

# ESSEX COURT CHAMBERS

## BARRISTERS



### EMILY WOOD

Call: 2006

[ewood@essexcourt.com](mailto:ewood@essexcourt.com)

24 Lincoln's Inn Fields, London WC2A 3EG, UK

T +44 (0)20 7813 8000

F +44 (0)20 7813 8080

DX 320 Chancery Lane

E [clerksroom@essexcourt.com](mailto:clerksroom@essexcourt.com)

[www.essexcourt.com](http://www.essexcourt.com)

## PROFESSIONAL PRACTICE

Emily has a broad commercial practice, focused on heavyweight commercial litigation and arbitration, including banking and finance. In January 2017, she was identified by the Lawyer as one of its “Hot 100”, where it reported “If Emily Wood isn’t at the top of everyone’s list for major litigation and arbitration cases, she should be.” She was also named one of the ten “Stars of the Bar” under ten years call by Legal Week in October 2010, solicitors having described her as “fabulous, bright, calm, commercial and great to work with”.

Emily is recognised in the legal directories as a leading junior in Commercial Dispute Resolution, International Commercial Arbitration and Banking & Finance. Emily was also identified as a “Future Leader in Arbitration” by Who’s Who Legal 2017.

They describe her as follows:

“An outstanding junior – she is unbelievable.” (2016); “Her written advocacy is beautiful and her oral advocacy is pretty spectacular. She’s really going from strength to strength.” (2016); “Just incredibly eloquent and utterly had her head around an incredibly complex matter” (2016); “... brilliant and incredibly personable” (2016); “Very clever, sharp and knowledgeable about the law;” (2016) “Her capacity to digest and assimilate information is really incredible, and her level of engagement has been really astonishing.” (2015); “Experienced beyond her year of call” (2015); “Received significant market support for her international arbitration expertise. She is regularly instructed by magic circle firm on complex commercial disputes.” (2014); “She is someone you would always want to put on your team. Her drafting is tremendous, as it is so precise and clear.” (2014); “Continues to be recognised as one of the rising stars of the Junior Commercial Bar.”

(2014); “She is extremely bright and very committed in terms of her capacity for work. She has a tremendous grasp of jurisdictional issues and is really, really on top of the detail.” (2014); “In Emily Wood [Essex Court] has a young junior who is making waves. ‘Positive and user friendly’ she displays a ‘huge appetite for work’ and is ‘absolutely fantastic technically.’” (2013); “Impresses with her ‘quality drafting and analysis of complex issues’. On top of this, she demonstrates a tremendous ability to work seamlessly as part of a team.” (2012)

Emily accepts appointments as arbitrator.

---

## AREAS OF EXPERTISE

- Arbitration & related court applications
- Banking & financial services
- Commercial chancery disputes
- Commercial dispute resolution
- Conflict of laws & private international law
- Energy & natural resources
- Insurance & reinsurance
- Media, art, entertainment
- Offshore litigation
- Partnership

---

## WHAT OTHERS SAY

Recent editions have described her as follows:

- “An outstanding junior – she is unbelievable.” (2016)
- “Her written advocacy is beautiful and her oral advocacy is pretty spectacular. She’s really going from strength to strength.” (2016)
- “Just incredibly eloquent and utterly had her head around an incredibly complex matter” (2016)
- “...brilliant and incredibly personable” (2016)
- “Very clever, sharp and knowledgeable about the law;” (2016)
- “Her capacity to digest and assimilate information is really incredible, and her level of engagement has been really astonishing.” (2015)
- “Experienced beyond her year of call” (2015)
- “Received significant market support for her international arbitration expertise. She is regularly instructed by magic circle firm on complex commercial disputes.” (2014)
- “She is someone you would always want to put on your team. Her drafting is tremendous, as it is so precise and clear.” (2014)
- “Continues to be recognised as one of the rising stars of the Junior Commercial Bar.” (2014)
- “She is extremely bright and very committed in terms of her capacity for work. She has a tremendous grasp of jurisdictional issues and is really, really on top of the detail.” (2014)

- “In Emily Wood [Essex Court] has a young junior who is making waves. ‘Positive and user friendly’ she displays a ‘huge appetite for work’ and is ‘absolutely fantastic technically.’” (2013)
- “Impresses with her ‘quality drafting and analysis of complex issues’. On top of this, she demonstrates a tremendous ability to work seamlessly as part of a team.” (2012)

---

## EXAMPLES OF RECENT CASES

Examples of recent matters, which are typical of Emily’s practice, include:

