



Louise Merrett

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Louise Merrett combines her career at the Bar with academic work and a variety of other regulatory and advisory responsibilities.

She commenced practice as a barrister in 1996. Her practice covers a wide range of commercial work, with an emphasis on large scale commercial litigation and arbitration as well as employment, aviation, banking, professional negligence and product liability.

In 2003 Louise became a Fellow of Trinity College Cambridge, and is a Professor of International Commercial Law at the University of Cambridge. In 2022, Louise was elected as the Vice-Master of Trinity College, Cambridge. During this time she has remained a member of Fountain Court and has continued to act in a broad range of cases with a particular speciality in jurisdictional disputes and international employment law.

Louise teaches a range of commercial subjects including contract law, commercial law and conflict of laws. She publishes widely in the fields of commercial law and private international law and is regarded as one of the leading experts internationally. She is the author of the private international law sections of both of the leading books which deal with the international aspects of contract law, *Benjamin's Sale of Goods* and *Chitty on Contracts*. Her work is cited regularly in the courts.

Recent Highlights

Public Institution for Social Security v Al Rajaan & 37 Other Defendants

Junior specialising on jurisdiction for the claimant in a claim for in excess of \$800 million alleging bribery against the Director General of the Kuwait State pension and social security fund [*The Lawyer's* top 20 case of 2020].

XL Insurance Company SE v Axa Corporate Solution Assurance [2015] EWHC 3431 (Comm)

Junior in a major jurisdictional dispute in the commercial court acting for AXA Insurance CSA.

Citations

Louise's articles and book on international employment law have been cited by the Supreme Court, Court of Appeal, High Court, Employment Appeal Tribunal and Employment Tribunals as well as by the Advocate General of CJEU, the New Zealand Supreme Court and the Supreme Court of South Africa. Louise's analysis of asymmetric jurisdiction agreements was cited extensively and followed in *Etihad Airlines v Flother* [2019] EWHC 3107 (Comm).

Brexit

Louise has been actively engaged in the profession's response and preparations for Brexit including membership of special committees of COMBAR, the Bank of England Financial Markets Law Committee and the LCJ's special Brexit Advisory Committee as well as giving evidence to the House of Lords EU Justice Sub-Committee and speaking at the Chancery Bar Association Annual Conference and to the Chancery Judges.

Regulatory work

Louise has considerable experience in regulatory work having conducted disciplinary and appeal hearings for Trinity College, Cambridge University Court of Discipline and the Perse School. She has recently been appointed as a member of the Bar Council Advisory Panel of Experts.

Expertise

Aviation & Travel

Notable Aviation & Travel cases

Acting for an aircraft leasing company in a major eight-week UNCITRAL arbitration, subsequently resisting two applications for leave to appeal against the arbitration awards and acting in enforcement proceedings in the High Court and Court of Appeal.

Commercial Disputes

Reported Commercial Disputes cases

Awwad v Geraghty [2000] 1QB 570 (Court of Appeal)

Enforceability of solicitor's conditional fee agreements.

GEHE AC v NBTY Inc [1999] CLC 1949

Week-long Commercial Court trial involving construction of a sale and purchase agreement.

Gheewala & Oothers v Hindocha & Others [2004] 1 CLC 502, [2003] UKPC 77, [2003] All ER (D) 291

Privy Council. Decision on forum non conveniens.

Notable Commercial Disputes cases

State of Qatar v Sheik Khalifa bin Hamad al Thani (1999)

Acting for the State of Qatar in obtaining £900 million world-wide Mareva injunction and disclosure order.

Commercial Disputes - Jurisdiction and Private International Law

Reported Commercial Disputes - Jurisdiction and Private International Law cases

XL Insurance Company SE v Axa Corporate Solution Assurance [2015] EWHC 3431 (Comm)

Antonio Gramsci Shipping Corp v Reoletos Ltd [2012] EWHC 1887 (Comm) [2012] Lloyd's Rep 365 (adviser)

Deutsche Bank AG v Asia Pacific (CA) [2008] EWCA Civ 1091 [2008] 2 Lloyd's Rep 619

International Arbitration

Notable International Arbitration cases

Preparing a preliminary issue in relation to an LCIA arbitration dealing with an oil and gas supply contract.

Product Liability

Reported Product Liability cases

A & Others v National Blood Authority [2001] 3 All ER 289

Leading case on product liability under the Consumer Protection Act 1987.

Sports

Notable Sports cases

Football Association Disciplinary Hearing

Acting for the Football Association in proceedings against nine players in connection with irresponsible ticket distribution.

Education

- MA Law, Trinity Hall, Cambridge, First Class
- PhD, Cambridge

Appointments, Memberships and Prizes

- Elected Vice-Master of Trinity College, Cambridge (2022)
- PhD in law, University of Cambridge
- Academic Fellow, Gray's Inn
- Bacon Scholarship, Gray's Inn (1995)
- Research Assistant Law Commission (1992-1994)
- Herbert Smith Prize for Conflict of Laws, Cambridge (1992)
- David Clement Prize for English Law, Cambridge (1992)
- Henry Bond Prize, Cambridge (1991)
- Squire Scholarship, Cambridge (1990)

Publications

- Co-Editor *Landmark Cases in Private International Law*, 2023, Bloomsbury
- Author *Employment Contracts in Private International Law*, 2011, OUP
- Co-Editor and author *Private International Law of Reinsurance and Insurance*, 2006, LLP
- *Chitty on Contracts*, Chapter 23 The Sale of Goods, Chapter 40 The Conflict of Laws
- *Benjamin's Sale of Goods*, Chapter 26, The Conflict of Laws
- *The Brussels I Regulation Recast*, (Dickinson and Lein) 2015, Commentary on Arts 20-23
- *Cheshire, North & Fawcett Private International Law*, 2017, Oxford, Chapter on Trusts
- Articles: *Industrial Law Journal*, *International and Comparative Law Quarterly*, *Lloyd's Maritime and Commercial Law Quarterly*, *Cambridge Law Journal*, *Journal of Private International Law*, *Law*