



Daniel Edmonds

Call 2010

"Talented, focused, hard working and of talent beyond his years of call."

The Legal 500 (Banking & Finance)

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Daniel has a broad commercial practice with specialisms in the fields of banking & finance, conflicts of laws, civil fraud, and professional negligence.

He is recommended in both *Chambers & Partners* and *The Legal 500* where he is described variously as "Brilliant junior counsel", "amazingly bright" and "a delight to work with". He is ranked as a leading junior in the fields of Commercial Dispute Resolution, Banking & Finance, and Professional Negligence (*The Legal 500* only), and was nominated for "Professional Negligence Junior of the Year" at *The Legal 500* 2023 awards.

Daniel's practice is predominantly in the English Commercial Court, but he also regularly appears in other divisions of the High Court, the appellate Courts, and overseas. Daniel is registered to practice in the DIFC and has also been instructed in matters before courts or arbitral tribunals in the Cayman Islands, BVI, Isle of Man, Jersey and Guernsey.

Daniel has a particular interest in matters involving private international law and the service of claims, and in addition to his current instructions is presently co-authoring a textbook on the service of proceedings in and out of jurisdiction with the Oxford University Press.

Recent Highlights

SKAT v Solo Capital Ltd & Ors [2022] EWCA Civ 234; [2021] EWHC 1222 (Comm); [2021] EWHC 974 (Comm); [2020] EWHC 1658 (Comm); [2020] EWHC 2022 (Comm)

Instructed (with Patricia Robertson KC) on behalf of a defendant group in the defence of a claim in the Commercial Court brought by the Danish state for a >£1.5 billion arising from an alleged 'cum/ex' dividend trading fraud. With this matter running since 2018, Daniel has appeared as sole counsel in both a preliminary High Court Trial (one of *The Lawyer's* "Top 10 Commercial Cases of 2021") and in the Court of Appeal (one of *The Lawyer's* "Top 10 Appeals of 2022").

Banco Central de Venezuela & Ors v Bank of England & Ors [2023] EWCA Civ 742; [2022] EWHC 2040 (Comm); [2022] EWHC 2702 (Comm)

Acting (with Richard Lissack KC et al) for one of the two competing Boards of the Central Bank of Venezuela in the high profile ongoing dispute as to which Board is properly authorised to give instructions in relation to inter alia c.\$2 billion of gold stored in the vaults of the Bank of England. Following an expedited Commercial Court trial in July 2022, this matter has been provisionally listed for appeal in May 2023 (one of *The Lawyer's* "Top 10 Appeals of 2023").

AIML & Ors v KPMG & Ors [2021] DIFC CFI-041-2021 (Court of Appeal, 19 Dec 2023); (CFI 3 Nov 2021); (CFI 2 Nov 2023); (CFI 24 Nov 2023); (CFI 28 Nov 2023);

Acting (with Anneliese Day KC et al) in a c.£1.6 billion negligence claim in the DIFC against the former auditors of what was the largest private equity group in the Middle East prior to its collapse as an alleged fraudulent ponzi scheme, including success in a substantial jurisdiction challenge before Justice Wayne Martin (Order with Reasons dated 3 Nov 2021) and multiple applications to appeal the same and otherwise stay the claims in both the Court of First Instance (Order with Reasons dated 2 Nov 2023, 24 Nov 2023 and 28 Nov 2023) and Court of Appeal (19 Dec 2023).

VTB Capital v Republic of Mozambique & Ors [2023] EWHC 1650 (Comm); [2023] EWHC 1148 (Comm)

Acting (with Timothy Howe KC et al) for VTB Capital and appearing in both heavy interlocutory hearings across 2023 and a 12 week Commercial Court trial (from October to December 2023) before Knowles J arising from the notorious 'Tunabonds' hidden loans/bribery controversy involving >\$2 billion of debt guaranteed by the Republic of Mozambique (one of *The Lawyer's* "Top 20 Commercial Cases of 2023").

Riad Al Sadiq v Harney, Westwood & Riegels & Ors [2024] EWHC 818 (Comm)

Acting (with Ian Croxford KC) In the defence and successful early disposal of a claim against a leading solicitor's firm in a substantial (allegedly c.\$88 million) professional negligence claim in the Commercial Court relating to the Defendant's conduct of a substantial litigation over a 10 year period in the Cayman Islands, Privy Council, and Dubai.