### International Commercial Arbitration

- Instructed by Clifford Chance (as junior to Joe Smouha QC) to act for the respondent to an application under section 68 of the Arbitration Act 1996 challenging an LCIA award concerning a £480 million claim for breach of contract.
- Instructed by Slaughter and May (as junior to David Streatfeild James QC) in an ICC arbitration involving a claim against a German conglomerate in the industrial sector.
- Instructed by Hogan Lovells LLP to act for the respondent to applications under section 67 and 68 of the Arbitration Act 1996 challenging an award concerning a very substantial commodities dispute.
- Instructed by Ashurst LLP (as junior to Stewart Boyd QC) in a US\$400 million arbitration under the LCIA rules involving complex questions of the correct measure of loss in contractual damages under English law.
- Instructed by Freshfields Bruckhaus Deringer LLP (as junior to Salim Moollan) to represent one of the world’s leading technology companies in an ICC Arbitration in a dispute concerning activities in South America.
- Instructed by Addleshaw Goddard LLP (as junior to Vernon Flynn QC and Paul Stanley QC) for a Diageo plc subsidiary against SABMiller plc subsidiaries in a large scale ICC arbitration. This expedited arbitration was triggered by SABMiller having obtained an interim injunction in the Commercial Court restraining the Diageo company from taking certain steps alleged to constitute breaches of an agreement concerning the distribution of beer in Tanzania. The dispute involved intricate questions of law, in particular concerning agreements in restraint of trade.
- Instructed by Addleshaw Goddard LLP (as junior to Vernon Flynn QC) in a substantial expedited ICC arbitration involving a claim for breach of contract culminating, part way through the hearing, in a \$225 million settlement deal.
- Instructed by Herbert Smith LLP (as junior to Paul Stanley QC) to represent the respondent in an ad hoc arbitration concerning two limited liability partnership disputes.

- Instructed by Orrick, Herrington & Sutcliffe LLP LLP (as junior to Joe Smouha QC) for a Cayman hedge fund in its efforts to enforce an arbitration award for in excess of £50 million against an Indian entity.

## Commercial and banking litigation

- *Barclays Bank PLC v UniCredit SpA* Instructed by Addleshaw Goddard LLP to act (as junior to Joe Smouha QC) on behalf of Barclays in its £300 million dispute with UniCredit in the Commercial Court.
- *Certain Limited Partners in Henderson PFI Secondary Fund II LP (A Firm) v (1) Henderson PFI Secondary Fund II; (2) Henderson Equity Partners Limited; (3) Henderson Equity Partners (GP) Ltd* [2013] QB 934 Instructed by Ashurst LLP (as junior to Iain Milligan QC) to act on behalf of 24 large institutional investors in their claims in the Commercial Court against the manager and general partner of the fund in which they invested (both entities in the Henderson Global Investors Group) for the misapplication of their funds by the acquisition of a plc.
- *Mauritius Commercial Bank v Hestia Holdings* [2013] EWHC 1328 Instructed by Bird and Bird LLP as sole counsel for the Claimant in this €15 million Commercial Court dispute in which the Defendant challenged jurisdiction on the basis (*inter alia*) that jurisdiction agreements operating in favour of one party only are enforceable.
- *Lehman Commercial Mortgage Conduit Limited v Northern Rock (Asset Management) PLC* Instructed by Ashurst LLP (as junior to David Foxtan QC) to act on behalf of a Northern Rock entity in its defence of claims against it by a Lehman Brothers entity arising out of the sale by Northern Rock to Lehman brothers of a large portfolio of secured loans.
- *Kuwait Airways Company v Iraqi Airways Corporation* Instructed by Fasken Martineau LLP to act for Kuwait Airways in its various an on-going efforts to enforce the US\$1.2 billion judgment debt owed to it by Iraqi Airways, including in particular obtaining permission to serve out against the state of Iraq, as well as cross examination of the Director General of IAC as to its assets, obtaining third party debt orders and emergency freezing relief. This is the final chapter of this long-running litigation, which was commenced in the Commercial Court some two decades ago.
- *Dena (Technology) Thailand Ltd v ALSD Limited & Ors* Instructed by Addleshaw Goddaard LLP to act, as sole counsel, for the Claimant in this £15 million claim in the Commercial Court for (*inter alia*) fraudulent misrepresentation, inducing the Claimant to enter into a joint venture.
- *FKI Engineering Ltd v Stribog Ltd* [2011] 2 Lloyd's Rep 387, [2011] EWCA Civ 622, [2011] 1 CLC 1005. Instructed (as junior to Mark Templeman QC) on behalf of the Respondent in this appeal in front of Mummery, Rix and Wilson LJJ concerning the proper interpretation of Article 28 (related actions pending the in the courts of different member states) of the Judgments Regulation (Council Regulation 44/2001).
- Instructed (as junior to Richard Millett QC) by Weil Gotshal & Manges LLP to advise in

connection with guarantees in respect of the Canary Wharf property occupied by Lehman Brothers entities prior to the collapse of the group.

