



Olufunke (Funke) Agbor SAN

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Funke leads the Dispute Resolution Group of Dentons ACAS-Law and has been described as an extremely skilled litigator. With over 40 years as a dispute resolution lawyer, her measured, and calm approach to the dispute resolution process is key to her achieving the best commercial outcomes for her clients.

Funke is also recognized for her expertise in maritime law, with the Legal 500 in 2020, 2021, 2022 and 2023 naming her to the Hall of Fame – Shipping and Transport category. Funke has acted in complex, sensitive and commercial disputes across a broad range of sectors typically on behalf of private sector clients and on occasion for government agencies particularly in relation to law and policy issues. Examples include commercial disputes involving financial services, labour and employment, real estate, oil and gas, general and marine insurance, offshore contracting, sale and purchase of vessels, shipping and admiralty, international trade, transport and port concessioning. She has successfully defended a potential class action on behalf of a multinational and has acted as counsel in a number of arbitrations. She has been appointed Mediator and Arbitrator in a number of disputes.

Funke has written and presented several legal articles on maritime law and arbitration and related areas of law and has served as a resource person for the Institute of Advanced Legal Studies and the Annual Maritime Seminar for Judges.

Experience

- Representing a multi-national oil exploration company in a multi-billion dollar oil spill litigation that has progressed to the appellate courts of Nigeria
- Advised on a sale of assets transaction involving multi-national oil and gas services company and international shipping and fleet boat service providers, by providing legal advice on the ongoing transaction, providing legal opinion in respect of Nigerian law issues and drafting the relevant transaction documents
- Part of the team representing the first independent power project in Nigeria in a claim that seeks to enforce the agreement that founds the project as against the interest of the Federal Republic of Nigeria and other parties to the contract

- Representing an international company that operates one of the major Nigerian ports pursuant to a concession agreement in a tax claim of over N1.8 billion (over US\$12 million)
- Representing a major international brewery company in enforcing its contractual rights in a licensing agreement for the production, marketing and sale of products using its trademarks
- Represented a major international airline in dealing with the commercial and legal issues preparatory to setting up its additional Nigerian routes as well as representing the airline in civil litigation claims against it
- Represented an electricity-generating company seeking indemnification for the adjusted losses in respect of material physical damage of its equipment
- Advised on the consolidation of two insurance companies in the re-capitalisation of insurance companies pursuant to the directives of the National Insurance Commission
- Represented a major international ship owner and financier in the acquisition of a Nigerian flagged vessel; as well as advising on the mortgage of the vessel
- Represented a major multi-national telecommunication equipment company in a tax claim of over N500 million (over US\$3 million)
- Representing a US-based internet-service provider in the recovery of unpaid fees in the excess of US\$9 million from various locally-based telecom companies
- Represented an international tobacco manufacturing company in a suit that has directed the destruction of products that has infringed the client's flagship brand of cigarettes in Nigeria
- Represented an international dairy products manufacturer in an action against a class of infringers engaged in the infringement, passing off, distribution and sale of its products in Nigeria
- Representing an indigenous oil services company in arbitration over the breach of a contract for the supply of an oil drilling rig which resulted in damages to the client's exploration activities
- Represented as co-counsel, an international power company in an international commercial arbitration against the Federal Government of Nigeria
- Advised a P&I Club member of the International Group on a rig blow out involving the review of the drilling contract and a consideration of the environmental impact issues and community concerns and engagement with the relevant agencies
- Representing an international bank in the financing of vessels for the Nigerian offshore industry. Represented ship owners in the purchase of crewing vessels and other OSVS
- Representing and providing advisory for FPSO owners in the operations of their FPSOs in the context of the customs, cabotage and local content laws

- Representing a leading commercial bank in sundry disputes matters relating to the provision of banking services to its corporate and banking customers.

Recognition

- "She is well versed in arbitration, and sources describe her as "very experienced", *Chambers Global* review 2021
- "Funke Agbor stands out for her knowledge-based and business savvy approach to advising clients", *Legal 500* 2021
- Global Leader 2020 in Transport (Shipping category), *Who's Who Legal: Nigeria*
- Hall of Fame 2020 in Shipping and Transport, *The Legal 500*
- "Funke possesses deep expertise in general civil litigation and commercial arbitration", *Chambers Global* 2016.
- Ranked as an elite Leading Individual in Shipping & Transport, *The Legal 500*, 2015
- Ranked in Band 2 as a leading lawyer in Dispute Resolution, *Chambers Global Guide* 2015
- Ranked in Band 1 as a leading lawyer in Dispute Resolution, *Chambers Global* 2012
- Funke Agbor is described as "very diligent and direct in her advice", *Chambers Global Review* 2013
- Funke is described as "a commercial litigation specialist, who is known for her expertise in maritime law", *Chambers Global Clients' Guide* 2012

