ONE ESSEX COURT

E-mail: clerks@oeclaw.co.uk



Michael Watkins

Barrister
Call 2009

Scope of Practice

• Arbitration • Banking and Financial Services • Breach of Fiduciary Duty • Breach of Warranty • Civil Fraud and Investigations • Commercial Litigation • Company and Insolvency • Economic Torts • Energy and Natural Resources • Professional Liability • Restitution • Jurisdiction and Conflict of Laws

Overview

Michael Watkins' practice covers the broad spectrum of company and commercial work in litigation, international arbitration, expert determination and ADR. He has experience in heavy and complex, high value claims, as well as advising and appearing in smaller cases as sole counsel, before the Supreme Court, the Court of Appeal, the High Court and various County Courts. He also has significant experience of international arbitrations under the LCIA, ICC, SIAC and UNCITRAL rules.

Michael has significant experience in market-leading cases across a range of commercial industry sectors, including: ***The Tesco Shareholders Litigation*** [2020] EWHC 2106 (Ch); [2019] EWHC 3312 (Ch); [2019] EWHC 3315 (Ch); [2019] EWHC 2858 (Ch); and [2019] EWHC 109 (Ch) (defending damages claims under s90A and schedule 10A of FSMA 2000); ***Lopesan Touristik SA v Apollo European Principal Finance Fund III (Dollar A) L.P and others*** [2020] EWHC 2642 (Comm) (Foxton J) (Covid-19 Pandemic related enforcement of an equity commitment letter); ***School Facility Management Ltd & Ors v Governing Body of Christ the King College*** [2021] EWCA Civ 1053; [2021] 1 WLR 6129 (sole counsel before the CA in what is now the leading authority on the counter restitution principle in the law of unjust enrichment); ***Singulars Holdings Ltd v. Daiwa Capital Markets Europe Ltd*** [2019] UKSC 50 (Supreme Court proceedings on the attribution of fraud to a one man company); ***The Dow Chemical Co v. Petrochemical Industries Co KSC*** [2012] EWHC 2739 (Comm) (major ICC arbitration proceedings arising out of a USD multi- billion JV between two petrochemical companies and in the subsequent s68 challenge before the Commercial Court); ***Re: Klöckner Pentaplast Group*** (a market-leading (€1.2 billion) restructuring in which a consortium of junior lenders successfully implemented a restructuring in the face of opposition from senior lenders); ***Price Review Arbitrations*** (for an international energy major in parallel USD billion price review arbitrations); and ***London Underground Ltd v. Freshfields Bruckhaus Deringer & Anr*** (for D1, in (ultimately settled) professional negligence proceedings arising out of the public private partnership for the London Underground).

Michael has taught a variety of private and commercial law courses alongside his full-time practice, including: *the Law of Contract at King's College London* (2008-9); *Restitution of Unjust Enrichment* (BCL) at Oxford University (2011-2014); *Commercial Law at University College London* (2014-2015); and *The Law of Unjust Enrichment at UCL* (2015-2018). He is a contributor to the Journal of International Banking & Financial Law.

Mike speaks French and has a working knowledge of Spanish.

Examples of Recent Cases

Arbitration

Mike Watkins has significant experience of international arbitrations across a wide range of industry sectors, under a variety of arbitral rules, including: LCIA, ICC, UNCITRAL, SIAC and Ad Hoc arbitrations. He also has substantial experience of expert determinations (especially in the energy sector). Recent work includes, acting: (led by Conall Patton KC) in a SIAC arbitration relating to the validity and enforceability of a loan agreement; (as sole counsel) in relation to a potential LCIA arbitration for an international energy major arising out of a joint venture agreement; and (led by Mark Howard KC and Richard Gillis KC) for the Respondents in an ICC arbitration arising out of the sale of a business to a private equity firm.