- *Yukos CIS Investment Limited v Yukos Hydrocarbons Investments Limited & Ors* (Eastern Caribbean Court of Appeal and Commercial Court of the British Virgin Islands) Acted (led by Steven Berry QC) for the respondents in successfully resisting applications by Yukos CIS including to appoint a receiver over the respondent companies and for freezing injunctions against them. This litigation formed part of the on-going, multi-jurisdictional battle by which OJSC Rosneft attempts to gain (ultimate) control over the subsidiaries of OAO Yukos Oil Company which it contends it has purchased. The former management of Yukos Oil resists those attempts, contending that the purchase is an unlawful appropriation.
- *Deutsche Bank AG and Ors v Asia Pacific Broadband Wireless Communications Inc* (as junior to Christopher Butcher QC and Jawdat Khurshid): instructed on behalf of Asia Pacific Telecom in a Commercial Court claim (trial set for ten weeks) worth over US\$200 million raising intricate questions of authority, restitution and the conflict of laws.
- *FKI Engineering Ltd v Stribog Ltd* [2010] 2 Lloyd's Rep. Plus 86, [2010] EWHC 1160, [2010] 1 CLC 752. Acting (as junior to Mark Templeman QC) on behalf of FKI resisting Stribog's application for a stay of proceedings under Article 28 of the Judgments Regulation on the basis that related proceedings had been brought between the same parties in Germany.
- Instructed (as junior to Iain Milligan QC) to advise in connection with matters arising out of the collapse of the Lehman Brothers group.
- *White v (1) HSBC Private Bank UK Ltd; (2) HSBC Bank PLC* Instructed as sole counsel for the claimant investor in a £1million Commercial Court claim against two HSBC entities for breach of the FSA rules in connection with the sale of structured products.
- *Fruition PO Ltd v Gaskains Ltd* Instructed as sole counsel for a major fruit producers' organisation in connection with an agency agreement dispute in a trial set down for seven days in the Chancery Division (which settled part heard).
- *Datasat Communications Ltd v Swindon Town Football Company Ltd* [2009] EWHC 589 (Comm) (led by Huw Davies QC): instructed by Davis & Co on behalf of the Claimants in their action in the Commercial Court for recovery of payments made in anticipation of an investment agreement which failed to materialise.
- *Satyam Computer Services Ltd v Unpaid Systems Ltd* [2008] EWCA Civ 487, [2008] 2 All ER (Comm) 465 (as junior to David Foxton QC): instructed by Freshfields Bruckhaus Deringer LLP to act on behalf of the respondent in the Court of Appeal in an action concerning the proper constructions of three commercial agreements and in particular whether the parties to a settlement agreement were to be taken to have excluded fraud claims.
- *Bookmakers' Afternoon Greyhound Services Limited v Amalgamated Racing Limited* [2008] EWHC 1978 (Ch) (with Nicholas Green QC and Mark Hoskins): instructed by SJ Berwin to appear in this eight week trial concerning the validity of media rights agreements in the horseracing sector.
- *Ithmar Capital Ltd v 8 Investment Inc* CA 1/2008: instructed for the appellant on an appeal

from a freezing injunction; the first proceedings to come before the Court of Appeal of the Judicial Authority of the Dubai International Financial Centre.

## **Entertainment/Media Law**

- Acted (as junior to Stewart Boyd QC) in a large scale arbitration under the LCIA rules concerning media rights.
- *Bookmakers' Afternoon Greyhound Services Limited v Amalgamated Racing Limited* [2008] EWHC 1978 (Ch) (as junior to Nicholas Green QC and Mark Hoskins): instructed by SJ Berwin to appear in this eight week trial concerning the validity of media rights agreements in the horseracing sector.
- Instructed to act for one of the largest entities in the world creating and producing entertainment brands in a dispute concerning a professional sports body.

