

# SARA GILLINGHAM AUKNER

Over 30 years' experience of commercial shipping and international transport operations worldwide:

- ✓ Resolving disputes with shipowners, charterers, traders & insurers
- ✓ Considerable operational know-how
- ✓ Understands trade/corporate finance, derivative/physical trading, insolvency/cross-border issues

## Qualifications:

- Full Member of the London Maritime Arbitrators' Association (LMAA)
- Panel Member of Singapore Chamber of Maritime Arbitration (SCMA)
- Member of London Court of International Arbitration (LCIA)
- Accredited Mediator
- Fellow of Chartered Institute of Arbitrators (FCIArb)
- Representative (Norway), BIMCO Documentary Committee 2012-2018
- Non-Executive Director of The Strike & Marine Delay Club 2015-2018
- Lecturer at Norwegian Shipping Academy (BI Norwegian Business School), 2002 and 2003
- English Solicitor 1991-2021
- B.Sc. Economics & International Relations from L.S.E., incl. Public International Law

## Areas of Expertise:

### **Shipping Activities & Vessel Operations**

- Bills of Lading, Electronic BLs, WayBills, and other contracts of carriage
- Chartering In and Out: Bareboat, period and time charter trip CPs, Voyage CPs and COAs (short, long and industrial)
- Laytime and demurrage, speed and performance, bunkering and other operational issues
- Joint ventures and industrial contracts
- Freight management services
- Pool agreements, slot agreements, containerized and liner trades
- Shipbuilding, ship finance, ship sale and purchase
- Shipmanagement and shipowning
- Casualty or "wet" work: collision, allision, grounding and other damage to hull, particular average and general average, towage and tugs, ship repair, pollution

### **Litigation and Alternative Dispute Resolution**

- Court proceedings in every continent including substantive proceedings, enforcement issues, attachment/seizure of assets, exercise and protection of third party rights, and cross-border insolvency
- Arbitration in particular in London, New York, Oslo, Singapore and Hong Kong
- Mediation in particular in London, New York and Oslo
- Negotiation of alternative commercial solutions

### **Insurance**

- P&I/FDD, H&M, loss of hire/earnings or physical loss, war risks, strike and delay, counterpart default, business interruption, tailor made and off-market placements for personal and corporate security

### **Diverse Commercial Contracts**

- Construction (shipbuilding and commercial property)
- Leasing (maritime and commercial property)
- Management services
- Service agreements (IT, Intellectual Property Rights, licensing, SLAs, data protection)

### **Trade Finance**

- Trade finance, letters of credit and factoring
- Derivative trading and hedging, use of FFAs, Options, OTC and exchange-traded products, ISDAs and Master Agreements, settlement issues

### **Corporate Finance**

- IPOs, bond issue, private placement, M&A, de-mergers/disposal of business, due diligence

### **Corporate Governance**

- Corporate structure, shareholder agreements, partnership agreements, disposal/acquisition of shares

### **Compliance**

- Regulatory, compliance, sanctions and anti-corruption issues

## Career to date:

### 2018- Independent Arbitrator and Mediator

- Over 200 arbitration appointments (LMAA, UNCITRAL, SIAC, SCMA, HKMAG).
- Appointed as sole arbitrator (over 30), on panels and as Chair, good experience of writing awards (over 35).
- Hands-on experience of mediating shipping and insurance disputes.

### 2016-2018 Consultant and Legal Advisor

- Clients in New York, Oslo, Singapore and UK, in shipping, commercial property and a technology start-up.
- Executive and non-executive directorships in commercial property and marine insurance.

### 2005-2016- Western Bulk - General Counsel

- Provided diverse legal services worldwide. Created and led teams to manage legal risks, contracts, claims and disputes in many different jurisdictions.
- Developed and supervised legal risk management, including business-critical risks such as insurance (also tailor-made off-market cover), contract management and counterpart risk (due diligence; charterparty clauses; trade finance; provision of guarantees, security and collateral; cross-border insolvency); regulatory, compliance, and anti-corruption issues.
- Enabled business development, creation of long-term industrial projects, joint ventures, and new corporate divisions.
- Construction, sale and purchase of ships.
- Conducted restructuring: separation of Shipowning through liquidation, sale of Chartering division, without arrest/attachment of assets, ensuring survival of core business.
- Accomplished corporate finance transactions: joint ventures, M&A, IPO, de-merger, bond issue, due diligence.
- Facilitated derivative and financial trading: use of freight futures and hedging, financial instruments, ISDAs and Master Agreements, direct counterpart (OTC) and exchange-cleared products, and counterpart risk issues.

### 1997-2004 - Skuld P&I Club - Senior Lawyer

- Legal advice on all shipping & insurance matters (FDD and P&I) to charterers and shipowners; litigation and alternative dispute resolution of disputes on behalf of Members; delivered seminars and workshops, including Skuld School; publishing articles on law and regulatory topics for Skuld.
- Also Knowledge Management Officer: developed database, systems and procedures for distributing legal information and sharing knowledge on a worldwide basis, including claims handling processes and formation of special interest groups. Collaborated on website development, expedited electronic storage, retrieval and distribution of information.

### 1994-1996 - Advokatfirmaet Evensen & Co - English Solicitor, Norsk Advokatfullmektig

- English lawyer advising on shipping & insurance, offshore contracts, ship-building & ship finance, joint ventures, negotiation & drafting of commercial contracts, litigation. Seconded to Legal/FDD Dept. at Skuld (Feb - May 1995).

### 1989-1994 - Ince & Co - Trainee Solicitor and Solicitor

- Advised on English law on a worldwide basis to international clients: contractual drafting, legal advice and litigation in court and arbitration of insurance, reinsurance and shipping disputes (carriage of goods, charterparties and international trade), company/commercial, intellectual property, joint ventures, M&A, ship sale and purchase, ship finance, EU competition law. Seconded to Advokatfirma Evensen & Co (Sept - Oct 1993).

## Education:

<b>1989</b>	Solicitors' Professional Examination - Honours	Chester College of Law, England
<b>1988</b>	Common Professional Examination - Merit (Equivalent to 3-year law degree in 1 year)	Chester College of Law, England
<b>1986</b>	B.Sc. Economics & International Relations - 2:1 Honours	London School of Economics (L.S.E.)

**Languages:** Fluent Norwegian and English, understands Danish and Swedish, French and Spanish.

## Contact details:

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