- ICC Proceedings
  Acting (led by Mark Howard KC and Richard Gillis KC) for the Respondents in a confidential ICC arbitration involving claims for breach of an accounting warranty and in deceit arising out of the sale of a business to a private equity firm.
- SIAC Proceedings
  Acting (led by Conall Patton KC) for the Claimants in a confidential SIAC arbitration relating to the validity and enforceability of a loan agreement.
- Potential LCIA arbitration
  Advising (as sole counsel) an international energy major on potential claims for breach of non-compete provisions in a shareholders' agreement relating to a joint venture.
- ICC Proceedings
  For Respondent (led by Lord Grabiner KC) in USD multi-billion merger between two petrochemicals companies. The subsequent s68 challenge is reported as The Dow Chemical Company v. Petrochemical Industries Company KSC [2012] EWHC 2739 (Comm).
- ICC / UNCITRAL Proceedings
  For an international energy major in connection with substantial parallel gas Price Review Arbitrations (each worth in excess of €1 billion). The proceedings involved very substantial economic expert evidence on the value of natural gas in the relevant market and of comparable long-term gas supply contracts.
- AD HOC Proceedings
  For various parties to a North Sea joint venture (led by Rhodri Davies KC) defending a claim for breach of contract and/or unjust enrichment in connection with the alleged overlifting of natural gas products produced in the Forties Pipeline System.
- LCIA Proceedings
  For Claimant (an international energy major) as sole counsel in a claim arising out of various contracts for the sale of crude oil to the Ivory Coast.
- Expert Determination
  For Claimant (led by Lord Grabiner KC) in proceedings concerning changes to the price of electricity under a long term power purchase agreement as a result of the removal of the exemption from the Climate Change Levy for taxable commodities used to generate electricity.
- LCIA Proceedings
  For the Defendant and Counterclaimant (led by John McCaughran KC) in proceedings arising out of the termination of a long-term electricity and gas supply agreement relating to a combined cycle gas turbine power station.
- UNCITRAL Proceedings
  For Claimant (led by Rhodri Davies KC) in arbitration proceedings relating to interests in oil and gas production sharing contracts in Iraq.
- UNCITRAL Proceedings
  For Respondent offshore drilling company (as sole counsel), in a debt claim for unpaid invoices. The case involves consideration of withholding tax indemnities and potential claims for restitution of unjust enrichment.

- LCIA Proceedings
  For investment fund (led by Anthony de Garr Robinson KC) in proceedings with its former investment manager.
- AD HOC Proceedings
  For Claimant (led by Laurence Rabinowitz KC), in arbitration proceedings arising out of the airline industry, to recover damages for breach of an agency agreement.

Banking and Financial Services

Mike Watkins has experience in most areas of domestic and international banking and finance together with associated company law and insolvency issues. In particular, Michael has substantial experience advising lenders, borrowers and private equity sponsors in connection with potential or on-going restructurings. He also has a detailed understanding of Private Finance Initiatives (PFI) and Public-Private Partnerships (PPP). Recent work includes acting: (as sole counsel) for the managing director of a servicing company in a dispute relating to commercial mortgage-baked securities; (led by Conall Patton KC) in a SIAC arbitration relating to the validity and enforceability of a loan agreement; and advising (led by Lord Wolfson, KC) on potential events of default under the terms and conditions of various notes.

Mike is a regular contributor to the Journal of International Banking & Financial Law.