## **Financial Services**

- Six months' secondment to the enforcement division of the FSA (2007). Acted as case-lawyer in actions against both firms and individuals, involving market abuse, insider dealing, misleading statements and practices and regulatory infringements.
- Advised in respect of numerous claims arising out of the FCA's interest rate hedging products review
- *White v (1) HSBC Private Bank UK Ltd; (2) HSBC Bank PLC* Instructed by Quinn Emanuel Urquhart & Sullivan LLP as sole counsel for the claimant investor in structured products in a £1million Commercial Court claim against two HSBC entities under section 150 FSMA, for breach of COB 2.1.3, 5.3.5 and 5.4.3.
- Advised (as junior to Iain Milligan QC) on potential claim against big five accountancy firm in respect of breach of SUP 3.10.4.
- Represented the FSA in its successful action against a mutual society for failure to comply with its statutory obligations and also in its successful application for the costs of intervening in *Financial Services Compensation Scheme Limited v Abbey National Treasury Services Plc* [2008] EWHC 1897 (Ch).
- Advised an authorised individual against whom the Dubai Financial Services Authority sought a prohibition order.

## **Partnership Law**

- *Certain Limited Partners in Henderson PFI Secondary Fund II LP (A Firm) v (1) Henderson PFI Secondary Fund II; (2) Henderson Equity Partners Limited; (3) Henderson Equity Partners (GP) Ltd* [2013] QB 934 Instructed (as junior to Iain Milligan QC) by Ashurst LLP in what is set to be the leading case on numerous aspects of the law on limited partnerships including the circumstances in which limited partners lose their limited liability status under the

Limited Partnership Act 1907 and the pursuit of claims vesting in the partnership by way of derivative action.

- Instructed (as junior to Paul Stanley QC) by Herbert Smith LLP in an arbitration concerned with various claims arising out of two partnership agreements.

---

## **ARBITRATION & RELATED COURT APPLICATIONS**

– Instructed by Clifford Chance (as junior to Joe Smouha QC) to act for the respondent to an application under section 68 of the Arbitration Act 1996 challenging an LCIA award concerning a £480 million claim for breach of contract – Instructed by Slaughter and May (as junior to David Streatfeild James QC) in an ICC arbitration involving a claim against a German conglomerate in the industrial sector.

– Instructed by Hogan Lovells LLP to act for the respondent to applications under section 67 and 68 of the Arbitration Act 1996 challenging an award concerning a very substantial commodities dispute

– Instructed by Ashurst LLP (as junior to Stewart Boyd QC) in a US\$400 million arbitration under the LCIA rules involving complex questions of the correct measure of loss in contractual damages under English law.

– Instructed by Freshfields Bruckhaus Deringer LLP (as junior to Salim Moollan) to represent one of the world's leading technology companies in an ICC Arbitration in a dispute concerning activities in South America.

– Instructed by Addleshaw Goddard LLP (as junior to Vernon Flynn QC and Paul Stanley QC) for a Diageo plc subsidiary against SABMiller plc subsidiaries in a large scale ICC arbitration. This expedited arbitration was triggered by SABMiller having obtained an interim injunction in the Commercial Court restraining the Diageo company from taking certain steps alleged to constitute breaches of an agreement concerning the distribution of beer in Tanzania. The dispute involved intricate questions of law, in particular concerning agreements in restraint of trade.

– Instructed by Addleshaw Goddard LLP (as junior to Vernon Flynn QC) in a substantial expedited ICC arbitration involving a claim for breach of contract culminating, part way through the hearing, in a \$225 million settlement deal.

– Instructed by Herbert Smith LLP (as junior to Paul Stanley QC) to represent the respondent in an ad hoc arbitration concerning two limited liability partnership disputes.

– Instructed by Orrick, Herrington & Sutcliffe LLP (as junior to Joe Smouha QC) for a Cayman

hedge fund in its efforts to enforce an arbitration award for in excess of £50 million against an Indian entity.

---

## **BANKING & FINANCIAL SERVICES**

– *Barclays Bank PLC v UniCredit SpA* Instructed by Addleshaw Goddard LLP to act (as junior to Joe Smouha QC) on behalf of Barclays in its £300 million dispute with UniCredit in the Commercial Court.

– *Certain Limited Partners in Henderson PFI Secondary Fund II LP (A Firm) v (1) Henderson PFI Secondary Fund II; (2) Henderson Equity Partners Limited; (3) Henderson Equity Partners (GP) Ltd* [2013] QB 934

Instructed by Ashurst LLP (as junior to Iain Milligan QC) to act on behalf of 24 large institutional investors in their claims in the Commercial Court against the manager and general partner of the fund in which they invested (both entities in the Henderson Global Investors Group) for the misapplication of their funds by the acquisition of a plc.

