K&L Gates Adds Energy and Infrastructure Partner in London
- 3 November 2021, K&L Gates, Lawyers Recognized in 2022 Chambers UK Guide
- 24 June 2021, Legal 500 Recognizes K&L Gates' Energy, Infrastructure, and Resources Practice Among Leaders in the 2021 United States Guide
- 21 May 2021, K&L Gates' Energy, Infrastructure, and Resources Practice, Lawyers Named Among Leaders in 2021 Chambers USA Guide
- 1 March 2021, K&L Gates Welcomes London Energy Partner
- 20 August 2020, U.S. Energy Storage Association Recognizes K&L Gates with Brad Roberts Outstanding Industry Achievement Award
- 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
- 3 January 2018, K&L Gates Hires Three-Partner Energy Disputes Team in London

AREAS OF FOCUS

- Commercial Disputes
- Construction and Infrastructure
- E-Discovery Analysis and Technology (e-DAT)
- Insurance Recovery and Counseling
- International Arbitration

INDUSTRIES

- Energy

REPRESENTATIVE EXPERIENCE

OFFSHORE DRILLING

- Retained by a major international company which owns a shipyard to develop an offshore drilling contractor business, including all aspects of incorporation, transfer of ownership of a MODU, and contracts for the marketing and operation of MODUs, including negotiating and advising upon a suite of contracts for a successful tender for work offshore Brazil.
- Counselling an offshore drilling contractor on due diligence issues concerning allegations of bribery and money laundering concerning a potential counterpart.

- Provided independent legal due diligence advice to the board of a drilling contractor on a proposed drilling contract with significant up-front CAPEX.
- Provided independent legal due diligence to a drilling contractor on a proposed MSA.
- Counselled Shelf Drilling in its acquisition of five North Sea drilling rigs required to be sold by the CMA as part of the regulatory approvals for Noble Corporation/Maersk Drilling merger.
- Represented a drilling contractor in an LCIA arbitration in London concerning well control issues and non-payments.
- Advised an ad hoc industry working group in US looking into alternatives to the contractual indemnity regime for major pollution incidents post-Macondo.
- Counselled a drilling contractor on the application of English law to US Gulf of Mexico drilling contracts.
- Represented a drilling contractor in wrongful termination dispute in the Singapore Court.
- Represented an offshore drilling contractor in a dispute with oil company concerning termination of contract for alleged breach and the meaning and effect of the consequential loss exclusion.
- Represented a drilling contractor in Western Australia Federal Court litigation concerning operator non-performance of a drilling contract and in mediation.
- Represented a drilling contractor in Nigerian Court litigation concerning non-payments of sums due to contractor.
- Counselled the owners of two offshore drilling rigs undergoing refurbishment and preparatory works for a contract with Middle Eastern entity.
- Counselled the drilling contractor in relation to termination for convenience by operator and financial consequences.

FLOATING PRODUCTION, REGASSIFICATION, AND STORAGE

- Advised on terms of major change order for remedial works on a swivel turret on an FPSO operating off Africa.
- Counselled the designers/builders of a swivel turret for an FPSO in relation to liabilities due to failure in operation of a winch supplied by their subcontractor.
- Acted as project counsel to the owners/operators of an FPSO for a project offshore South America.
- Advised an FPSO owner/operator in negotiations for the conversion, charter, and operation of an FPSO in relation to a tender for a West African project.
- Counselled an FPSO owner/operator in relation to a tender for an FPSO project offshore South America.
- Provided strategic and legal counsel to an FPSO owner/operator in relation to the potential termination of an FPSO charter and O&M contract.

- Counselled the owner/operator of FSU on financial terms of a charter and drafted contracts for the bareboat charter and operation and maintenance of the unit.
- Counselled an EPC contractor in relation to a tender for the provision of an FPSO for a Gulf of Mexico project.
- Counselled the owner/operator of an FPSO operating off Brazil in relation to a dispute under a shareholders agreement concerning financial responsibility for a lost charter hire due to production shutdowns on FPSO.
- Counselled an FPSO owner/operator in relation to issues arising regarding DOF escalation factors.
- Counselled the owner/operator of an FSRU in relation to a tender in Europe.

ONSHORE OILFIELD

- Counselled a drilling contractor on termination rights under an onshore drilling contract.
- Represented an engineering contractor in relation to disputes concerning the upgrading of gas process facilities in Kazakhstan; London arbitration; Law of Kazakhstan.
- Represented an oil company in English High Court (Comm) litigation against insurers seeking recovery following a blow out in Uzbekistan (policy subject to Uzbek law).

OFFSHORE WIND

- Counselled an EPC contractor in relation to issues concerning installation of a wind farm in the UK North Sea.
- Counselled an EPC contractor in relation to warranty issues concerning coatings of wind farm jackets.

MARINE AND OFFSHORE CONSTRUCTION

- Represented a drilling contractor in London arbitration concerning the termination of a new building contract.
- Represented an engineering subcontractor in London arbitration (ICC) against the EPC contractor with regard to the design of the topsides of an offshore production platform, US Gulf of Mexico.

SUPERYACHTS

- Drafted and negotiated numerous new-build and refit contracts with European yards on behalf of the manager of a yacht and superyacht fleet.
- Advised the owner of a superyacht in relation to rights of termination and recovery of sums paid due to delayed/non-performance by builder; LMAA arbitration.
- Counselled a superyacht owner in relation to a casualty suffered by its yacht in dry-dock, and through subsequent repairs and refit work.
- Counselled a superyacht owner in relation to the insolvency of a yard.
- Represented a yacht owner in relation to the sale of a high-value yacht.

OTHER MARINE

- Advised a major port authority in the UK in relation to legal responsibilities concerning a gas pipeline crossing the channel to the port.

INFRASTRUCTURE AND ONSHORE ENGINEERING

- Represented an engineering contractor in New York arbitration concerning damage to a manufacturing plant.
- Counselled an engineering contractor in relation to delay and contract price issues under a contract concerning a petrochemical plant.
- Represented the MEP contractor in DIAC arbitration with the main contractor concerning a major infrastructure project in the UAE.

DEFENCE

- Represented a defence contractor in ICC arbitration in Paris, France concerning IP issues with regard to military-use drones.