- Confidential
  Acting (as sole counsel) for the managing director of a servicing company in a dispute relating to commercial mortgage-backed securities.
- Confidential
  Acting (led by Conall Patton KC) for the Claimants in a confidential SIAC arbitration relating to the validity and enforceability of a loan agreement.
- Lopesan Touristik SA v Apollo European Principal Finance Fund III (Dollar A) L.P and others [2020] EWHC 2642 (Comm) (Foxton J)
  Acting (led by Laurence Rabinowitz KC) for the Defendants to a claim for enforcement of an equity commitment letter arising out of the non-completion of a contract to acquire a hotel in Gran Canaria following the COVID-19 pandemic and its consequences for the Spanish tourist sector. The case gave rise to interlocutory disputes about expedition and whether the proceedings should be stayed in favour of the Spanish Courts.
- Singularis Holdings Ltd (in liquidation) v. Daiwa Capital Markets Europe Ltd
  Acting (led by John McCaughran KC) defending a claim in the Chancery Division (Financial List) against a broker for c. USD 204 million arising out of a stock lending transaction, which gave rise to issues about the scope of a broker's contractual duties and the illegality principle, including an appeal to the Court of Appeal and to the Supreme Court.
- School Facility Management Ltd (and others) v Governing Body of Christ the King College [2021] EWCA Civ 1053; [2021] 1 WLR 6129
  Appearing (as sole counsel) before the Court of Appeal in what is now the leading authority on the counter restitution principle in the law of unjust enrichment, which arose out of a finance lease that was ultra vires and therefore void.
- Promontoria Holding 87 BV v. Finch & Others [2016] EWHC 1236 (QB)
  (As sole Counsel) In an eight day Manchester Mercantile Court trial for the successful guarantee claimant in one of the first cases to have considered whether a bank owed an advisory duty to its customer in relation to the sale of fixed rate loans, including the extent to which a bank may be obliged to give a warning to its customer about the nature of a break clause. HHJ Pelling KC subsequently (June 2016) awarded Promontoria, the successful guarantee claimant, indemnity costs and an 80% payment on account
- Monex Financial Services Ltd v. Global Payments Europe sro (Comm)
  For the Defendant (led by Camilla Bingham KC) defending a claim relating to an arrangement for the provision of dynamic currency conversion services.
- NIIB Group Ltd v. Deutsche Bank AG (Ch)
  For Deutsche Bank (led by Daniel Toledano KC), defending a c. £9m claim for repayment of a fee paid to the Bank in connection with a tax-driven structured finance transaction pursuant to which equity-linked bull and bear notes were sold and repurchased.
- Confidential
  For the Defendant (led by Michael Fealy KC) in proceedings concerning a USD 53 million post completion

dispute between owners of a hedge fund of funds, giving rise to allegations of fraud and issues about contractual warranties in a share sale and purchase agreement

- **Re Klöckner Pentaplast Group**
  For the junior lenders group (led by Lord Wolfson KC), throughout this market-leading (€1.2 billion) restructuring in which a consortium of junior lenders successfully implemented a restructuring in the face of opposition from senior lenders. The junior lender group's litigation tactics were widely reported in the relevant financial press as having contributed to the overall success of the transaction.
- **RBG Capital Ltd v. Merrill Lynch International Bank Ltd (Comm)**
  For the bank (as sole counsel, and against leading counsel) concerning the beneficial ownership of funds held in an account and which engaged applications for urgent injunctive relief and subsequent interpleader relief in relation to the funds.
- Advising (sole counsel and later led by Anthony de Garr Robinson KC) on potential claims for restitution of money paid by mistake in connection with the Financial Services Compensation Scheme
- Advising (led by Lord Grabiner QC and Rhodri Davies KC) on the validity of a default notice served under a loan agreement and a connected appointment of an administrator by the directors of the company.
- Various pieces of advisory work (led by Lord Wolfson, KC) for lenders, borrowers and private equity sponsors on issues arising out of potential or on-going restructurings. Given the confidential nature of this work, no further details can be given.

Commercial Litigation

Mike Watkins' practice covers most aspects of commercial and company litigation. He has experience in heavy and complex, high value claims, as well as advising and appearing in smaller cases, as sole counsel, before the Supreme Court, Court of Appeal, High Court and various County Courts. He has particular experience in (but is not limited to) disputes arising out of: the banking and finance industry (together with its associated insolvency and restructuring issues), the energy and natural resources industry, professional negligence claims, and claims based in restitution and unjust enrichment. Recent work includes acting (as sole counsel) for the managing director of a servicing company in a dispute relating to commercial mortgage-backed securities; and advising (as sole counsel) on a potential claim for breach of warranties in a business sale and purchase agreement.