– *Mauritius Commercial Bank v Hestia Holdings* [2013] EWHC 1328 Instructed by Bird and Bird LLP as sole counsel for the Claimant in this €15 million Commercial Court dispute in which the Defendant challenged jurisdiction on the basis (*inter alia*) that jurisdiction agreements operating in favour of one party only are enforceable.

– *Lehman Commercial Mortgage Conduit Limited v Northern Rock (Asset Management) PLC* Instructed by Ashurst LLP (as junior to David Foxtan QC) to act on behalf of a Northern Rock entity in its defence of claims against it by a Lehman Brothers entity arising out of the sale by Northern Rock to Lehman brothers of a large portfolio of secured loans.

*Deutsche Bank AG and Ors v Asia Pacific Broadband Wireless Communications Inc* (as junior to Christopher Butcher QC and Jawdat Khurshid): instructed on behalf of Asia Pacific Telecom in a Commercial Court claim (trial set for ten weeks) worth over US\$200 million raising intricate questions of authority, restitution and the conflict of laws.

– Instructed (as junior to Iain Milligan QC) to advise in connection with matters arising out of the collapse of the Lehman Brothers group. – Instructed (as junior to Richard Millett QC) by Weil Gotshal & Manges LLP to advise in connection with guarantees in respect of the Canary Wharf property occupied by Lehman Brothers entities prior to the collapse of the group.

– *White v (1) HSBC Private Bank UK Ltd; (2) HSBC Bank PLC* Instructed as sole counsel for the claimant investor in a £1million Commercial Court claim against two HSBC entities for breach of



the FSA rules in connection with the sale of structured products.

– Six months' secondment to the enforcement division of the FSA (2007). Acted as case-lawyer in actions against both firms and individuals, involving market abuse, insider dealing, misleading statements and practices and regulatory infringements.

– Advised in respect of numerous claims arising out of the FCA's interest rate hedging products review

– Advised (as junior to Iain Milligan QC) on potential claim against big five accountancy firm in respect of breach of SUP 3.10.4. – Represented the FSA in its successful action against a mutual society for failure to comply with its statutory obligations and also in its successful application for the costs of intervening in *Financial Services Compensation Scheme Limited v Abbey National Treasury Services Plc* [2008] EWHC 1897 (Ch).

– Advised an authorised individual against whom the Dubai Financial Services Authority sought a prohibition order.

---

## COMMERCIAL CHANCERY DISPUTES

– *Barclays Bank PLC v UniCredit SpA* Instructed by Addleshaw Goddard LLP to act (as junior to Joe Smouha QC) on behalf of Barclays in its £300 million dispute with UniCredit in the Commercial Court.

– *Certain Limited Partners in Henderson PFI Secondary Fund II LP (A Firm) v (1) Henderson PFI Secondary Fund II; (2) Henderson Equity Partners Limited; (3) Henderson Equity Partners (GP) Ltd* [2013] QB 934

Instructed by Ashurst LLP (as junior to Iain Milligan QC) to act on behalf of 24 large institutional investors in their claims in the Commercial Court against the manager and general partner of the fund in which they invested (both entities in the Henderson Global Investors Group) for the misapplication of their funds by the acquisition of a plc.

– *Lehman Commercial Mortgage Conduit Limited v Northern Rock (Asset Management) PLC*

Instructed by Ashurst LLP (as junior to David Foxtan QC) to act on behalf of a Northern Rock entity in its defence of claims against it by a Lehman Brothers entity arising out of the sale by Northern Rock to Lehman brothers of a large portfolio of secured loans.

– *Dena (Technology) Thailand Ltd v ALSD Limited & Ors*

Instructed by Addleshaw Goddaard LLP to act, as sole counsel, for the Claimant in this £15 million claim in the Commercial Court for (*inter alia*) fraudulent misrepresentation, inducing the Claimant to enter into a joint venture.

– *Yukos CIS Investment Limited v Yukos Hydrocarbons Investments Limited & Ors* (Eastern Caribbean Court of Appeal and Commercial Court of the British Virgin Islands) Acted (led by Steven Berry QC) for the respondents in successfully resisting applications by Yukos CIS including to appoint a receiver over the respondent companies and for freezing injunctions against them. This litigation formed part of the on-going, multi-jurisdictional battle by which OJSC Rosneft attempts to gain (ultimate) control over the subsidiaries of OAO Yukos Oil Company which it contends it has purchased. The former management of Yukos Oil resists those attempts, contending that the purchase is an unlawful appropriation.