Insights

- Co-author "Complex Commercial Litigation 2020", *Getting the deal Through - Nigeria*, October 2019
- Co-author "Complex Commercial Litigation 2019", *Getting the deal Through - Nigeria*, October 2018
- Co-author "Shipping 2020", *Getting the Deal Through - Nigeria*, June 2019
- Co-author "Shipping Finance 2019", *Getting the Deal Through, Nigeria* June 2019
- Co-author "Shipping 2019", *Getting the Deal Through - Nigeria*, August 2018
- Co-author "Shipping 2018", *Getting the Deal Through - Nigeria*, August 2017
- Co-author "Insurance and Reinsurance" *Getting The Deal Through- Nigeria* June 2016
- Co-author "Court rules garnishee proceedings cannot continue when stay of execution has been filed", *International Law Office*, September 2016

- Co-author “Power of courts to order anti-arbitration injunctions in foreign arbitration proceedings - Nigeria”, International Law Office, February 2016
- Co-author “Shipping 2016”, Getting the deal Through Nigeria, August 2015
- Co-author “Ship Finance 2015”, Getting the Deal Through, July 2015
- Co-author “Shipping 2014”, Getting the Deal Through - Nigeria, September 2015
- Co-author “Balancing interests of foreign investment and local participation in oil and gas sector-Nigeria”, International Law Office - Nigeria, September 2014
- Co-author “Supreme Court rules on dismissal based on criminal allegations - Nigeria”, International Law Office - Nigeria, October 2013
- Co-author “Ministerial consent required for change of corporate control under oil and gas law”, International Law Office - Nigeria, August 2012
- Co-author “Court rules arbitration to be a condition precedent to litigation”, International Law Office - Nigeria, June 2012

Activities and Affiliations

- President, Nigerian Maritime Law Association

Community Involvement and Pro Bono

- Founding Trustee: Children Arise Foundation - providing financial support for the education and skills development of street children

Presentations

- Presenter “Resolving Shipping Disputes in Africa through Arbitration – Sovereignty vs Party Autonomy”, 2nd International Chamber of Commerce Africa Regional Arbitration Conference, Lagos May 2017
- Presenter “Port Regulations and Infrastructure in Nigeria”, NBA Lagos Law Week, Lagos, October 2016
- Presenter “The Incidence of Wreck removal - The Nigerian Perspective”, 6th Maritime Salvage and Marine Casualty Seminar, London, September 2015
- Presenter “The Validity and Enforcement of Nigerian Arbitration Clauses in Bills of lading”, Maritime Arbitrators Association of Nigeria Seminar, Lagos, May 2015

- Presenter “Legal Issues Relating to efficacy and enforcement of legal Instruments for promotion of shipping development in Nigeria”, 5th Admiralty Law Seminar for Judges, Lagos, December 2013
- Presenter “West Africa and the Law of the Sea: Responding to Challenges and Identifying Opportunities”, Chatham House and Nigerian Institute of International Affairs Conference on Maritime Security in the Gulf of Guinea Lagos, Nigeria, April 2012
- Presenter “Understanding rights and responsibilities in shipwreck management in Nigeria”, 3rd Strategic Admiralty Seminar for Judges, Lagos, December 2011

Memberships

- Member, Nigerian Bar Association (NBA)
- Member, International Bar Association
- Past Chair, Maritime Committee of the Section on Business Law of the NBA
- Member Chartered Institute of Arbitrators
- Member LCIA
- Member Arbitral Women
- Member of Arbitration and Maritime Committees, International Bar Association
- President, Nigerian Maritime Law Association
- Member, Institute of Construction Industry Arbitrators
- Member, International Chamber of Commerce Nigeria Commission
- Member, Judicial Relations Committee NBA Lagos Branch
- Past President Women’s International Shipping Association Nigeria
- Trustee Women’s International Shipping Association Nigeria
- Member, Standing Committee of the International Chamber of Commerce (ICC) Paris, International Centre for ADR
- Trustee, Commercial Disputes (Best Practices) Legal Network

Prior and Present Employment

- Partner Dentons ACAS-Law (Adepetun Caxton-Martins Agbor & Segun), 1993 to date

Areas of Focus

Practices

- Commercial Litigation and Arbitration
- Shipping and International Trade
- General and Marine Insurance
- Labor and Employment
- Banking and Finance
- Off-shore vessel contracting

Industry Sectors

- Transport and Infrastructure
- Oil and Gas
- Construction

Education

University College London, 1984, LL.M.

Nigerian Law School, 1982, BL

University of Lagos, 1981, LLB (Hons)

Admissions and Qualifications

CEDR Accredited Mediator, Centre Dispute Resolution UK, 2012

Fellow, UK and Nigeria Branch, Chartered Institute of Arbitrators, 2019

Senior Advocate, Nigeria, 2016

Barrister and Solicitor, Supreme Court of Nigeria, 1982

Languages

- English