- **Confidential**
  Acting (as sole counsel) for the managing director of a servicing company in a dispute relating to commercial mortgage-backed securities.
- **Confidential**
  Advising (as sole counsel) on a potential claim for breach of warranties in a business sale and purchase agreement.
- **Lopesan Touristik SA v Apollo European Principal Finance Fund III (Dollar A) L.P and others [2020] EWHC 2642 (Comm) (Foxton J)**
  Acting (led by Laurence Rabinowitz KC) for the Defendants to a claim for enforcement of an equity commitment letter arising out of the non-completion of a contract to acquire a hotel in Gran Canaria following the COVID-19 pandemic and its consequences for the Spanish tourist sector. The case gave rise to interlocutory disputes about expedition and whether the proceedings should be stayed in favour of the Spanish Courts:
- **SL Claimants and MLB Claimants v. Tesco plc [2020] EWHC 2106 (Ch); [2019] EWHC 3312 (Ch); [2019] EWHC 3315 (Ch); [2019] EWHC 2858 (Ch); and [2019] EWHC 109 (Ch) (Hildyard J).**
  Acting (led by Laurence Rabinowitz KC, David Mumford KC, and Conall Patton KC) for Tesco plc defending high-profile claims against Tesco by certain shareholders seeking damages under s90A and schedule 10A of FSMA 2000 arising out of the publication by Tesco in September 2014 of a historic profit overstatement. The litigation gave rise to a number of interlocutory judgments: SL Claimants and MLB Claimants v. Tesco plc [2020] EWHC 2106 (Ch); [2019] EWHC 3312 (Ch); [2019] EWHC 3315 (Ch); [2019] EWHC 2858 (Ch); and [2019] EWHC 109 (Ch).
- **Raiffeisen Bank International AG v. Asia Coal Energy Ventures Ltd & Ashurst LLP [2019] EWHC 3 (Comm) (Moulder J) and [2020] EWCA Civ 11 (Lewison, Males and Baker LJJ)**
  Acting (led by Lord Wolfson KC) for Ashurst LLP defending a claim for breach of warranty, misrepresentation and breach of trust arising out of a Solicitor's Confirmation letter give by Ashurst to the seller of certain loans and associated security. The litigation gave rise to an interlocutory dispute about privilege which was resolved in Ashurst's favour at first instance and on appeal to the Court of Appeal. The claim was dismissed at trial (Lord Wolfson KC and Adam Rushworth acting for Ashurst): [2020] EWHC 2606 (Comm) (Moulder J).

- School Facility Management Ltd (and others) v Governing Body of Christ the King College [2021] EWCA Civ 1053; [2021] 1 WLR 6129
  Appearing (as sole counsel) before the Court of Appeal in what is now the leading authority on the counter restitution principle in the law of unjust enrichment, which arose out of a finance lease that was ultra vires and therefore void.
- London Underground Ltd v. Freshfields & Anr (Comm)
  For the magic circle law firm (led by Lord Grabiner KC and Sa'ad Hossain KC) defending complex, high value professional negligence proceedings arising out of the Public-Private Partnership (PPP) for the maintenance and upgrade of the Underground system.
- NIIB Group Ltd v. Deutsche Bank AG (Ch)
  For Deutsche Bank (led by Daniel Toledano KC), defending a c. £9 million claim for repayment of a fee paid to DB in connection with a tax-driven structured finance transaction pursuant to which equity-linked bull and bear notes were sold and repurchased.
- The Dow Chemical Co v. Petrochemical Industries Co KSC [2012] EWHC 2739 (Comm)
  For PIC (led by Lord Grabiner KC) in a s68 challenge arising out of substantial ICC proceedings surrounding the exit, by a State owned entity, from a USD multi-billion merger between two petrochemicals companies.
- RBE Importation SARL v. Conrico International Ltd & Anr
  For Conrico (led by Lord Wolfson KC), defending proceedings (now settled) arising out of the termination of a long-term distributorship agreement.
- RBG Capital Ltd v. Merrill Lynch International Bank Ltd (Comm)
  For MLIB (as sole counsel, and against leading counsel), concerning the beneficial ownership of funds held in an account and which engaged applications for urgent injunctive relief and subsequent interpleader relief in relation to the funds.
- Hart Security Ltd v. Butters (Comm)
  For Claimant (as sole counsel) in Commercial Court proceedings (Hamblen J., 2011) to enforce a US judgment debt. The proceedings dealt with a novel issue on dealing with the enforcement of US consent orders.
- Lombard North Central Plc v. Coco Mama Food Supplies Ltd & Anr
  For Claimant, HP company (as sole counsel), in County Court proceedings to recover the unpaid balance due under a personal guarantee upon termination of a lease purchase agreement.
- D&G Cars Ltd v. LOCOG & Ors
  For LOCOG (as sole counsel) defending a claim for unpaid invoices in connection with the alleged provision of vehicle recovery services for the London 2012 Olympic and Paralympic Games

