

	Title / Prefix:	Mr.
	First / Given Name:	Azubike
	Family / Surname:	Okoye
	Post-Nominals:	LL.M., FCIArb, FAMINZ (Arb/Med), FMIArb, FPD, B.L., LL.B.
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Nationality:	Nigerian	

Recognitions

1. Awarded Publication of the Year 2022 by the African Arbitration Association.
2. Awarded Young ICCA (International Council of Commercial Arbitration) Scholarship, University of Miami, School of Law, Coral Gables, Miami, Florida, United States of America.
3. Judicial Commendation by a Honorable Judge of the High Court of Lagos State of Nigeria for excellent and in-depth knowledge of the Nigerian Law.
4. Awarded Undergraduate Scholarship for good academic standing by the Federal Government of Nigeria.

Bar Admissions

Missouri Bar: Attorney and Counselor at Law, State of Missouri, U.S.

New York Bar: *Pro hac vice* admission, Fourth Judicial Department, New York, U.S.

Florida Bar: Certified Foreign Legal Consultant (not admitted to practice Florida law), U.S.

Kazakhstan: Full rights of audience only before Astana International Financial Centre (AIFC Court).

Nigeria: Barrister and Solicitor, Supreme Court of Federal Republic of Nigeria.

Positions

A] Current:

1. Founder, Independent Arbitrator/Mediator, A.N. Okoye & Co., LLC, U.S.
2. Notary Public of the Supreme Court of the Federal Republic of Nigeria.
3. Solicitor: Corporate Affairs Commission (C.A.C.), Federal Capital Territory F.C.T., Abuja, Nigeria.

B] Previous:

1. Staff Attorney: Legal Assistance of Western New York, Geneva, New York, U.S.
2. Legal Intern: GST LLP, (International Arbitration), Miami, Florida, U.S.
3. Senior Associate: F.O. Akinrele & Co. (Barristers, Solicitors & Notaries Public), Lagos State, Nigeria.
4. Associate Counsel: F.O. Akinrele & Co. (Barristers, Solicitors & Notaries Public), Lagos State, Nigeria.
5. Counsel: Mansfield & Gransville Chambers, (Barristers & Solicitors) Lagos State, Nigeria.
6. Corps Counsel: National Youth Service Corps (N.Y.S.C.), Ministry of Justice, Niger State, Nigeria.
7. Legal Intern: Prof. I.O. Smith & Co. (Barristers & Solicitors), Lagos State, Nigeria.

Professional Accreditations

1. **Fellow (FCIArb):** Chartered Institute of Arbitrators, U.K.
2. **Fellow (FPD):** Prime Dispute, U.K.
3. **Fellow (Arb. & Med.):** Arbitration and Mediation Institute of New Zealand [AMINZ (Arb. & Med.)]
4. **Fellow (MIArb):** Malaysian Institute of Arbitrators.
5. **Arbitrator (FINRA):** Financial Regulatory Authority, U.S.

Professional Experience

A] Litigation (*illustrative and not exhaustive*)

1. Acted for an international Bank in defending banking related claims arising from a mortgage transaction involving a Customer contesting debit transactions and excess charges.
2. Acted for an international financial institution in defending claims in a consolidated multiple proceeding arising from a complex construction contract executed in Ghana.
3. Acted for a financial institution in respect of an instruction from a corresponding bank abroad premised on a contract of indemnity for freezing of a customer's account.

B] Arbitration:

1. Acted for a leading Nigerian based construction company in a construction liability claim involving commercial terms and financial disputes relating to multiple engineering construction contract
2. Defended a Nigerian based financial institution in an early determination of lease obligations in connection with Covid-19.

C] Mediator / Mediations:

1. Acted as a Mediator in successful resolution of a dispute of over 7 years between an Employer and a Contractor pertaining to assignment of construction contractual obligations.
2. Acted as a Mediator in facilitating resolution of dispute involving restructuring of an estate of a deceased prominent Nigerian involving his real properties.
3. Acted as a Mediator involving a Nigerian financial institution with strong international presence in a hotly contested mortgage dispute.