– *Fruition PO Ltd v Gaskains Ltd* Instructed as sole counsel for a major fruit producers' organisation in connection with an agency agreement dispute in a trial set down for seven days in the Chancery Division (which settled part heard).

---

## COMMERCIAL DISPUTE RESOLUTION

– *Barclays Bank PLC v UniCredit SpA* Instructed by Addleshaw Goddard LLP to act (as junior to Joe Smouha QC) on behalf of Barclays in its £300 million dispute with UniCredit in the Commercial Court.

– *Certain Limited Partners in Henderson PFI Secondary Fund II LP (A Firm) v (1) Henderson PFI Secondary Fund II; (2) Henderson Equity Partners Limited; (3) Henderson Equity Partners (GP) Ltd* [2013] QB 934

Instructed by Ashurst LLP (as junior to Iain Milligan QC) to act on behalf of 24 large institutional investors in their claims in the Commercial Court against the manager and general partner of the fund in which they invested (both entities in the Henderson Global Investors Group) for the misapplication of their funds by the acquisition of a plc.

– *Mauritius Commercial Bank v Hestia Holdings* [2013] EWHC 1328

Instructed by Bird and Bird LLP as sole counsel for the Claimant in this €15 million Commercial Court dispute in which the Defendant challenged jurisdiction on the basis (*inter alia*) that jurisdiction agreements operating in favour of one party only are enforceable.

– *Lehman Commercial Mortgage Conduit Limited v Northern Rock (Asset Management) PLC*

Instructed by Ashurst LLP (as junior to David Foxtton QC) to act on behalf of a Northern Rock entity in its defence of claims against it by a Lehman Brothers entity arising out of the sale by Northern Rock to Lehman brothers of a large portfolio of secured loans.

– *Kuwait Airways Company v Iraqi Airways Corporation*

Instructed by Fasken Martineau LLP to act for Kuwait Airways in its various on-going efforts to enforce the US\$1.2 billion judgment debt owed to it by Iraqi Airways, including in particular obtaining permission to serve out against the state of Iraq, as well as cross examination of the Director General of IAC as to its assets, obtaining third party debt orders and emergency freezing relief. This is the final chapter of this long-running litigation, which was commenced in the Commercial Court some two decades ago.

– *Dena (Technology) Thailand Ltd v ALSD Limited & Ors*

Instructed by Addleshaw Goddaard LLP to act, as sole counsel, for the Claimant in this £15 million claim in the Commercial Court for (*inter alia*) fraudulent misrepresentation, inducing the Claimant to enter into a joint venture.

– *FKI Engineering Ltd v Stribog Ltd* [2011] 2 Lloyd's Rep 387, [2011] EWCA Civ 622, [2011] 1 CLC 1005. Instructed (as junior to Mark Templeman QC) on behalf of the Respondent in this appeal in front of Mummery, Rix and Wilson LJJ concerning the proper interpretation of Article 28 (related actions pending in the courts of different member states) of the Judgments Regulation (Council Regulation 44/2001).

– Instructed (as junior to Richard Millett QC) by Weil Gotshal & Manges LLP to advise in connection with guarantees in respect of the Canary Wharf property occupied by Lehman Brothers entities prior to the collapse of the group.

– *Yukos CIS Investment Limited v Yukos Hydrocarbons Investments Limited & Ors* (Eastern Caribbean Court of Appeal and Commercial Court of the British Virgin Islands) Acted (led by Steven Berry QC) for the respondents in successfully resisting applications by Yukos CIS including to appoint a receiver over the respondent companies and for freezing injunctions against them. This litigation formed part of the on-going, multi-jurisdictional battle by which OJSC Rosneft attempts to gain (ultimate) control over the subsidiaries of OAO Yukos Oil Company which it contends it has purchased. The former management of Yukos Oil resists those attempts, contending that the purchase is an unlawful appropriation.

*Deutsche Bank AG and Ors v Asia Pacific Broadband Wireless Communications Inc* (as junior to Christopher Butcher QC and Jawdat Khurshid): instructed on behalf of Asia Pacific Telecom in a Commercial Court claim (trial set for ten weeks) worth over US\$200 million raising intricate

questions of authority, restitution and the conflict of laws.

– Instructed by Clifford Chance (as junior to Joe Smouha QC) to act for the respondent to an application under section 68 of the Arbitration Act 1996 challenging an LCIA award concerning a £480 million claim for breach of contract

– Instructed by Slaughter and May (as junior to David Streatfeild James QC) in an ICC arbitration involving a claim against a German conglomerate in the industrial sector.