Energy and Natural Resources

Mike Watkins' practice covers all aspects of upstream and downstream oil and gas in litigation, international arbitration and expert determination. He has a detailed knowledge of price review mechanisms, valuation disputes and has a particular understanding of the economic arguments surrounding those. He regularly acts for and advises parties to Production Sharing Contracts, Joint Operating Agreements, Long Term Supply Agreements and Transportation/Processing Agreements. He also has experience of litigation arising out of the EU Emissions Trading Scheme and the Climate Change Levy. Recent work includes: advising (as sole counsel) on a potential claim for breach of a joint venture agreement; and acting (as sole counsel) for E.ON defencing a claim arising out of the mismeasurement of electricity.

- Potential LCIA arbitration
  Advising (as sole counsel) an international energy major on potential claims for breach of non-compete provisions in a shareholders' agreement relating to a joint venture.
- Fine Lady Bakeries Limited v. EDF Energy Customers Ltd & E.ON UK Energy Services Ltd [2020] EWHC 87 (QB).
  Acting (as sole counsel) for E.ON UK Energy Services Ltd defending a claim for breach of contract arising out of the mismeasurement of electricity supplied to a bakery in Manchester giving rise to contested applications for reverse summary judgment and a subsequent appeal. The case give rise to questions about the regulatory scheme relating to electricity meters.
- ICC / UNCITRAL Proceedings
  For an international energy major in connection with substantial parallel gas Price Review Arbitrations (each worth in excess of €1 billion). The proceedings engaged very substantial economic expert evidence on the value of natural gas in the relevant market and of comparable long term gas supply contracts.

- JPW Enterprises (Scotland) Ltd v. British Gas Services Ltd
  For the defendant (led by Daniel Toledano QC) defending a claim for c. £37 million arising out of termination of "subject to contact" arrangements for the sale and purchase of energy performance data, intended to assist British Gas in complying with its obligation to deliver energy saving measures under the Electricity and Gas (Energy Companies Obligation) Order 2012.
- AD HOC Arbitration
  For the defendant parties to a North Sea joint venture (led by Rhodri Davies QC) defending claims for breach of contract and/or unjust enrichment for alleged overlifting of natural gas liquids as a result of alleged allocation errors.
- Centrica Resources Ltd v. BG International (CNS) Ltd
  For the Claimant (led by Camilla Bingham QC) in proceedings in the TCC for breach of contract and/or unjust enrichment to recover from the Defendant North Sea gas field operator overpayments in respect of general and administrative overhead costs.
- Adjudication
  For the Claimant (led by John McCaughran KC) in contemplated proceedings arising out of the adjudication of a claim for breach of contract by the owner of a power station against a service provider for failure to perform a contract intended to ensure that the power station owner could comply with its obligation to deliver energy saving measures under the Community Energy Saving Programme.
- Expert Determination
  For the Claimant (led by Lord Grabiner KC) in proceedings concerning changes to the price of electricity under a long term power purchase agreement as a result of the removal of the exemption from the Climate Change Levy for taxable commodities used to generate electricity.
- LCIA Proceedings
  For the Defendant and Counterclaimant (led by John McCaughran KC) in proceedings arising out of the termination of a long-term electricity and gas supply agreement relating to a combined cycle gas turbine power station.
- LCIA proceedings
  For an international oil and gas major (as sole counsel) in proceedings to recover amounts outstanding in connection with contracts for the sale and supply of crude oil.
- UNCITRAL Proceedings
  For Claimant (led by Rhodri Davies KC) in arbitration proceedings relating to interests in oil and gas production sharing contracts in Iraq.
- UNCITRAL Proceedings
  For Respondent offshore drilling company (as sole counsel), in a debt claim for unpaid invoices
- Advisory Work
  Mike regularly advises (led and as sole counsel) on issues of contractual interpretation arising out of Production Sharing Contracts, Joint Operating Agreements, Shareholders' Agreements, Long Term Supply Agreements and Transportation/Processing Agreements.