D] Mediations (*illustrative and not exhaustive*):

1. Acted for an American Bank in defending a claim relating to Oil Exploration and Trustee Obligation arising from a third-party liability claim.
2. Acted for a European established telecommunication entity with a branch in Nigeria in a commercial dispute involving claims bordering on Wireline Network Services and outside Plan Civil Works Services.
3. Acted for a foreign corporation in a failed real estate acquisition transaction predicated on enforcement of letter of indemnity.

E] [Aviation / Wet Lease, Passenger Claims and Catering on board Aircraft]:

1. Acted for an Airline in defending a claim arising from defaults in observing pre-checking formalities at the Airport leading to birth on-board an aircraft by a passenger.
2. Acted for an Airline in defending a claim initiated by a courier company in respect of various courier services rendered to the Airline at various times.
3. Acted for a Nigerian Airline in respect of a winding up claim presented by a leasing company arising from various leases in relation to accrued debts.

F] [Banking and Financial Services/ Loan facilities and Mortgage]:

1. Acted for a large financial institution in a dispute involving margin facility claims by a Customer in relation to purchase of shares on a margin basis.
2. Acted for a Bank in defending multiple claims presented by a Customer emanating from the same cause of action premised on exercise of power of sale in a mortgage transaction by the Bank.
3. Acted for a financial institution in defending a claim said to be excess charges on the Customer's account arising from various banking facilities granted to the Customer.

G] [Construction / Sub-Contract Agreement and Patent Defects claim]:

1. Acted for a construction company in a claim arising from accrued payments due and payable on contract sum by its employer involving additional construction works.
2. Acted for a foreign contractor in a construction liability claim bordering on patent defects arising from engineering contract.

H] [Labour & Employment/ Constructive Dismissal/Wrongful Termination]:

1. Acted for a foreign national Bank in defending multiple claims presented by its ex-staff on wrongful

termination of a contract of employment and non-payment of accrued benefits.

2. Acted for an Oil and Gas Company in defending a claim bordering on propriety or otherwise of resignation of the employee premised on constructive dismissal.
3. Acted for an international Bank with a branch in Nigeria against its ex-staff for a breach of confidentiality clauses in use of Customer's records for a private commercial business.

I] [Real Estate / Acquisition, Leases and Tenancies]:

1. Acted for a real estate company and a developer in respect of a claim arising from a commercial lease on obligation to insure personal effects in a property.
2. Acted for an international Bank with a branch in Nigeria involving a claim by its Landlord on breach of covenants not to assign properties to its subsidiaries.
3. Acted for a Bank in a dispute on a claim on obligation to restore a property to its position before the lease or renovate the property to a tenable position.

J] Family Law (Matrimonial Causes):

1. Acted for a Nigerian British citizen in successfully defending a Petition seeking for a dissolution of marriage premised on multiple facts in support of breakdown of marriage irretrievably.
2. Acted for a prominent Nigerian in a protracted joint custody matrimonial causes proceedings.
3. Acted for a Nigerian in a joint property and custody matrimonial causes proceedings.

J] Expert Witness:

1. Acted as an Expert witness in a maritime contractual claim arising from the interpretation of terms of Advance Payment Guarantee and Performance Bond.
2. Acted as an Expert witness in a contested matrimonial causes proceeding pending in the United States of America (USA) on the jurisdiction of the USA Court over a marriage celebrated in Nigeria between Nigerian American Citizens.
3. Acted for an American in rendering legal advisory on her full entitlement in a matrimonial causes proceedings involving a marriage celebrated in Nigeria.

Core Areas of Focus / Expertise (*indicative, not exhaustive*)

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|---------------------------|---------------------------|--------------------------|-------------------------|
| 1. Aviation | 3. Construction Contracts | 5. Intellectual Property | 7. Real Estates/Housing |
| 2. Banking Law & Practice | 4. Family law | 6. Labor & Employment | 8. Telecommunication |

