

Dispute Resolution - Commercial Litigation, Arbitration and ADR

Main practice areas: corporate and shareholders' disputes, construction and property disputes, insurance and reinsurance, banking, insolvency, asset recovery, commercial fraud, complex contractual disputes, and professional negligence

Consultant Solicitor (private practice and in – house)

- A consultant solicitor to 3CS Corporate Solicitors Limited, London advising on commercial litigation (May 2024 – Present)
- A consultant solicitor (legal and litigation counsel) to B&S Group, London, a large pharmaceutical company. Advising on a heavy and complex commercial litigation matter. Advising on a wide range of commercial issues including employment, property, banking, company, and regulatory matters and reporting to the MD (June 2020 – July 2020).
- A locum litigation solicitor to Bower Cotton Hamilton LLP (previously Hamilton Downing Quinn LLP), London managing a partner caseload consisting of commercial and civil litigation, insolvency, and employment matters (July 2019 – December 2019).
- An in – house consultant litigation counsel to Global University Systems, London (April 2018 – March 2019). Working on litigation matters within the group including contractual and commercial disputes, asset recovery and employment matters and reporting to the group general counsel.
- A consultant solicitor to Jarmans Solicitors LLP managing a partner caseload including acting on behalf of the minority shareholder in a section 994 petition (pre -action) and commercial litigation (July 2017 – March 2018).
- A consultant solicitor to SAB Corporate Services Limited advising on a large property/joint venture dispute in the Mercantile Court, London (October 2016 – February 2018).
- A consultant solicitor to Ferguson Financial Solicitors LLP advising on recovery, insolvency, and financial mis-selling (mortgage, PPI and IRHP) matters and undertaking legal reviews for litigation funding cases (October 2015 – December 2016).

Acting/Advising:

JKW LAW (2006 – Present)

- A JV pharma company in a £150 million, multi - party shareholders' dispute – a section 994 petition and part 7 claim and ancillary proceedings. Main proceedings involve complex legal and factual issues around liability, misrepresentation, rescission, equalisation, and fraud. *Krishna Holdco Ltd v Gowrie Holdings Ltd and Others [2023] EWHC 1538 (Ch)* and *[2023] EWHC 1943 (Ch)*.
- A Russian owned company seeking to restrain the presentation of winding up petitions in the

ICC in respect of two substantial loans.

- A BVI company regarding the recovery of commercial loans for £10 million against a Russian individual.
- Judicial Administrators regarding the affairs of a UK company and criminal proceedings in Italy.
- A company in respect of an oral variation to a written contract containing an anti-variation clause. *Rock Advertising Ltd -v- MWB Business Exchange Centres Ltd [2018] UK SC 24* (Advised at an early stage of proceedings).
- UHNW individual regarding a £1 million investment and a dispute with American Express, respectively.
- A South American client regarding a potential claim for £350,000 in respect of a fraud by three financial companies based in the UK.
- A former director in respect of a claim brought by the liquidator under the Companies Act 2006 and the Insolvency Act 1986.
- A private client regarding a personal loan to an insolvent company in Guernsey and a personal loan to a property development company.
- A private client re a potential whistleblower case with HMRC and a substantial tax evasion.
- A leading audit, tax, and advisory firm regarding test cases under S58 of the Finance Act 2008.
- A Chinese clothing manufacturer in a dispute with UK wholesaler.
- A UK-based publishing company in a substantial dispute with a S.E. Asia printing company.
- A Russian owned bank in Cyprus in a substantial Russian arbitration regarding a banking dispute subject to English law.
- A Nigerian oil and transportation company in a substantial maritime dispute.
- A high net worth individual in a shareholder's dispute and an offshore company.
- A financial broker in respect of a dispute regarding a substantial commission payable by an investment bank based on an alleged oral contract.
- Various foreign law firms regarding overseas legal proceedings and advising on English law such as liquidated damages and defamation.