Professional Liability

Mike Watkins' practice covers claims for breach of contract, negligence and breach of trust against professional services firms, including: solicitors (*London Underground v. Freshfields*; *Raiffeisen v Ashurst*; *Treveria v. Norton Rose*); accountants and auditors (*Aramid Distribution Trust v. Grant Thornton LLP*); financial services firms (*Singularis v. Daiwa*); and service providers in the energy sector (*Fine Lady Bakeries v. E.ON*). Recent work includes acting (as sole counsel) for the managing director of a servicing company.

- Raiffeisen Bank International AG v. Asia Coal Energy Ventures Ltd & Ashurst LLP [2019] EWHC 3 (Comm) (Moulder J) and [2020] EWCA Civ 11 (Lewison, Males and Baker LJJ)
  Acting (led by Lord Wolfson KC) for Ashurst LLP defending a claim for breach of warranty, misrepresentation and breach of trust arising out of a Solicitor's Confirmation letter given by Ashurst to the seller of certain loans and associated security. The litigation gave rise to an interlocutory dispute about privilege which was resolved in Ashurst's favour at first instance and on appeal to the Court of Appeal. The claim was dismissed at trial (Lord Wolfson KC and Adam Rushworth acting for Ashurst): [2020] EWHC 2606 (Comm) (Moulder J).
- Aramid Distribution Trust v. Grant Thornton LLP
  Acting (led by Christopher Butcher KC and (later) Thomas Plewman KC) for Grant Thornton defending a claim for breach of duty and negligence arising out of an agreed upon procedures retainer relating to a film

financing business.

- **Fine Lady Bakeries Limited v. EDF Energy Customers Ltd & E.ON UK Energy Services Ltd [2020] EWHC 87 (QB).**
  Acting (as sole counsel) for E.ON UK Energy Services Ltd defending a claim for breach of contract arising out of the mismeasurement of electricity supplied to a bakery in Manchester giving rise to contested applications for reverse summary judgment and a subsequent appeal. The case give rise to questions about the regulatory scheme relating to electricity meters.
- **London Underground Ltd v. Freshfields & Anr (Comm)**
  For Freshfields (led by Lord Grabiner KC) in complex, high value negligence proceedings arising out of the PPP for the maintenance and upgrade of the Underground system
- **Ball v. Boyes Turner**
  For Claimant (as sole counsel) in County Court proceedings against former solicitors for breach of retainer and/or professional negligence in connection with various property matters.
- **Treveria plc v. Ernst & Young (a firm) & Norton Rose LLP**
  For Norton Rose (led by Ben Strong KC) defending a claim for professional negligence arising out of the restructuring of a German property investment portfolio.
- **Singularis Holdings Ltd (in liquidation) v. Daiwa Capital Markets Europe Ltd**
  Acting (led by John McCaughran KC) defending a claim in the Chancery Division (Financial List) against a broker for c. USD 204 million for alleged negligence arising out of a stock lending transaction, which gives rise to issues about the scope of a broker's contractual duties and the illegality principle, including an appeal to the Court of Appeal and to the Supreme Court.

Restitution

Mike Watkins has a particular knowledge of this area of law, having taught postgraduate and undergraduate courses on the law of unjust enrichment at Oxford University (BCL) and University College London (LLB). Recent cases include appearing as sole counsel before the Court of Appeal in an appeal relating to the defences of counter restitution and change of position, and advising on a claim for contribution in respect of the claimant's liability in negligence to a third party.

