

## Sam Cash

### Senior Associate

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Sam has extensive experience of construction and engineering disputes across a range of international and domestic projects. Sam has acted for both employer and contractor clients across all major forums of dispute resolution, including international arbitration, litigation, adjudication, expert determination and mediation.

Sam has experience of the JCT, NEC and FIDIC standard forms of contract and various bespoke contracts, in particular EPC forms of contract.

#### Specialist expertise

*Examples of Sam's expertise include:*

##### Arbitration

- acting for a claimant main contractor in an ICC arbitration in respect of various significant failures by its design subconsultant on rail infrastructure in the Middle East;
- acting for a claimant sub-contractor in an ICC arbitration (through to hearing) in respect of a technical final account claim for marine construction works at a South American LNG terminal;
- representing a defendant contractor in an ICC arbitration (through to hearing) in respect of various alleged construction and design defects, and delay, at a chemical process plant in the UK;
- advising a defendant employer in an AFSA (Arbitration Foundation of South Africa) arbitration in respect of a West African gold mine;
- advising a claimant main contractor in an ICC arbitration in respect of delay and defects at a Russian oil and gas production facility;

##### Litigation

- acting for a claimant housing association in multiparty TCC litigation in respect of various fire-safety related defects at a large London residential development;
- acting for a claimant in TCC litigation in respect of various base-build construction defects at its UK corporate headquarters;
- acting for a claimant in TCC litigation in respect of design/construction defects at a UK data centre;

##### Adjudication

- advising a main contractor on a significant London Underground signalling upgrade programme in respect of an adjudication over extension of time and prolongation costs;

- acting for a claimant housing association in an adjudication in respect of fire-safety defects in cladding systems at five higher-risk residential buildings in Hampshire;
- acting for a defendant employer in a final account adjudication in respect of the construction of an automated storage and retrieval system warehouse;
- acting for a main contractor in an adjudication to re-assess significant compensation events in respect of new London Underground infrastructure works;
- representing a main contractor for UK motorway works in defending an adjudication claim for changed ground conditions from its piling sub-subcontractor;

#### Mediation

- advising a claimant sub-contractor in a mediation in respect of a technical final account claim for marine construction works at a South American LNG terminal;
- representing a claimant employer in a mediation in respect of design/construction defects at a UK data centre;

#### Expert determination and advisory

- acting for the owners of an offshore wind farm in a multi-issue claims management (and expert determination) process with the contractor responsible for the design, installation, commissioning and operation of the plant;
- advising a claimant main contractor to a significant urban infrastructure project in the Middle East in respect of its potential entitlement and presentation of claims;
- advising a joint venture employer of its termination rights arising from contractor delay, alongside the impact of Covid-19, on a solar project in Southern Africa;
- advising a joint venture main contractor for significant new London infrastructure, in respect of the operation of the contract, in particular in relation to Project Manager assumptions and the compensation event regime; and
- giving ad-hoc advice to a joint venture enabling works contractor for significant new high-speed rail infrastructure, in relation to terminating subcontracts, insolvency and agreements with statutory undertakers.

#### Secondment

- Sam has undertaken a secondment to the in-house legal team at ExxonMobil, advising on both contentious and non-contentious upstream oil and gas matters.

#### Sam's memberships/positions include:

- Member of the Society of Construction Law.