Cobbetts LLP (2005)

- A contractor in relation to a PFI project in the Midlands which settled for a seven-figure sum after a Court of Appeal reported decision on letters of intent heard as a preliminary issue – *Emcor Drake & Scull -v- Sir Robert McAlpine Ltd [2004] All ER (D) 341 CA*

Manches LLP (1993 - 2004)

- A developer against M & E contractor in a dispute in TCC concerning design liability, defects,

and professional negligence. *Brian Warwicker Partnership -v- HOK International Ltd* [2005] EWCA Civ 962

- The former senior partner of Manches LLP (1998-2003) on all professional negligence matters regarding the firm, involving claims notified to professional insurers and collaborating with partners on proofs of evidence, external panel solicitors and Counsel. *Manches & Co (a firm) v Joseph* [2002] EWCA Civ 188 and [2001] EWHC QB Civ 448
- An international insurance company in a claim under Lloyd's arbitration scheme which was subsequently settled for a seven-figure sum, and which involved allegations of misrepresentation and non-disclosure (1999).
- Equitas and an international insurance company who were seeking to recover on outward reinsurance and negotiating a global commutation agreement in 2001.
- A leading case on "follow settlement" clauses - *Hill/ Berry v M&G* [1996] 1 AC 1239
- A large State owned Eastern European reinsurer in an arbitration and who participated in XL policies underwriting various Lloyd's syndicates and achieving a global commutation (1998).
- Shareholders in arbitral proceedings against insurer concerning loss of vocational training master tapes (1997).
- Managing agency in arbitral proceedings by Lloyd's Names concerning personal stop loss policies (1996).
- A members' agency on the negligent actions of a former director and Names who had been placed on Outhwaite 317 for 1990 (1996).
- Various Professional firms who were parties in the Secretan and Feltrim Names litigation (1996/7).
- Advising on all aspects of insolvency proceedings including IVA's, bankruptcy, CVA's, administration, solvent and insolvent liquidation and proceedings under the CDDA 1986 (1993 - 1996).

Additional Practice Areas

Property and Construction (non - contentious) (2015 - 2020)

- Corporate and e-Commerce clients in respect of various new commercial leases in London.
- A corporate client regarding the purchase of a commercial building and land in the North of England.
- A leading global specialist in energy management and automation and advising on an NEC3 subcontract as amended.

Commercial, Banking and Insurance (1999 – Present)

- Various start – up companies on terms and conditions and consultancy agreements.
- Chinese owned companies regarding commercial agreements and transactions in London.
- A Russian owned software development company on commercial matters.
- An American University on commercial matters.
- A Russian owned global social media company advising on commercial contracts.
- An investor regarding a substantial investment in Ghana and advising on the loan agreement.
- Leading international brokers - drafting of standard wordings for global property and casualty business in the form of property damage and business interruption policy and a combined liability policy respectively, which are in use on a worldwide basis.

Employment and Corporate Immigration (1993 – Present)

- Negotiating settlement agreements and on various employment matters both as an in – house consultant solicitor and through my own firm and supervising an employment consultant solicitor.
- Corporate clients include banks, insurance companies, publishing and retail companies, foreign universities, and international law firms in corporate immigration matters.
- Private clients regarding their rights to enter or remain in the UK, acquisition of residency or indefinite leave to remain and naturalisation issues.

PROFESSIONAL INTERESTS

Russia and CIS - Travelled to Moscow and St. Petersburg with UKTI in June 2010. Various Russian networking groups.

Public Speaking (Paid) – CLT – Brexit for in – house lawyers (March 2020), AICPA/CIMA – The Shape of Brexit – Webinars (January 2019 – April 2019), CIMA – A series of seminars on Brexit to CIMA members in London, Ashford, Dundee and Aberdeen (May 2016 – March 2018), CIMA - UK Corporate Governance: Enron to VW (2015), ICAEW – Brexit: Beyond Article 50 (April 2017), Doyle Club - Protecting the Construction Professional (June 2016) and CSARN – EU Economic Sanctions against Russia (2015).