- **School Facility Management Ltd (and others) v Governing Body of Christ the King College [2021] EWCA Civ 1053; [2021] 1 WLR 6129**
  Appearing (as sole counsel) before the Court of Appeal in what is now the leading authority on the counter restitution principle in the law of unjust enrichment, which arose out of a finance lease that was ultra vires and therefore void.
- **AD HOC Proceedings**
  For various parties to a North Sea joint venture (led by Rhodri Davies KC) defending a claim for breach of contract and/or unjust enrichment in connection with the alleged overlifting of natural gas products produced in the Forties Pipeline System.
- **NIIB Group Ltd v. Deutsche Bank AG (Ch)**
  For Deutsche Bank (led by Daniel Toledano KC), defending a c. £9m contractual and/or restitutionary claim for repayment of a fee paid to the Bank in connection with a tax-driven structured finance transaction pursuant to which equity-linked bull and bear notes were sold and repurchased.
- **Elek v. Bar-Tur & Anr (CA)**
  Appearing (as sole counsel) before the Court of Appeal in an appeal against a jurisdiction challenge. The case concerned a claim for a quantum meruit for services provided to the defendants in the context of a joint venture project and raised issues about the extent to which such a claim can be brought where a contract relating to such services has been discharged for repudiatory breach.
- **Centrica Resources Ltd v. BG International (CNS) Ltd**
  For the Claimant (led by Camilla Bingham KC) in proceedings in the TCC for breach of contract and/or unjust enrichment to recover from the Defendant North Sea gas field operator overpayments in respect of general and administrative overhead costs.
- **NDS Group Ltd v. The Commissioner of her Majesty's Revenue & Customs (Ch)**
  Acting (as sole counsel) for the claimant in a claim for restitution of Stamp Duty Reserve Tax that was unlawfully levied contrary to European Union Law
- Advising (sole counsel) on various unjust enrichment-related issues arising out of the misappropriation by a company director of shares from an employee retirement scheme and related claims for recovery of tax paid

in error.

- Advising (sole counsel and later with Anthony de Garr Robinson KC) on potential claims for restitution of money paid by mistake in connection with the Financial Services Compensation Scheme
- Advising (sole counsel) on issues arising out of the decision of Henderson J in Investment Trusts Companies v. HMRC.
- Advising (as sole counsel) an employer on a claim for restitution of payments that were made under legal compulsion in order to discharge an ex-employee's primary income tax and national insurance liabilities.
- Advising the potential claimant (as sole counsel) on a claim for restitution arising out of the fraudulent diversion of funds from its account. The claim concerned the circumstances in which a victim of a fraud can seek restitution from the fraudster's bank, rather than the fraudster.

What the Directories Say

Chambers UK 2026 (Commercial Dispute Resolution) ***"Michael Watkins combines a lot of things – a great legal mind, academic prowess and the quality of being extremely nice to work with. He is great to have on the team." "Michael is a really excellent junior. He is highly intelligent and excellent on procedural and strategic points." "Michael Watkins was analytically brilliant and delivered great advocacy in some case management hearings. He held his own against the silk on the other side."***

Legal 500 2026 (Commercial Litigation) ***"A really superb senior junior who is super bright. He is a real star and a vital member of the team on any case."***

Legal 500 2026 (Energy) ***"Mike is truly one of the stars of his generation. An absolutely superb lawyer with terrific judgement, who immerses himself in the detail of cases and works super-hard."***

Chambers UK 2025 (Commercial Dispute Resolution) *"Michael really nails down the legal points to work out the best arguments." "Michael cultivates enduring client relationships through exceptional service. He prioritises clear communication, and exceeds expectations at every turn." "Michael is very smart, detailed and all over the case."*

Legal 500 2025 (Commercial Litigation) *"Exceptionally clever, analytical, and produces beautiful paperwork. Also a delight to work with."*

Chambers UK 2025 (Energy & Natural Resources) *"Michael Watkins is very user-friendly and a very hard worker." "Michael understands the technical issues quickly and he appreciates the commercial side as well." "Michael is a bright, technical lawyer. He is also very user-friendly."*

Legal 500 2025 (Energy) "*Very commercial and user-friendly, Michael is technically excellent and gets to grips with the details very quickly."*

Chambers UK 2024 (Commercial Dispute Resolution) *"A proactive, really smart guy, who is a pleasure to work with as he's a proper team player." "He quickly gets to drips with complex concepts and displays a real mastery of the case."*