– Instructed by Hogan Lovells LLP to act for the respondent to applications under section 67 and 68 of the Arbitration Act 1996 challenging an award concerning a very substantial commodities dispute

– Instructed by Ashurst LLP (as junior to Stewart Boyd QC) in a US\$400 million arbitration under the LCIA rules involving complex questions of the correct measure of loss in contractual damages under English law.

– Instructed by Freshfields Bruckhaus Deringer LLP (as junior to Salim Moollan) to represent one of the world's leading technology companies in an ICC Arbitration in a dispute concerning activities in South America.

– Instructed by Addleshaw Goddard LLP (as junior to Vernon Flynn QC and Paul Stanley QC) for a Diageo plc subsidiary against SABMiller plc subsidiaries in a large scale ICC arbitration. This expedited arbitration was triggered by SABMiller having obtained an interim injunction in the Commercial Court restraining the Diageo company from taking certain steps alleged to constitute breaches of an agreement concerning the distribution of beer in Tanzania. The dispute involved intricate questions of law, in particular concerning agreements in restraint of trade.

– Instructed by Addleshaw Goddard LLP (as junior to Vernon Flynn QC) in a substantial expedited ICC arbitration involving a claim for breach of contract culminating, part way through the hearing, in a \$225 million settlement deal.

– Instructed by Herbert Smith LLP (as junior to Paul Stanley QC) to represent the respondent in an ad hoc arbitration concerning two limited liability partnership disputes.

– Instructed by Orrick, Herrington & Sutcliffe LLP LLP (as junior to Joe Smouha QC) for a Cayman hedge fund in its efforts to enforce an arbitration award for in excess of £50 million against an Indian entity.

– *FKI Engineering Ltd v Stribog Ltd* [2010] 2 Lloyd's Rep. Plus 86, [2010] EWHC 1160, [2010] 1 CLC 752. Acting (as junior to Mark Templeman QC) on behalf of FKI resisting Stribog's application for a stay of proceedings under Article 28 of the Judgments Regulation on the basis

that related proceedings had been brought between the same parties in Germany.

– Instructed (as junior to Iain Milligan QC) to advise in connection with matters arising out of the collapse of the Lehman Brothers group.

– *White v (1) HSBC Private Bank UK Ltd; (2) HSBC Bank PLC* Instructed as sole counsel for the claimant investor in a £1million Commercial Court claim against two HSBC entities for breach of the FSA rules in connection with the sale of structured products.

– *Fruition PO Ltd v Gaskains Ltd* Instructed as sole counsel for a major fruit producers' organisation in connection with an agency agreement dispute in a trial set down for seven days in the Chancery Division (which settled part heard).

– *Datasat Communications Ltd v Swindon Town Football Company Ltd* [2009] EWHC 589 (Comm) (led by Huw Davies QC): instructed by Davis & Co on behalf of the Claimants in their action in the Commercial Court for recovery of payments made in anticipation of an investment agreement which failed to materialise.

– *Satyam Computer Services Ltd v Upaid Systems Ltd* [2008] EWCA Civ 487, [2008] 2 All ER (Comm) 465 (as junior to David Foxton QC): instructed by Freshfields Bruckhaus Deringer LLP to act on behalf of the respondent in the Court of Appeal in an action concerning the proper constructions of three commercial agreements and in particular whether the parties to a settlement agreement were to be taken to have excluded fraud claims.

– *Bookmakers' Afternoon Greyhound Services Limited v Amalgamated Racing Limited* [2008] EWHC 1978 (Ch) (with Nicholas Green QC and Mark Hoskins): instructed by SJ Berwin to appear in this eight week trial concerning the validity of media rights agreements in the horseracing sector.

---

## **CONFLICT OF LAWS & PRIVATE INTERNATIONAL LAW**

– *Mauritius Commercial Bank v Hestia Holdings* [2013] EWHC 1328

Instructed by Bird and Bird LLP as sole counsel for the Claimant in this €15 million Commercial Court dispute in which the Defendant challenged jurisdiction on the basis (*inter alia*) that jurisdiction agreements operating in favour of one party only are enforceable.

– Instructed by Orrick, Herrington & Sutcliffe LLP (as junior to Joe Smouha QC) for a Cayman hedge fund in its efforts to enforce an arbitration award for in excess of £50 million against an Indian entity, challenged on the basis of there being no jurisdiction to enforce where no assets

present in the jurisdiction.