Selected Publications

1. Azubike Okoye, *Setting Aside an Arbitral Award on Grounds of Misconduct*, Thisday March 01, 2016 at 11. URL: <https://www.pressreader.com/nigeria/thisday/20160301/282046211180965>.
2. Azubike Okoye, *Mandatory Injunction is not Granted as a Matter of Course*, Thisday March 15, 2016 at 6. URL: <https://issuu.com/Thisdaylive/docs/tdl03152016/28https://ssrn.com/abstract=4042899>
3. Azubike Okoye, *Customary Arbitration in the Nigerian Jurisprudence: Effect and Enforcement*, The Jurist W.A. Business, May 22, 2020, Volume 7, No. 582 at A9. URL: <https://fliphtml5.com/kuzr/qlny/basic>
4. Azubike Okoye, *Importance of Properly Drafted Arbitration Clauses in Commercial Agreements: Nigeria as a Case Study*, March 16, 2022 URL: SSRN: <https://ssrn.com/abstract=4059332> <https://afaa.ngo/page-18097/13012378>
5. Azubike Okoye, *When can a non-signatory third-party be bound to an Arbitral Award?* March 16, 2022. URL: SSRN: <https://ssrn.com/abstract=4059332>
6. Azubike Okoye, *The Attitude of Latin American Jurisdictions Towards Arbitration*, March 31, 2022. URL: SSRN: <https://ssrn.com/abstract=4071461> or <http://dx.doi.org/10.2139/ssrn.4071461>
7. Azubike Okoye, *Strategies for Successful Complex International Negotiations*, May 20, 2022. URL: SSRN: <https://ssrn.com/abstract=4115734> or <http://dx.doi.org/10.2139/ssrn.4115734>
8. Azubike Okoye, *ISDS Code of Conduct: Positive Contributions and Shortcomings*, June 7, 2022. URL

SSRN: <https://ssrn.com/abstract=4130433> or <http://dx.doi.org/10.2139/ssrn.4130433>

9. Azubike Okoye, *Recommended Code of Conduct for Staff of Arbitral Institutions and Implementation Options*. June 16, 2022. URL: SSRN: <https://ssrn.com/abstract=4138435>
10. Azubike Okoye, *Arbitrability of Intra-EU BITs Disputes: ECJ Decisions, Implications, and Recommendations*, August 7, 2022. URL: SSRN: <https://ssrn.com/abstract=4183811>
11. Azubike Okoye, and Mauricio Gomm Santos, “*Commercial Mediation in the Digital Era.*” *LexisNexis - Livres*, October 2022, <https://www.lexisnexis.co.uk/store/products/commercial-mediation-in-the-digital-era-skuuksku9782711038312CMDL90637/details>
12. Azubike Okoye, *Is it permissible for a respondent to file a counterclaim or set-off in proceedings to enforce an arbitral award?* December 4, 2022. URL: <https://afaa.ngo/page-18097/13012386>

Selected Speaking Engagements

1. 2023: Speaker, Dispute Resolution Practitioner: American Bar Association.
2. 2022: Foreign Professor; Pontifical Catholic University of Parana, Law School, Brazil.
3. 2016: Legal Facilitator; Centre for Management and Development, Lagos State, Nigeria.
4. 2015: Speaker; Centre for Management and Development, Lagos State, Nigeria.
5. 2009: Peer Educator Instructor; United Nations International Children Emergency Fund under the auspices of National Youth Service Corps, Niger State, Nigeria.

Languages

English (fluent)

Igbo (fluent)

Yoruba (basic)

Education

1. 2022: Master of Laws (**LL.M.**)- University of Miami, School of Law, Florida, United States of America.
2. 2007: Barrister-at-Law (**B.L.**) – Nigerian Law School, Victoria Island, Lagos, Lagos State, Nigeria.
3. 2006: Bachelor of Laws (**LL.B.**) – Nnamdi Azikiwe University, Awka, Anambra State, Nigeria.
4. 2000: Senior Secondary School Certificate (**S.S.C.E.**) Dennis Memorial Grammar School, Onitsha, Anambra State Nigeria.

Professional Memberships

1. Member: African Arbitration Association.
2. Member: American Bar Association
3. Member: Moot Alumni Association.
4. Member: Nigerian Bar Association.
5. Member: Young International Arbitration Group.
6. Member: Young International Council for Commercial Arbitration.

Notable Reported Nigerian Appellate (Litigation) Cases

1. *Mrs. Ganiat Elias & Anor. v. Ecobank Nigeria Limited* (2016) LPELR-40216 (CA)
2. *Oando Plc. v. Farmatic Biogas West Africa Ltd & Anor.* (2018) LPELR-45564 (CA)
3. *Mrs. Minnie Ajuwede Igbrude v. Ecobank Nigeria Limited & 3 Ors.* (2018) LPELR-45563(CA)