Expertise

Banking & Finance

Daniel has a wide range of experience in banking and finance litigation and is regularly instructed (both as sole counsel and as a part of a team) by major retail, commercial and investment banks to both advise and appear in interlocutory matters, trials and appeals. With a background in economics, he is particularly experienced in cases involving more complex financial products and quantitative material, and his cases often have an international element. He has appeared as sole advocate on banking matters in the High Court and the Court of Appeal, advises in relation to FCA and PRA compliance and investigations, and on matters offshore, and is registered to appear in the DIFC. He is ranked as a leading junior in both directories.

Notable Banking & Finance cases

VTB Capital v Republic of Mozambique & Ors [2023] EWHC 1650 (Comm); [2023] EWHC 1148 (Comm)

Acting (with Timothy Howe KC et al) for VTB Capital plc (in liquidation) in both interlocutory matters and a 12 week Commercial Court trial from October to December 2023 before Knowles J arising from the notorious ‘Tunabonds’ hidden loans/bribery controversy involving >\$2 billion of debt guaranteed by the Republic of Mozambique (one of *The Lawyer’s* “Top 20 Commercial Cases of 2023”).

Ebury Partners Belgium NV/SA v Cimolai SpA (FL-2022-000034)

Acting (as sole counsel) on behalf of the claimant financial services provider claiming in excess of €10 million from a defendant Italian corporate following the close-out of a series of FX forward transactions.

Banco Central de Venezuela & Ors v Bank of England & Ors [2023] EWCA Civ 742; [2022] EWHC 2040 (Comm); [2022] EWHC 2702 (Comm)

Acting (with Richard Lissack KC et al) for one of the two competing Boards of the Central Bank of Venezuela in an ongoing dispute as to which is properly authorised to give instructions in relation to: (i) c.€2 billion of gold stored in the vaults of the Bank of England; and (ii) instructions to act on an LCIA arbitration. Judgment was handed down on a wide range of private and public international law issues following an expedited Commercial Court trial in July 2022, with Cockerill J commending the legal teams for their approach an extremely hostile and difficult context, and specifically recording that she was “*particularly indebted*” to junior counsel including Daniel. An appeal has been provisionally listed for May 2023 (one of *The Lawyer’s* “Top 10 Appeals of 2023”).

VTB Capital v Republic of Mozambique & Ors [2023] EWHC 1650 (Comm); [2023] EWHC 1148 (Comm)

Acting (with Timothy Howe KC et al) for VTB Capital plc (in liquidation) in both interlocutory matters and a 12 week Commercial Court trial from October to December 2023 before Knowles J arising from the notorious ‘Tunabonds’ hidden loans/bribery controversy involving >\$2 billion of debt guaranteed by the Republic of Mozambique (one of *The Lawyer’s* “Top 20 Commercial Cases of 2023”).

Allianz & Ors v Barclays & Ors (“FX Market Manipulation Litigation”) (CL-2020-00736; CL-2018-000840)

Acting (with Marie Demetriou KC, Colin West KC et al) in 2 separate multi-billion pound Commercial Court/Competition Appeals Tribunal claims against multiple international banks following widespread allegations and findings of manipulation within the foreign exchange market.

SKAT v Solo Capital Ltd & Ors [2022] EWCA Civ 234; [2021] EWHC 1222 (Comm); [2021] EWHC 974 (Comm); [2020] EWHC 1658 (Comm); [2020] EWHC 2022 (Comm)

Acting (with Patricia Robertson KC) on behalf of one of the defendant groups in the preparation of their defence of

a c.£1.3 billion Commercial Court claim arising from an alleged 'cum/ex' dividend trading fraud. Daniel acted as sole counsel on multiple interlocutory matters including the return date for a freezing injunction; interlocutory relief pursuant to the stakeholder jurisdiction; and at first instance and in the Court of Appeal on a trial of preliminary issues of private international law.

Qatar v Emirates NBD PJSC & Anr (CL-2020-000732)

Acting (with Richard Handyside KC) for a Middle Eastern bank following allegations of alleged manipulation of foreign exchange rates and forward markets as a part of an alleged international multi-billion-dollar unlawful conspiracy against the state of Qatar.

