
STEPHEN TUPPER

Barrister, Member of the Bars of England and Wales, 1982

Attorney, Member of the New York Bar, 1986

Solicitor, Member of the Law Society of England and Wales, 1996



BACKGROUND

TupperS Law

2015 - present

Launched a specialist competition and regulatory law "sole practice" on 10 July 2015. Winner of Competition Team of the Year at the 2017 British Legal Awards and SME News Legal Awards 2020 "Best Competition Law Firm England and Wales".

Greenberg Traurig LLP

2009 - 2015

Joined in September 2009 as the head of GTM's Competition and Regulatory Team. Recognised by the legal directories to be one of the country's leading advisers to the water industry whilst maintaining his broader competition and merger control practice. He and his GTM team were short-listed for a Legal Business award in 2011.

Watson, Farley & Williams LLP

2004 - 2009

Took over as Head of the firm's Competition and Regulatory Group in January 2004. Principal focus was on UK and EC competition law and the environmental law and policy of the European Union.

Hammonds

1992 - 2004

Became head of the firm's European Law Unit and the Managing Partner of the Brussels office in December 1992. Moved to the London office in January 1998 to head of the firm's UK Competition and Regulatory Team. Practice covered the full spectrum of European Community ("EC") law with particular emphasis on competition, regulatory and environmental law.

Stanbrook and Hooper

1988 - 1992

Joined Brussels office in April 1988. Made salaried partner in 1989 and an equity partner in 1991. Work included advising clients on numerous aspects of EC law including: environmental law; competition/anti-trust; anti-dumping; customs; and general regulatory issues.

Anderson Russell Kill & Olick

1983 - 1988

Practice in Washington and New York encompassed all phases of commercial litigation with an emphasis on insurance coverage actions and environmental claims.

Chambers of Randolph Fields

1983 - 1984

Represented, as a barrister, leading American asbestos manufacturers and pharmaceutical companies involved in ongoing mass toxic tort cases. Specialised in the insurance and litigation aspects of asbestos, diethylstilbestrol (DES) and environmental cases.

EDUCATION

University of Buckingham

1978 - 1980

B.A., with Honours, European Studies (graduated with honours in English Law and European Institutions). Studies in English Law, EC Law and Institutions, and French Law and Language.

Université d'Aix Marseilles

1978 - 1979

Diplôme en droit (graduated second in class with distinction). Studies in French Constitutional, Administrative and Civil (first and second years) Law.

Université Catholique de Lille

1977

Diploma, French Language.

RANKINGS AND RECOGNITION

- Chambers:

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- Competition Law – Ranked Lawyers (Band 3 – 2017)
 - Water Law – Ranked Lawyers (Band 1 – 2017)
 - Legal 500:
 - Competition Law (Band 6 – 2015)
 - Water Law (Band 3 – 2015)
 - Water Law – Leading Individual (Band 1 – 2016)
 - Winner of SME News Legal Awards 2020 “Best Competition Law Firm England and Wales”
 - Winner of Competition Team of the Year at the 2017 British Legal Awards.
 - Shortlisted for 2011 Legal Business' Competition Law Team of the Year for work on Bristol Water price redetermination before the Competition Commission (see below).
 - Winner of the Law Society Excellence Award for Corporate Social Responsibility Pro Bono Firm of the Year for work in setting up the Competition Law Pro Bono Scheme.

COMPETITION LAW EXPERIENCE

- Acting for Cefetra in *Cefetra v Peel Ports* in a claim relating to the anti-competitive termination of a port services agreement.
- Representing Churchill Gowns in a damages action *Churchill Gowns v Ede & Ravenscroft* before the Competition Appeal Tribunal.
- Successfully defended a small family-owned bus business in Wales when sued in *Stagecoach v Phil Anslow Coaches* on the grounds that the arrangement concerned was anti-competitive.
- Principal adviser to the claimant in *Socrates Training v. The Law Society* the first ever stand-alone damages action filed before the Competition Appeal Tribunal under the newly instigated procedure.
- Represented Bristol Water in its successful price redetermination challenge before the Competition Commission in 2010. Instructed again by Bristol Water in the same challenge in 2015.
- Regular adviser to many of the 18 water undertakings in England and Wales as well as Water UK the water industry's trade body.
- Adviser in relation to, and completion of, numerous notifications to national competition authorities and the European Commission, relating to mergers and acquisitions, joint ventures and other commercial agreements including: Send for Help/Soloprotect (UK); Tobii/Smartbox (UK); Volvo CE/Terex (Global); Platform/Arysta (Global); Manwin/Reality Kings (Global); Volvo/GKN (Global); Rentokil/Connaught (UK); Rentokil/Better Capital (UK/Ireland); Astra Zeneca/Dentsply (Global); Amisco/Prozone (UK); Siemens/Babcock (EU); ITW/Orgapack (UK); Guilbert/WH Smith (UK); Vopak/Ellis & Everard (EU); Delta/PanAm (EU); Fort Howard/James River (UK); Hallmark/ Creative Publishing (UK); Findel/Novara (UK); Babcock/Rosyth (EU); Textron/David Brown (Pan-European); Teekay/Torm/OMI (Global); Palmery/Consolidated Minerals (Global), etc.
- Regular lecturer/speaker on competition and regulatory law matters, including as a panel member for Central Law Training
- Organised anti-trust audits to help clients identify any current or potential infringements of competition rules and devising compliance programmes to help prevent future infringements.
- Assisted several clients under investigation by national competition authorities or the European Commission.
- Represented clients in infringement proceedings before European institutions, in particular, the European Commission, the European Court of First Instance and the European Court of Justice.

