



Christopher Raleigh

Member

New York

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Christopher focuses his practice on the litigation and arbitration of maritime, aviation and energy disputes and the analysis and litigation of insurance coverage issues that affect these industries. Christopher's more than 30 years of experience counseling clients involved in these industries includes:

- Arbitration before the Society of Maritime Arbitrators, American Arbitration Association, International Centre for Dispute Resolution, and International Chamber of Commerce of maritime, energy, and commercial disputes.
- Litigation of cases arising from vessel casualties, including losses caused by fires, collisions, and catastrophic container losses.
- Litigation of commercial disputes relating to shipping, trucking, and energy.
- Litigation of disputes for Fortune 500 energy companies that involved the transportation and sale of oil and natural gas products.
- Drafting, negotiation, and revision of bareboat, time, and voyage charter parties.
- Reviewing and negotiating terminal lease agreements, equipment lease agreements, equipment interchange contracts, and liner service agreements.
- Defense of airlines and aviation component parts manufacturers against suits for death and catastrophic injury claims.

Experience

Obtained a \$29 million international arbitration award on behalf of a Dutch dredging and marine construction company. The dispute arose when a foreign alumina manufacturer began to curtail the quantities of bauxite it accepted from the client, in breach of a mining contract between the parties. When attempts to negotiate a resolution were unsuccessful, we filed a demand with the International Chamber of Commerce and overcame multiple defenses raised by our opponent to secure the sizable award.

Successfully moved to dismiss all claims by an air carrier for breach of contract, tortious interference, unfair competition, and prima facie tort brought against a major maritime company with respect to the transportation of military cargo, in which the plaintiff's claims exceeded \$100 million in compensatory and punitive damages. In granting the motion to dismiss, the court adopted our arguments verbatim, dismissing all claims against our client.

Defended a Fortune 500 energy company in an arbitration before the Society of Maritime Arbitrators commenced by the purchaser of six vessels pursuant to a complex freight support agreement.. Obtained an award which dismissed the plaintiff's claim, and granted recovery on the respondent's counterclaim plus attorneys' fees.

Practice Areas

- Transportation & Trade
- Transportation & Logistics Litigation
- Maritime Litigation
- Intermodal & Logistics
- International Arbitration

Industry Sectors

- Aviation
- Insurance

Education

- Fordham University School of Law, J.D., 1980
- St. Michael's College, B.A., *cum laude*, 1974

Bar Admissions

- New Jersey
- New York
- U.S. Virgin Islands

Court Admissions

- U.S. Court of Appeals for the Third Circuit
- U.S. District Court -- Eastern District of New York
- U.S. District Court -- New Jersey
- U.S. District Court -- Southern District of New York
- U.S. Supreme Court
- U.S. Court of Appeals for the Second Circuit

Affiliations

- Association of the Bar of the City of New York
- Maritime Law Association of the United States
- New Jersey State Bar Association

Awards & Honors

- New York Super Lawyers Top Rated Transportation & Maritime 2008-2010; 2013-2022. This award is conferred by Super Lawyers. A description of the selection methodology can be found here. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

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Represented the charterer of a bulk carrier in the analysis, negotiation and resolution of claims for demurrage and deadfreight arising out of serious delays in the loading of petroleum coke in Porto José, Venezuela.

Obtained dismissal of a suit filed against a French classification society by a charterer which claimed that negligent class inspections resulted in the sinking of the vessel transporting its cargo.

Obtained summary judgment resulting in the dismissal of an \$8 million claim against our clients, relating to profits from fuel oil deliveries from an alleged joint venture. See, Summit Transport, Inc. v. Hess Energy Marketing, et al. 2019 WL 430863 (DNJ 2019)

Advised the charterer of a bulk vessel carrying iron ore pellets after the owner laid up in mid-voyage due to an early freezing and closing of the St. Lawrence Seaway during a transit from Duluth, Minnesota to Quebec, Canada.

Obtained an award in an arbitration before the American Arbitration Association for the operator of a chassis pool in which the latter, pursuant to an unwritten agreement, accelerated the takeover of chassis pool operations in consideration of a reduction in the respondent's contractual management fees. Relying upon the doctrine of equitable estoppel, we successfully convinced the arbitrator that claimant's performance confirmed the existence of the unwritten contract terms, which the respondent vigorously denied. The award directed repayment of mistakenly paid management fees, and complete denial of the respondent's counterclaim.

Defended an Australian company in an arbitration before the International Centre for Dispute Resolution against claims in the amount of \$10 million filed by the operator of the mine, in which it was alleged that Respondent negligently designed and constructed an open pit heap leach gold and silver mine for the claimant in Chihuahua, Mexico. The claims were favorably resolved following discovery and extensive settlement negotiations between the parties.

Represented a Fortune 500 energy company, the claimant in a dispute before the American Arbitration Association for non-payment of amounts due under a long term services agreement for cogeneration equipment. Following settlement of the claim, which included mutual releases, respondent refused to execute the settlement agreement and, through new counsel, claimed that it never authorized the wording of the settlement agreement which included a broad release in favor of all of the claimant's corporate affiliates. Simultaneously with its announcement of this position, the respondent filed suit in federal court seeking compensatory and punitive damages against claimant's corporate affiliates on multiple liability theories. We moved for and obtained an order from the arbitrator which ruled that all disputes had been settled and bound respondent to the terms of the unsigned settlement agreement, including a mutual release in favor of respondent's corporate affiliates named as defendants in the federal proceeding. Following the award, respondent's federal suit was summarily dismissed.

Secured a \$3.3 million settlement from the insurer of a tug operator following a collision by a tug and barge with the pier of a terminal operator located in Bayonne, New Jersey. After obtaining security for the claim, we worked closely with the U.S. Coast Guard to develop facts which confirmed that the collision was caused by a failure of one of the tug's engines to respond to electronic commands from the bridge, and that the tug owner was aware of this unseaworthy condition prior to the casualty.

Defended a northeastern utility and natural gas trading company in a \$60 million suit commenced by an upstream natural gas producer before the U.S. District Court for the District of Colorado, in which the producer alleged breach of the pricing terms of a NAESB (North American Energy Standards Board) agreement.

Represented an international terminal operator in its application for a stevedore license from the

Waterfront Commission of New York Harbor; defended and resolved charges that the terminal operator violated the Waterfront Commission Act; and defended the terminal operator's employees at administrative hearings before the Commission.

Obtained dismissal of a \$5 million suit filed against an oil refinery in the U.S. District Court for the District of the Virgin Islands, by a vessel owner which alleged that defective bunkers sold by the defendant caused catastrophic damage to the vessel's engines and a resultant loss of power and propulsion while the vessel was at sea.

Obtained a judgment, including an award for attorneys' fees, from the New Jersey Superior Court, Middlesex County, against a natural gas producer which raised *force majeure* as a defense for its failure to deliver contractual quantities of natural gas under a NAESB contract. Plaintiff's judgment was affirmed on appeal by the Appellate Division of the State of New Jersey, 435 N.J. Super. 39 (A.D. 2014), which was the first appellate court to interpret the *force majeure* provision of the NAESB, an industry contract form promulgated by the North American Energy Standards Board.

Litigated and successfully resolved an \$80 million insurance coverage dispute arising out of the destruction of a marine terminal by Hurricane Wilma.

Successfully settled disputes between a French insurer and a U.S. logistics company arising from a complex claims program that involved multi-million dollar claims arising from intermodal losses.