WBE v (1) NRL; (2) YIZ (Commercial Court 2021-- confidential)

Acting (with Adrian Beltrami KC, Peter De Verneuil Smith KC et al) in obtaining an *ex parte* commercial court injunction in aid of foreign proceedings following the making of a \$800 million margin call by a mainstream bank. With an injunction obtained in July 2021, proceedings are ongoing.

Global Capital Fund v Lodha Developers UK Ltd & Ors (CL-2020-000769)

Acting (as sole counsel) on behalf of a BVI investment fund in relation to potential civil liabilities, regulatory issues and causes of action relating to a \$35 million corporate bond investment.

Bank Mellat v HM Treasury [2018] EWHC 2568 (Comm)

Instructed (with Tim Young KC, Michael McClaren KC and Nicholas Vineall KC et al) on behalf of the claimant bank in its Commercial Court claim for \$4 billion in damages against the UK Government for breach of its ECHR rights caused by unlawful sanctions. One of *The Lawyer's* 'Top 20 Cases' of 2017, the case settled on the first day of a 4 week trial.

Greenwood v Goodwin (the "RBS Rights Issue" litigation) (HC13 F01247; HC13 D01192; HC14 F01704)

Acting as a part of the trial team (led by David Railton KC) and preparing the bank's defence relating to its £8 billion Rights Issue in 2008. More specifically, Daniel was engaged near full-time for c.18 months in the preparation of the bank's defence in relation to: (i) (as sole junior) the RBS Group's c.£100 billion of credit market exposures; and (ii) (with Simon Hatton) in its c.£400 billion liquidity and funding profile. One of *The Lawyer's* 'Top 20 Cases' of 2017 and described *The Lawyer* as "*perhaps the biggest banking case of the decade*", this matter settled on the first day of trial.

Patel v NatWest [2015] EWCA Civ 332

Appeared (as sole advocate) on behalf of the Respondent bank in the Court of Appeal, successfully resisting an appeal against a decision regarding late payment of a cheque.

Mcgraw-Hill International (UK) Ltd v Deutsche Apotheker & Ors [2015] EWHC 451 (Comm)

Acting (with Richard Handyside KC and Nik Yeo) for a major investment bank on a number of linked Commercial Court claims (valued in excess of €200 million) concerning the development, rating, and sale of synthetic structured finance products (“CPDOs”).

JP Morgan v BVG (Commercial Court - HC08 F01052)

Acting (in a team led by Laurence Rabinowitz KC and whilst seconded to Linklaters LLP) in a c.\$210 million commercial court claim concerning the sale of a synthetic collateralised debt obligation (“CDO”) transaction. One of *The Lawyer’s* ‘Top 20 Cases’ of 2014, this matter settled mid-way through a 6 week trial.

Interest rate swaps litigation

From 2013 through to 2017 Daniel was regularly instructed (both as sole counsel and with others from within and outside of Fountain Court chambers) by Barclays and Natwest (amongst others) in relation to substantial (multi-million pound) claims in the High Court (Commercial and Chancery Divisions) defending allegations of mis-selling of interest rate hedging products.

Civil Fraud

Daniel has a specialism in civil fraud claims and is regularly instructed (both as a part of a team and as sole counsel) to advise and appear on claims involving allegations of fraud and related interlocutory applications for relief (such as freezing orders and proprietary injunctions).

Daniel has particular experience in more complex and sophisticated financial frauds, having been instructed on two of the largest fraud claims ever to be brought in the Commercial Court: (i) *VTB v Republic of Mozambique*, the 12 week Commercial Court trial of a >\$750 million claim against the Republic of Mozambique relating to Mozambiquan “Tunabonds” hidden loads scandal following criminal findings of bribery and corruption at the highest levels in Mozambique (one of *The Lawyer’s* “Top 20 Cases of 2023”); and (ii) *SKAT v Solo Capital Ltd & Ors*, a >£1.5 billion fraud and conspiracy claim arising from an alleged ‘cum/ex’ dividend fraud (with a preliminary issue trial in this matter being one of *The Lawyer’s* ‘Top 20 Cases’ of 2021 and one of *The Lawyer’s* ‘Top 10 Appeals’ of 2022).

