



NICHOLAS GIBSON

MAIN AREAS OF PRACTICE:

Antitrust, Competition and Regulation
Arbitration
Commercial Law
Consumer Law
Crime and Regulatory Law
EU Law
Human Rights
Public Law
Public International Law
Sports Law
Tax Law
Telecommunications Law

Called to the Bar 2009
Admitted as solicitor 2004

CONTACT:

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Jason Housden
Senior Practice Manager
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Languages

French
Spanish
Arabic (spoken)

With a diverse practice in commercial and public law, Nicholas is a recommended specialist in antitrust/competition law, telecommunications and other economic regulation, State aid, and other EU law.

EXPERIENCE

Nicholas is recommended in the two leading legal directories in Antitrust/Competition Law and Telecommunications and noted for his “*first-class mind*” and “*excellent client skills*”. He is instructed by a wide range of clients in both the private and public sectors, including the UK Competition and Markets Authority (the CMA) and various government departments. In 2014, Nicholas was identified by Legal Week as one of ten ‘Stars at the Bar’ recognised for his exceptional abilities in practice at the commercial bar, and described as “*intellectually outstanding*” and “*phenomenally hard-working and conscientious, with great attention to detail*”.

Before joining Matrix, Nicholas practised in the London and Paris offices of global law firm Freshfields Bruckhaus Deringer, advising regulators, major financial institutions and leading companies internationally across a range of industry sectors on antitrust, commercial, and public law issues.

Nicholas has also previously worked as judicial assistant to Lord Bingham and Lord Walker at the UK House of Lords, and on legal and policy matters in the Middle East. Nicholas received a first-class degree from Cambridge University and an LLM in EU law, and has taught human rights law for the LLM at King’s College, University of London.

EXPERTISE

Competition and Regulation

Nicholas has a wide-ranging competition law practice focusing on contentious matters with extensive experience including EU/UK antitrust investigations (civil and criminal), private actions, dominance issues, market inquiries, State aid and public procurement.

Commercial Litigation and Arbitration

Nicholas has acquired diverse commercial experience, including high-value and complex commercial disputes, international tracing claims, conflicts of laws, commercial judicial review.

Telecommunications

Nicholas’s sectoral telecoms expertise is a particular strength, regularly instructed by regulators, State parties and telecoms operators on complex cost/pricing issues, in commercial disputes and during regulatory and antitrust investigations.

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DIRECTORIES' RECOMMENDATIONS

"He is a big asset to the case and is a veritable workhorse."

"He picks up a heavy workload and is a big asset to the case."

"He provides good commercial, pragmatic advice."

Chambers & Partners 2017

"Terrific; he brings a refreshingly commercial approach to competition law."

Legal 500 2016

"Extremely hard-working and focused on the detail. He is very sharp and has an incisive mind."

"He's got a very calm, stable and reassuring way of going about things - he's utterly unflappable."

"He is exceptionally hard-working, and he produces his work very quickly."

Chambers & Partners 2016

"Very clever, energetic and enthusiastic."

Legal 500 2015

"intellectually outstanding"

"switched on"

"phenomenally hard-working and conscientious, with great attention to detail"

Legal Week 2014

"Very clever, energetic and hard-working"

"He has a first-class mind for detail and is fabulous to have on a case."

Chambers & Partners 2015

"an up and coming junior in Telecommunications whose 'paperwork is excellent' and someone good to have in court 'when you have a difficult case to represent'"

Chambers & Partners 2014

"sharp and responsive"

Legal 500 2013

Tax Law

Nicholas has a growing tax practice and is regularly instructed by the UK tax authority, HMRC, primarily in appeals against decisions in relation to indirect taxation.

RECENT AND NOTABLE CASES

Ecotricity Group Limited and another v Tesla Motors Inc and another Defending the UK's leading green electricity company and its network of charging points for electric vehicles ("EVs") at motorway service stations against a counterclaim by a US manufacturer of EVs alleging breaches of competition law in relation to the provision of EV charging services.

Sheikh Tahnoon bin Saeed bin Shakhboot al Nehayan v John Kent Acting for the defendant Greek tour operator in a claim brought by a member of the ruling family of Abu Dhabi arising from the termination of their joint venture and business relationship, and on the defendant's counterclaim for remedies for breach of fiduciary duty and other relief.

La Gaitana Farms S.A. and others v British Airways plc Acting for South American flower growers in their follow-on competition damages claim arising from a price-fixing cartel in relation to air freight services provided by British Airways and other international carriers of air cargo.

King Automotive Systems Ltd v Fonderie de Bretagne Advising a French automotive company in proceedings for breach of contract and economic torts, including a challenge to the jurisdiction of the English Court under the "Brussels" Regulation 44/2001/EC.

Rosneft v the Netherlands Advising a Russian oil company on its ECHR complaint alleging unequal treatment in proceedings involving the application of the 1958 New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards.

Lafarge Tarmac and Hope Construction Materials v the Competition and Markets Authority Defending the CMA against challenges to the package of remedies (and in particular the divestiture of a cement plant) proposed by the Competition Commission to address coordination in GB cement markets, following the *Aggregates* market investigation.

Everything Everywhere and others v Office of Communications (Mobile Call Termination appeals) Representing the Competition Commission in joined appeals against the national telecoms authority's pricing decision, and defending the Commission's determination of those appeals against judicial review before the CAT and the Court of Appeal.

Complaint from Thus Plc and Gamma Telecom Limited against BT Representing BT in an investigation into an alleged abusive margin squeeze in wholesale call pricing, successfully persuading the regulator to reverse its provisional adverse finding.

R (Sky Blue Sports & Leisure Limited) v Coventry City Council Acting for the owners of Coventry City Football Club in a judicial review claim that a £14.4m loan to the manager of the Club's home ground was an unlawful use of public funds in breach of EU State aid rules.

Recall v Secretary of State for Culture, Media and Sport Defending the Secretary of State against a *Francovich* damages claim by telecoms operators that UK law seriously breached EU law, and advising on refusal to supply issues arising in the context of causation.

PLUS Markets v London Stock Exchange Acting for the London Stock Exchange in a Commercial Court claim challenging the AIM trade reporting rules on competition and EU law free movement grounds.