

## MARCUS F DALY SC

Year of call: 1987

Clerked by: Gary Young

AREAS OF EXPERTISE:

Arbitration Commercial Litigation Company EU & Competition  
Law International & Offshore Mediation Partnership  
Professional Negligence Sport Technology & Construction



## Professional Negligence

### Profile

Marcus is a Silk with a practice focused on Civil and Commercial Litigation. He took Silk in 1999 and was one of the youngest Barristers in Ireland ever appointed to that position. He graduated in 1987 from King's Inns in Dublin with the Degree of Barrister-at-Law and prior to commencing practice in Ireland, he worked with Cahill Gordon & Reindel LLP in New York City and with Cleary Gottlieb Steen & Hamilton LLP in Brussels and London. He is a fluent speaker of French and completed a period of training in Paris with the SCP Labbé Delaporte Avocats au Conseil d'Etat.

As a Member of the Inner Bar he has significant experience of Arbitration and Litigation in the areas of Commercial Insurance Law, Construction Law and Property ownership. He represents Respondents in a wide range of Professional Negligence claims and also represents Claimants in construction malpractice litigation. He is regularly instructed to advise in company and shareholder disputes to include the protection of minority rights and derivative actions.

In addition to his work as an Advocate he has considerable experience of commercial Arbitration. He is a member of Arbitration Ireland and is the sole nominated member for Ireland and England on the Claims and Litigation Management Alliance for the United States of America based in New York City. Marcus is also a founding member of the British Irish Commercial Bar Association. He became an accredited mediator in 2004 and has completed further training with The London School of Mediation. He is a member of the Bar of England & Wales, Ireland and Northern Ireland and his practice in Kings Chambers is exclusively in Arbitration and Mediation.

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### Areas of Practice

Arbitration

Commercial Litigation

Company

EU & Competition Law

International & Offshore

Mediation

Partnership

Professional Negligence

Sport

Technology & Construction

### Significant Recent Cases

- FBD Insurance PLC v Connors + Gore-Grimes | Laffoy J 03/03/2011 | [2011] IEHC 184 | order discharging Arbitrator + setting aside award of Arbitrator on grounds of Misconduct of Arbitration
- Joe Doyle t/a Donnybrook Fair v RPS Engineering Services Ltd, CES Ltd, Marren Engineering Ltd and Rotary M&E Services (Ireland) Ltd |

- Construction | Engineering | Professional Negligence | Peart J 12/01/2011
- RyanAir Ltd v The Minister for Transport and Aer Arann [2009] IEHC 171 | Commercial Court Judicial Review | Finlay Geoghegan J 02/04/2009 | Public Procurement + Tendering | Air Transportation | Public Service Obligation Contracts
  - Udaras na Gaeltachta v Uisce Glan Teoranta | O'Neill J [2007] IEHC 95 | Commercial Landlord and Tenant | repairing covenants and improvements under a Commercial Lease
  - Meath County Council v Irish Shell | Lavan J [2006] IEHC 391 | hydrocarbons pollution | environmental impact and enforcement of remedies
  - McGrath v Paul Moore & Co Solicitors, Frank Aiken Associates + Niall McKenna | Solicitors Professional Negligence | Non - Jury | Kearns P 15/11/2011
  - Dan Morrissey (IRL) Ltd & Phil Morrissey v Donal Morrissey & Anor | Laffoy J 13/04/2011 | Land Registration | Commercial Property | Chancery | Specific Performance | Trespass | Slander of Title
  - Byrne v Hudson [2008] 3 IR 106 | Supreme Court | Limitation of Actions | date of knowledge | Identity of Defendants

## Memberships

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- Arbitration Ireland#
- Sole nominated member for Ireland and England on the Claims and Litigation Management Alliance for the United States of America based in New York City
- The British Irish Commercial Bar Association [BICBA] – Joint Chairman
- The Hon. Society of King's Inns, Dublin
- The Hon. Society of Lincoln's Inn, London
- The Inn of Court for Northern Ireland
- Chartered Institute of Arbitrators'

## Education and Career

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- University College Dublin 1982 - 1985 | Degree of Bachelor of Civil Law (BCL)
- The Honourable Society of King's Inns Dublin (1987) | Degree of Barrister-at-Law
- Call to the Bar of Ireland 07/11/1987
- Call to the Inner Bar 30/09/1999
- Call to the Bar of England & Wales (Lincoln's Inn) 25/07/2013
- Call to the Bar of Northern Ireland 11/04/2014