Notable Civil Fraud cases

VTB Capital v Republic of Mozambique & Ors [2023] EWHC 1650 (Comm); [2023] EWHC 1148 (Comm); (CL-2019-000817 CL-2020-000328; CL-2020-000404)

Acting (with Timothy Howe KC et al) for VTB Capital plc (in liquidation) across 2023 and appearing in both heavy interlocutory hearings and a 12 week Commercial Court trial from October to December 2023 before Knowles J hearing a >\$1bn claim arising from the notorious ‘Tunabonds’ bribery controversy involving >\$2 billion of debt guaranteed by the Republic of Mozambique (one of *The Lawyer’s* “Top 20 Commercial Cases of 2023”).

SKAT v Solo Capital Ltd & Ors [2022] EWCA Civ 234; [2020] EWHC 1658 (Comm); [2020] EWHC 2022 (Comm)

Acting (with Patricia Robertson KC) on behalf of a co-defendant group in the preparation of their defence of a >£1.5 billion Commercial Court claim for damages (plus other relief) arising from allegations of fraud, conspiracy, dishonest and knowing assistance plus proprietary relief, including appearing (as sole advocate against leading counsel) on multiple return dates in relation to a worldwide freezing order and proprietary injunction, general case management, and interlocutory relief pursuant to the stakeholder jurisdiction (as well as at first instance and in the Court of Appeal on a trial considering issues of private international law).

AIML & Ors v KPMG & Ors [2021] DIFC CFI-041-2021 (Court of Appeal, 19 Dec 2023); (CFI 3 Nov 2021); (CFI 2 Nov 2023); (CFI 24 Nov 2023); (CFI 28 Nov 2023);

Acting (with Anneliese Day KC) in a c.£1.6 billion claim in the DIFC against the former auditors of what was the largest private equity group in the Middle East prior to its collapse as an alleged fraudulent ponzi scheme, including success in a substantial jurisdiction challenge before Justice Wayne Martin (Order with Reasons dated 3 Nov 2021) and applications to appeal the same and otherwise stay the claims in both the Court of First Instance (Order with Reasons dated 2 Nov 2023, 24 Nov 2023 and 28 Nov 2023) and Court of Appeal (19 Dec 2023).

Al Najjar & Ors v Majeed & Ors (BL 2020-000952)

Advising (as sole counsel) defendant individuals and corporates on the discharge of a domestic freezing order and appointment of receivers following the issuance of a debarment Order ([2022] EWHC 926 Ch).

Qatar v Emirates NBD PJSC (CL-2020-000732)

Acting (with Richard Handyside KC) for a Middle Eastern bank following allegations of alleged manipulation of foreign exchange rates and forward markets as a part of an alleged international multi-billion-dollar unlawful conspiracy against the state of Qatar.

Oleg Deripaska v Chernukhin [2021] JCA 206

Advising (with Richard Lissack KC et al) and preparing the written submissions on behalf of the successful respondent in both the Royal Court of Jersey and the Jersey Court of Appeal on interlocutory issues arising as a part of a substantial and ongoing multi-jurisdictional claim involving allegations of dishonesty and misleading the Court.

WBE v (1) NRL; (2) YIZ (Commercial Court 2021 - confidential)

Obtaining (with Adrian Beltrami KC, Peter De Verneuil Smith KC et al) an *ex parte* commercial court injunction in aid of domestic and foreign proceedings following an alleged procurement of breach of contract and lawful means conspiracy by a global bank.

(Commercial Court 2021 – confidential)

Advising (as sole counsel) an overseas company as to remedies following their transfer on the instructions of a sovereign state of c.USD 70 million to a fraudster promising COVID vaccines.

Bogolyubov v Kolomoisky (Isle of Man Court of General Gaol Delivery – 2019)

Instructed (with Richard Lissack KC) to advise and prepare written submissions for a successful application to discharge an asset restraint order made pursuant to the Isle of Man Proceeds of Crime Act 2008.

Wojakovski v Matyas & Ors (BL- 2018 – 000544)

Instructed as sole counsel on behalf of an alleged de facto director in a substantial High Court claim alleging unfair prejudice and the fraudulent breach of directors' duties in relation to a multi-million-pound company.