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- Advised in regard to the appeal concerning to the first ever notification decision by the Office of Fair Trading under the Competition Act, 1998, covering the creation and future operations of the General Insurance Services Council.
 - Represented, including advocacy, companies before the Competition Appeal Tribunal in the Ofwat/Aquavitae (successful), Albion/Thames Water (successful) and IWC/Bristol (successful) cases, as well as *Socrates/Law Society* (successful) and Churchill Gowns/Ede & Ravenscroft (pending).
 - Advised in regard to one of the first ever successful applications for leniency under the Office of Fair Trading's so-called "whistle blowers" programme in the Flat Roof Contractors cartel case.
 - Participated in, and organised, ground-breaking mediations in regard to disputes concerning data-sharing in the agricultural and biocide chemicals sectors.
 - Adviser to four UK water companies and the industry's trade association in regard to the attempts by the sector regulator to enforce "common carriage" via the Competition Act, 1998.
 - Adviser to numerous utilities, including London Underground, and other public bodies (e.g. the Ministry of Defence), in regard to the EU's public procurement regime.
 - Regular adviser to energy businesses including providing regular assistance to Utilita, a ground-breaking supplier to the "energy poor" in the UK.
 - Assisted a number of clients, including English Partnerships, in regard to the EU's state aid regime.
 - Advised a client with regard to a full investigation into allegations of resale price maintenance and achieved a zero fine result.
 - Advised Bristol Water with regard to a Competition Act investigation by Ofwat as regards activities in the "self lay" sector which was settled by way of commitments.
 - Advised numerous clients with regard to enforcing their rights under applicable competition legislation against dominant undertakings.
 - Advised a ship owner with regard to a seminal dispute concerning the legality of a shipping pool.
 - Instigator of a competition law pro bono scheme for both the Bar and the Law Society.
 - Designer of Scheme 810 compliance solution for maritime transport companies engaged in pools, conferences, etc.

ARTICLES & LECTURES

- Author, "The Competition and Markets Authority's 2017 Study in care", *Nursing and Residential Care, February 2017*
- Author, "Ultra Finishing – where did they go wrong?", *KBB Review, June 2016*
- Author, "Cartel fines for Hitachi and Mitsubishi – first part of the story", *February 2016*
- Author, "Riddle me this?", *Utility Week, September 2010*
- Author, "Bulk up your ideas", *Utility Week, June 2010*
- Author, "The Art of Squaring Circles", *Utility Week, May 2010*
- Author, "Pro Bono Competition Venture Wins More Firms and Attracts EC Interest", *Legal Week, February 2008*
- Author, "United for the Cause", *Legal Week, February 2008*
- Author, "Regulating Utilities and Promoting Competition - Lessons for the Future", *ECLR Book Review, 2008*
- Author, "EU Energy Law - The Internal Energy Market and EU Competition Law and Energy Markets", *ECLR Book Review, 2008*

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- Author, "Shipping Conferences under EU Antitrust Law - Criticism of a Legal Paradox by Luis Ortiz Blanco", *ECLR Book Review*, 2008
 - Author, "The CAT's Cradle", *Utility Week*, March 2007
 - Author, "Can Everyone Please Get Out of the Pool", *Legal Week*, February 2007
 - Author, "Reform of the EU's Pesticides Directive Guaranteed to Kill All Known Competition", *Competition Law Journal*, December 2006
 - Author, "Out with Insets", *Utility Week*, October 2006
 - Author, "Crime and Punishment", *Building Week*, August 2005
 - Author, "Advent of Free Market Will Pose New Challenges", *Lloyd's List*, April 2005
 - Author, "The Cover is Blown", *Estates Gazette*, June 2004
 - Author, "Cartels Face Severe Penalties", *Construction News*, April 2004
 - Author, "Room Without a View", *Utility Week*, June 2002
 - Author, "The Frontier of Power for the EU", *Natural Resources & Environment*, June 2000
 - Author, "A Long Way from Basel Clarity: Implications of the Basel Convention for the Consumer Electronics Sector", *European Environmental Law Review*, March 2000
 - Author, "Claims Made Policies", *Environmental Liability*, January 1999

Stephen is a regular speaker/presenter at international conferences on EU and competition law topics.