



Nathan Baikie
Senior Associate

Dubai

T: +971 4 4228410
Central Park Towers, 34th Floor, P.O. Box: 233066, DIFC, Dubai, UAE

Abu Dhabi

T: +971 2 5466775
Etihad Tower 3, Office 1406, Corniche Road, Abu Dhabi, UAE

Email: nathan@mahmoodhussain.net
Website: www.mahmoodhussain.net

Areas of Practice

- Dispute Resolution
- Arbitration
- Corporate & Commercial

Education

- LLB, University of the Witwatersrand (WITS) Johannesburg South Africa (2012)
- Completed Practical Legal Training at Law Society of South Africa (2014)
- Granted right of appearance in the High Court of South Africa (2015)

Languages

- English
- Afrikaans

Summary Profile

Nathan is a South African qualified Lawyer with almost 10 years of experience in dispute resolution and corporate/commercial law; both in South Africa and the United Arab Emirates. Nathan is a Senior Associate at M&CO Legal, in the arbitration department.

Nathan has been actively involved in a variety of different institutional and ad hoc arbitrations, with particular exposure to ICC, DIAC, DIFC-LCIA, LCIA and ADCCAC arbitrations in various sectors such as oil & gas, insurance, construction, hospitality, real estate and banking. Nathan also regularly sits as tribunal secretary in DIAC and ICC arbitrations.

In respect of his common law litigation experience, Nathan frequently assists and represents clients in commercial and employment related disputes before the DIFC and ADGM Courts. In addition, Nathan is registered as a Pro Bono Practitioner with the DIFC Courts' Pro Bono Programme, where he frequently provides advice to indigent clients in relation to matters of DIFC law and procedure.

Experience

The disputes in which Nathan has been involved have been subject to different governing laws, including South African law, UAE law, DIFC law, ADGM law and English law. Additionally, Nathan has advised clients on various corporate and commercial transactions, and drafted a wide range of related agreements.

Prior to joining the firm, Nathan worked as a Legal Consultant in a well-established Abu Dhabi based law firm where he assisted on many transactional matters and arbitration disputes.

Nathan is admitted as an Attorney of the High Court of South Africa.

Focus Areas

Nathan's focus lies in arbitration, common law litigation and corporate/commercial. Throughout his legal career, Nathan has been fortunate enough to secure a number of positive results for his clients.

Notable Arbitration & Litigation Disputes

Arbitration

2014: representing an international software solutions company in an *ad hoc* arbitration conducted in accordance with the Uniform Rules of Court (seat Johannesburg, South African law) concerning the sale and purchase of a software system specific to the insurance industry.

2019: representing an Abu Dhabi based oil company in an arbitration conducted in accordance with the ICC Rules (seat Abu Dhabi, UAE law) concerning an AED 220m claim in relation to the repudiation of an insurance policy issued by the respondent, a well-known Dubai based insurer.

2019: representing the subcontractor in an arbitration conducted under the auspices of the ICC Rules (seat Abu Dhabi, UAE law) in which the developer had claimed, amongst other things, liquidated damages and declaratory relief. The amount in dispute totaled circa AED 10m and related to the construction of a residential apartment complex in Abu Dhabi.

2020: representing a well-established Abu Dhabi based hotel group in an arbitration conducted in accordance with the DIAC Rules (seat Abu Dhabi, UAE law) concerning the sale and purchase of a hotel property in Dubai. The amount in dispute totaled AED 150m.

2020: representing a Dubai based contractor in an arbitration conducted in accordance with the DIAC Rules (seat Dubai, UAE law) concerning an AED 40m claim brought against a Chinese based developer for the payment of certified amounts, variation claims and prolongation costs.

2020: representing the claimant, a Bangkok headquartered architectural/design firm, in an *ad hoc* arbitration conducted in accordance with the UNCITRAL Rules (seat Abu Dhabi, UAE law) concerning a project designed by the claimant on the instruction of the respondent. The amount in dispute totaled roughly AED 4.4m and related to claims for amounts associated with unpaid design fees and variations.

2020: sitting as tribunal secretary in an arbitration conducted in accordance with the DIAC Rules (seat Dubai, UAE law) concerning a claim brought by an elevator/lifting company against a Dubai based developer for various unpaid amounts related to works carried out during the project.

2021: representing a US-headquartered elevator and lifting company in an arbitration conducted in accordance with the DIAC Rules (seat Dubai, UAE law)

concerning the supply and installation of elevator/lifting equipment in Dubai. The amount in dispute totaled AED 5.5m.

2021: representing a telecommunications company based in Singapore in an arbitration conducted in accordance with the ICC Rules (seat Abu Dhabi, UAE law) concerning a USD 3m claim brought in respect of a telecommunications system supplied and installed at an oil and gas project of the coast of Abu Dhabi.

2021: representing a Hong Kong headquartered hospitality company in an arbitration conducted in accordance with the DIFC-LCIA Rules (seat DIFC, English law) concerning a civil fraud claim brought by the claimant, the owner of two hotel properties KSA, to the tune of circa USD 47.4m.

2021: representing the respondent, an Abu Dhabi based parking operator, in an arbitration conducted in accordance with the DIAC Rules (seat Dubai, UAE law) concerning a AED 750,000 claim brought by the claimant in relation to alleged unpaid sums.

2021: sitting as administrative secretary in an arbitration conducted in accordance with the ICC Rules (seat Abu Dhabi, UAE law) concerning a claim brought by the subcontractor against a Abu Dhabi based contractor for unpaid amounts related to scaffolding equipment supplied by the subcontractor.

2022: representing the respondent, an Arab financial investment institution, in an arbitration conducted in accordance with the DIAC Rules (seat Dubai, UAE law) concerning a AED 2m claim brought by the claimant in relation to alleged construction works carried out by unpaid.

Litigation

2020: representing the claimant, an Australian headquartered construction company, before the DIFC Courts seeking an anti-suit injunction order against the defendant who wrongfully instituted proceedings before the Dubai Courts.

2021: representing two high net worth individuals before the Arbitration Division of the DIFC Courts, in filing an application for the recognition and enforcement of an arbitral award issued under the auspices of the DIFC-LCIA for an amount of AED 7.6m.

2021: representing the appellant, a DIFC registered entity, in appeal proceedings before the DIFC Courts' CFI. The matter related to an employment claim initially brought by the respondent in the SCT, which was subsequently appealed by the appellant.

2021: representing the claimant, a DIFC registered entity, in a claim brought before the DIFC Courts against the defendant, a former employee, as a result of the misappropriation and theft of company funds to the tune of circa AED 4m.

2021: representing the defendant in an employment related claim, filed by the claimant before the ADGM Courts in relation to alleged unpaid employment benefits and gratuities. The amount claimed exceeded AED 300,000.

2022: representing the defendant, a hotel owner in Dubai, before the DIFC Courts in respect of a Part 7 claim brought by the claimant, a valet/parking services provider, in relation to alleged unpaid amounts and damages totaling AED 450,000.

2023: representing the claimant, a former employee of the defendant, before the DIFC Courts in respect of a Part 7 claim brought by the claimant against the defendant in relation to outstanding/unpaid employment-related entitlements.

2023: representing the claimant, an Abu Dhabi based property developer, before the ADGM Courts in respect of a claim for recognition and enforcement of a AED 7m ICC arbitration award issued against the defendant, an Abu Dhabi based contractor.

2023: representing the claimant, an Australian headquartered construction company, before the DIFC Courts in respect of claim for recognition and enforcement of a AED 110m DIFC-LCIA arbitration award issued against the defendant, a Dubai-based contractor.