CMOC Sales & Marketing Ltd v Persons unknown (CL-2017-000652)

Acting for a respondent bank to a *Norwich Pharmacal* application made following a substantial alleged fraud (in which the Commercial Court confirmed, for the first time, that the court has a jurisdiction to make freezing orders against persons unknown).

Boreh v Djibouti [2015] EWHC 769 (Comm)

Acting (in a team led by Lord Falconer) in a high-profile hearing before Flaux J (as he was then) relating to an application to set-aside a freezing order and proprietary injunction following allegations that a partner at a leading solicitors' firm had deliberately misled the Commercial Court as to the dating of a terrorist incident.

Commercial Disputes

Daniel has a broad commercial practice, and is regularly instructed (whether as a junior, sole counsel, or leader) in high profile, domestic and international cases (and often against leading counsel). He is ranked as a leading junior in both directories and is well experienced in particularly complex and high value cases.

Whilst the majority of his domestic practice is in the Commercial Court, Daniel has substantial experience of, and has appeared as sole advocate in, other divisions of the High Court, the Court of Appeal, and courts and tribunals overseas. Daniel also has a particular interest in civil procedure and is currently co-authoring a textbook (to be published by the Oxford University Press) on the Law and Practice of Service in Civil Proceedings.

Notable Commercial Disputes cases

VTB Capital v Republic of Mozambique & Ors [2023] EWHC 1650 (Comm); [2023] EWHC 1148 (Comm)

Acting (with Timothy Howe KC et al) for VTB Capital and appearing in both heavy interlocutory hearings across 2023 and a 12 week Commercial Court trial (from October to December 2023) before Knowles J arising from the notorious 'Tunabonds' hidden loans/bribery controversy involving >\$2 billion of debt guaranteed by the Republic of Mozambique (one of *The Lawyer's* "Top 20 Commercial Cases of 2023"). This matter raised multiple novel legal issues in relation to the Law of State Immunity.

AIML v KPMG [2021] DIFC CFI-041-2021 (Court of Appeal, 19 Dec 2023); (CFI 3 Nov 2021); (CFI 2 Nov 2023); (CFI 24 Nov 2023); (CFI 28 Nov 2023)

Acting (with Anneliese Day KC) in a c.£1.6 billion claim in professional negligence proceeding in the DIFC against the former auditors of what was the largest private equity group in the Middle East prior to its collapse as an alleged fraudulent ponzi scheme. This matter included an extended dispute of jurisdiction, with success in both a substantial jurisdiction challenge before Mr Justice Wayne Martin (Order with Reasons dated 3 Nov 2021) and subsequent attempts to appeal the same and otherwise stay the claims in both the Court of First Instance (Order with Reasons dated 2 Nov 2023, 24 Nov 2023 and 28 Nov 2023) and Court of Appeal (19 Dec 2023).

SKAT v Solo Capital Ltd & Ors [2022] EWCA Civ 234; [2021] EWHC 1222 (Comm); [2021] EWHC 974 (Comm); [2020] EWHC 1658 (Comm); [2020] EWHC 2022 (Comm)

Acting (with Patricia Robertson KC) on behalf of a co-defendant group in the preparation of their defence of a >£1.5 billion Commercial Court claim relating for of damages (plus other relief) arising from allegations of fraud, conspiracy, dishonest and knowing assistance plus proprietary relief, including appearing (as sole advocate against leading counsel) on multiple return dates in relation to a worldwide freezing order and proprietary injunction, general case management, and interlocutory relief pursuant to the stakeholder jurisdiction (as well as at first instance and in the Court of Appeal on a trial considering issues of private international law).

Banco Central de Venezuela & Ors v Bank of England & Ors [2023] EWCA Civ 742; [2022] EWHC 2040 (Comm); [2022] EWHC 2702 (Comm)

Acting (with Richard Lissack KC et al) for one of the two competing Boards of the Central Bank of Venezuela in an ongoing dispute as to which is properly authorised to give instructions in relation to: (i) c.€2 billion of gold stored in the vaults of the Bank of England; and (ii) instructions to act on an LCIA arbitration. Judgment was handed down on a wide range of private and public international law issues (including as to the recognition of judgments, natural justice, the 'one voice' principle, public policy and the independence and impartiality of the Venezuelan judiciary) following an expedited Commercial Court trial in July 2022, and with Cockerill J commending the legal teams for their co-operative approach in circumstances where the parties were on extremely hostile terms, and specifically recording that she was "*particularly indebted*" to junior counsel including Daniel. An appeal has been provisionally listed for May 2023 (one of *The Lawyer's* "Top 10 Appeals of 2023").