Legal 500 2024 (Energy) *"A junior in command of the details. He has a pragmatic approach to strategy"*

Legal 500 2024 (Commercial Litigation) *"A fantastic junior - thoughtful, engaging, and great written work. One to watch."*

Chambers UK 2023 (Commercial Dispute Resolution) *"Just completely on top of his case, he produces beautiful written arguments and pleadings."*

WWL (Global) 2023 (Energy & Natural Resources) *"Michael Watkins receives widespread endorsements from sources impressed by his formidable energy and natural resources practice."*

Legal 500 2023 (Energy) *"He is an excellent, impressive and thoroughly modern barrister whose submissions are clear and focussed"*

Chambers UK 2022 (Commercial Dispute Resolution) *"A bright, academic lawyer with a good commercial and strategic sense, he is the full package."*

Legal 500 2021 (Commercial Litigation) "*One of the best juniors. Incredibly bright, very thorough, but also really astute tactically and commercially. He is the complete package: there are not many like him at the Bar.*"

Legal 500 2021 (Energy) "*A highly-rated junior who considers his position and is strong on technical details.*"

Chambers UK 2021 (Commercial Dispute Resolution) *"A very clever lawyer who is very strategic and has incredibly good judgement." "He is an easygoing, excellent lawyer who is fully committed to his case."*

In 2013 he was identified by Legal Week as a "Star of the Bar", in an article profiling highly rated juniors under ten years call.

Academic Achievements

Demyship at Magdalen College, Oxford [2004 – 2007]
Lovells' Prize for Exceptional Academic Performance [2005]
Joint Winner of the Wronker Prize for Best Overall Performance in Final Honour Schools [2007]
Gibb's Prize for Best Overall Performance in Contract, Tort, Trusts and Land Law [2007]
Slaughter and May Prize for the Best Performance in Contract Law [2007]
Norton Rose Prize for the Best Performance in Company Law [2007]
Sir John Morris Prize for the Best Performance in the Conflict of Laws BCL [2008]
Peter Birks Prize for the Best Performance in Restitution BCL [2008]
AHRC Student Funding Award [2007 - 2008]
Hardwicke Entrance Award, Lincoln's Inn [2008 – 2009]
Lord Denning Scholarship, Lincoln's Inn [2008 – 2009]
Buchanan Prize, Lincoln's Inn [2009]
Megarry Scholarship, Lincoln's Inn [2009]

Other Achievements

Semi-finalist (out of 60 teams) at the Shearman & Sterling Oxford Law Faculty Moot [2008]
Represented Lincoln's Inn at the Willem C. Vis International Commercial Arbitration Moot reaching the final round of 16 (out of 230 teams) and winning an honourable mention for individual oral performances [2009]

Education

BA (Oxon) (First Class Honours), Law with French Law, Magdalen College, Oxford [2003 – 2007]
Certificat Supérieur de Droit Français et Européen (mention assez bien), Université de Paris II – Panthéon-Assas [2004 – 2005] BCL (Distinction), Magdalen College, Oxford [2007 – 2008]
BVC (Outstanding), City Law School (ICSL) [2008 – 2009]
Law Tutor at King's College, London teaching the law of contract (LLB) [2008 – 2009]
Law Tutor at the University of Oxford teaching the law of unjust enrichment (BCL) [2011 – 2014]
Teaching Fellow at University College, London teaching commercial law (LLB) [2014 – 2015] and unjust enrichment (LLB) [2015 – 2018].

Awards

Chambers TOP RANKED UK Bar 2026 One Essex Court

LEADING JUNIOR Legal500 UNITED KINGDOM 2026

Contact Clerks



Adam Wheeler

Clerk Team Leader
+44 (0)20 7520 4616
awheeler@oeclaw.co.uk



Jordan Foley

Deputy Team Leader
+44 (0) 20 7520 4613
jfoley@oeclaw.co.uk



Max Tonkinson

Clerk
+44 (0)20 7520 4695
mtonkinson@oeclaw.co.uk