




Daniel Carall-Green

Call 2015

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Daniel Carall-Green acts for regulators, corporates, financial institutions, and individuals in a wide range of commercial, competition, and regulatory cases.

He is currently acting in professional disciplinary proceedings connected with the audits of Carillion, Commercial Court proceedings arising out of the collapse of NMC, and Queen's Bench proceedings about recovering money from the Lebanese banking system. He has experience of a wide range of dispute resolution procedures besides English litigation, including administrative proceedings instigated by public authorities, judicial review claims before the EU courts, and arbitrations conducted under LCIA, LMAA, and SIAC rules. He is also a member of the SFO's proceeds of crime panel B.

Daniel is also one of the contributing authors to the recent book "*Brexit and Financial Regulation*".

Before being called to the Bar, Daniel was a solicitor-advocate at Slaughter and May.

Expertise

Administrative & Public Law

Notable Administrative & Public Law cases

Challenging a decision of the European Commission before the European Court of Justice in Luxembourg.

Advising a UK corporate on a challenge to the validity of UK primary legislation.

Aviation & Travel

Notable Aviation & Travel cases

Acting for British Airways, EasyJet, and Emirates in relation to a variety of customer claims against them.

Advising a sovereign state in relation to rights over airspace.

Acting for airline customers in relation to questions of champerty, maintenance, and assignment of consumer claims under EU regulation 261/2004.

Banking & Finance

Notable Banking & Finance cases

Acting for Dr George Bitar in cross-border proceedings to recover money from the Lebanese banking system (involving application of new post-Brexit consumer jurisdiction provisions in the Civil Jurisdiction and Judgments Act 1982).

Acting for Barclays in various claims relating to alleged frauds, wrongful payments, and breaches of financial regulation.

Acting for Lloyds Bank in a claim relating to alleged failures to detect frauds.

Acting for the Royal Bank of Scotland in a case involving misappropriated funds and stolen goods.

Acting for Funding Circle (a peer-to-peer lending organization) in a debt recovery claim.

Advising a cross-border borrower on loan documentation governed by English law.

Assisting an expert witness on English law in preparing evidence for foreign proceedings about the legal effect of a transfer of securities from one bank to another.

Acting for the claimant in a claim for the mis-selling of interest-rate hedging products against a bank.

Civil Fraud

Notable Civil Fraud cases

Acting for Mr Prasanth Manghat, the former CEO of NMC plc (the London-listed healthcare business) in connection with claims brought against him by Abu Dhabi Commercial Bank for fraud and conspiracy.

Acting for the claimant in a fraud and conspiracy claim against a bank involving allegations of deceit and misappropriation of assets.

Acting for the defendant and counterclaimant in a cross-border dispute involving allegations of bribery, deceit, and employee misconduct.

Commercial Disputes

Notable Commercial Disputes cases

Acting for the claimant in a cross-border claim for the recovery of a loan.

Advising the seller of a business in relation to third-party rights under the purchase agreement.

Acting for a construction company in debt recovery proceedings (defended on the basis that the construction was defective).

Advising a seller of Covid-19 medical equipment in a claim for debts owed by the buyer.

Advising a beneficiary under a discretionary trust in relation to a dispute with the trustees.

Advising on the recovery of assets belonging to a missing person.

Advising a business on its liability for allegedly-false statements made in circulars to potential investors.

Acting for the settlor in a complex multi-jurisdictional family trusts dispute.

Advising a public institution in an action for breach of contract against a provider of outsourced services.

Advising the owners and managers of several businesses on questions of company law, contract, equity, unjust

enrichment, civil fraud, criminal law, jurisdiction and governing law following corporate deadlock.

Company, Restructuring & Insolvency

Notable Company, Restructuring & Insolvency cases

Acting for Lloyds Bank in relation to the enforcement of fixed-charge security interests against a defaulting borrower.

Acting for petitioners in applications for bankruptcy and winding-up orders.

Competition

Notable Competition cases

Advising the Competition and Markets Authority in relation to three separate enforcement cases under the Competition Act 1998.

Acting for the complainant in a complaint to the Competition and Markets Authority about allegedly anticompetitive conduct in the transport sector.

Acting for a claimant retailer in proceedings against a competitor in the Competition Appeal Tribunal for breach of chapter 2 (abuse of dominance).

Acting for an applicant to intervene in an appeal to the Supreme Court in a case relating to the private enforcement of competition law.

Advising the successful bidder in relation to an allegedly-defective public procurement process.

Advising a seller of a business in relation to the effect on that business of ongoing litigation surrounding allegedly-anticompetitive multilateral interchange fees.

Advising an applicant for grant funding on the potential state aid implications of receiving such funding.

Advising a local authority in relation to the potential state aid (and post-Brexit equivalent) implications of various proposals for construction and redevelopment.

Advising a multinational on the potential state aid implications of certain non-legislative decisions taken by national tax authorities.

Financial Services

Notable Financial Services cases

Acting for JD Williams (the online retailer) in its dispute with Allianz (the insurer) over liability to customers under the consumer credit regime for allegedly unfair and mis-sold insurance products.

Acting for a merchant bank in a dispute with a broker about alleged breaches of a broker agreement.

Advising and acting for claimants and regulated firms in claims for breach of the FCA Handbook.

Insurance

Notable Insurance cases

Acting for claimants against their agent and insurance broker in a claim for undisclosed commissions taken by the agent in connection with the arrangement of insurance.

Acting for the insured claimants against their insurer in a claim under a marine policy for liability for personal injury.

Advising a financial services firm on allegedly anticompetitive provisions in an agreement with an insurer.

International Arbitration

Notable International Arbitration cases

Acting as secretary to the tribunal in two international arbitrations under the LCIA rules with the arbitral seat in London.

Acting as secretary to the tribunal in an international arbitration under the SIAC rules with the arbitral seat in Singapore.

Acting for the claimants in an international arbitration under the LMAA rules.

Procurement

Notable Procurement cases

Acting for London Underground Limited in connection with the claims brought against by Alstom, Bombardier, and Hitachi it for breach of the public procurement rules in its decision to award a £1.5 billion contract for new underground trains to Siemens.

Professional Discipline

Notable Professional Discipline cases

Acting for the Financial Reporting Council in proceedings for misconduct under the Accountancy Scheme in connection with the audits of Carillion and BHS.

Acting for the Financial Reporting Council in proceedings under the Audit Enforcement Procedure in connection with the audits of Carillion and BT.

Advising solicitors on questions of champerty, maintenance, litigation funding, and the management of class actions.

Education

- 2012 – Legal Practice Course – BPP (Distinction)
- 2012 – LLB – BPP (First)
- 2010 – BA in Classics – Magdalen College, Oxford (First)

Memberships

- Megarry Scholarship, Lincoln's Inn, 2016
- Horsfall Turner Prize, The Law Society, 2013
- Placed first in year, BPP, 2012
- Placed second in year, Oxford University, 2010
- Congratulated by the examiners (first-class mark in every paper), Oxford University, 2010
- Comparative Linguistics and Philology Prize, Oxford University, 2010
- *Proxime Accessit*, Gibbs Prize for Philosophy, Oxford University, 2010
- Roberts-Gawen Scholarship, Magdalen College, Oxford, 2008

Publications

- “*The EU approach to authorisation*” in Herbst, J, and Lovegrove, S (eds), *Brexit and Financial Regulation* (OUP, 2020)

Languages

- French (intermediate)