– *FKI Engineering Ltd v Stribog Ltd* [2011] 2 Lloyd’s Rep 387, [2011] EWCA Civ 622, [2011] 1 CLC 1005. Instructed (as junior to Mark Templeman QC) on behalf of the Respondent in this appeal in front of Mummery, Rix and Wilson LJJ concerning the proper interpretation of Article 28 (related actions pending the in the courts of different member states) of the Judgments Regulation (Council Regulation 44/2001).

*Deutsche Bank AG and Ors v Asia Pacific Broadband Wireless Communications Inc* (as junior to Christopher Butcher QC and Jawdat Khurshid): instructed on behalf of Asia Pacific Telecom in a Commercial Court claim (trial set for ten weeks) worth over US\$200 million raising intricate questions of authority, restitution and the conflict of laws.

– *FKI Engineering Ltd v Stribog Ltd* [2010] 2 Lloyd’s Rep. Plus 86, [2010] EWHC 1160, [2010] 1 CLC 752. Acting (as junior to Mark Templeman QC) on behalf of FKI resisting Stribog’s application for a stay of proceedings under Article 28 of the Judgments Regulation on the basis that related proceedings had been brought between the same parties in Germany

– *Kuwait Airways Company v Iraqi Airways Corporation*

Instructed by Fasken Martineau LLP to act for Kuwait Airways in its various an on-going efforts to enforce the US\$1.2 billion judgment debt owed to it by Iraqi Airways, including in particular obtaining permission to serve out against the state of Iraq, as well as cross examination of the Director General of IAC as to its assets, obtaining third party debt orders and emergency freezing relief. This is the final chapter of this long-running litigation, which was commenced in the Commercial Court some two decades ago.

---

## **MEDIA, ART, ENTERTAINMENT**

– Acted (as junior to Stewart Boyd QC) in a large scale arbitration under the LCIA rules concerning media rights.

– *Bookmakers’ Afternoon Greyhound Services Limited v Amalgamated Racing Limited* [2008] EWHC 1978 (Ch) (as junior to Nicholas Green QC and Mark Hoskins): instructed by SJ Berwin to appear in this eight week trial concerning the validity of media rights agreements in the horseracing sector.

– Instructed to act for one of the largest entities in the world creating and producing entertainment brands in a dispute concerning a professional sports body.

## OFFSHORE LITIGATION

– *Yukos CIS Investment Limited v Yukos Hydrocarbons Investments Limited & Ors* (Eastern Caribbean Court of Appeal and Commercial Court of the British Virgin Islands) Acted (led by Steven Berry QC) for the respondents in successfully resisting applications by Yukos CIS including to appoint a receiver over the respondent companies and for freezing injunctions against them. This litigation formed part of the on-going, multi-jurisdictional battle by which OJSC Rosneft attempts to gain (ultimate) control over the subsidiaries of OAO Yukos Oil Company which it contends it has purchased. The former management of Yukos Oil resists those attempts, contending that the purchase is an unlawful appropriation.

– *Ithmar Capital Ltd v 8 Investment Inc* CA 1/2008: instructed for the appellant on an appeal from a freezing injunction; the first proceedings to come before the Court of Appeal of the Judicial Authority of the Dubai International Financial Centre.

Acted for a private equity firm established in the Dubai International Financial Centre in a claim relating to the entitlement to carry interest of a managing director.

– Advised an authorised individual against whom the Dubai Financial Services Authority sought a prohibition order.

– *Kensington International Limited v Montrow International Limited* (2008): instructed in relation to the challenge in the High Court of the British Virgin Islands and the Court of Appeal of the Eastern Caribbean Supreme Court of the status of a so-called “vulture fund” as creditor of a company alleged to be the alter ego of the Republic of Congo.

---

## CAREER

**2005** College supervisor in Company Law, Peterhouse, Cambridge University

**2005** Tutor and examined in Contract Law, King’s College, University of London

---

## EDUCATION

**2005** BCL, Brasenose College, University of Oxford

**2003** BA (First Class Hons.) (Law), Downing College, University of Cambridge (ranked eighth in year)

**2006** BVC (Very Competent), BPP Law School

**2004** LPC (Distinction), Nottingham Law School

---

## **AWARDS**

**2007** Phoenicia Scholarship (Bar European Group)

**2005** Astbury Scholarship (Middle Temple)

**2005** Harmsworth Entrance Exhibition (Middle Temple)

**2004** The Arts and Humanities Research Board scholarship for postgraduate study

**2003** Highest first in the year in European Union Law (Cambridge University)

**2003** Senior Jarvis Scholar (Downing College, Cambridge University)