Ebury Partners Belgium NV/SA v Cimolai SpA (FL-2022-000034)

Acting (as sole counsel) on behalf of the claimant financial services provider claiming in excess of €10 million from a defendant Italian corporate following the close-out of a series of FX forward transactions.

Qatar v Emirates NBD PJSC (CL-2020-000732)

Acting (with Richard Handyside KC) for a Middle Eastern bank following allegations of alleged manipulation of foreign exchange rates and forward markets as a part of an alleged international multi-billion-dollar unlawful conspiracy against the state of Qatar.

Allianz & Ors v Barclays & Ors ("FX market manipulation Litigation") (CL-2020-00736; CL-2018-000840)

Acting (with Marie Demetriou KC, Colin West KC et al) in 2 separate multi-billion pound Commercial Court claims against international banks following widespread allegations and findings of fraudulent manipulation within the foreign exchange market.

Matters for Valero Energy Ltd (2018 ongoing)

Regularly instructed by the UK's largest oil-refinery in respect of various commercial disputes, including: (i) as sole counsel in defending an allegedly £1.5 million claim in contract and unjust enrichment relating to the installation of specialist engineering equipment; (ii) acting (with James Cutress KC) on an LCIA governed arbitration relating to funds due under a Participation Agreement for the operation of a pipeline system; and (iii) as sole counsel advising in respect of a multi-million power claim arising following interruption to a power supply in the summer of 2019.

Closegate (Durham No.2) Ltd v Womble Bond Dickinson (UK) LLP (CL-2019-000733)

Instructed (with Mark Simpson KC) in the defence of a c.£25 million Commercial Court claim in professional negligence arising from legal services provided relating to litigation following the development of the Radisson Blu hotel in Durham.

Bank Mellat v HM Treasury [2018] EWHC 2568 (Comm)

Instructed (with Tim Young KC, Michael McClaren KC and Nicholas Vineall KC et al) on behalf of the claimant bank in its Commercial Court claim for \$4 billion in damages against the UK Government for breach of its ECHR rights caused by unlawful sanctions. One of *The Lawyer's* 'Top 20 Cases' of 2017, the case settled on the first day of a 4 week trial.

Wojakovski v Matyas & Ors (BL- 2018 - 000544)

Acting (as sole counsel) on behalf of an alleged de facto director in a substantial High Court claim alleging unfair prejudice and the fraudulent breach of directors' duties in relation to a multi-million-pound company.

H TV Ltd v ITV2 Ltd [2016] EWCA Civ 148; [2015] EWHC 2840 (Comm)

Acting (led by Deepak Nambisan) in a three-week trial before Flaux J (as he was then) relating to a wide range of contractual issues including formation, construction, repudiatory breach, and calculations for loss. Daniel was also

instructed in the appeal on this matter (led by Michael Crane KC), which settled shortly before being due to be heard in late 2017.

Greenwood v Goodwin (the “RBS Rights Issue” litigation) (HC13 F01247; HC13 D01192; HC14 F01704)

Acting as a part of the trial team (led by David Railton KC) and preparing the bank’s defence relating to its £8 billion Rights Issue in 2008. More specifically, Daniel was engaged near full-time for c.18 months in the preparation of the bank’s defence in relation to: (i) (as sole junior) the RBS Group’s c.£100 billion of credit market exposures; and (ii) (with Simon Hatton) in its c.£400 billion liquidity and funding profile. One of *The Lawyer’s* ‘Top 20 Cases’ of 2017 and described *The Lawyer* as “*perhaps the biggest banking case of the decade*”, this matter settled on the first day of trial.

Boreh v Djibouti [2015] EWHC 769 (Comm)

Acting (in a team led by Lord Falconer) in a high-profile hearing before Flaux J (as he was then) relating to an application to set-aside a freezing order and proprietary injunction following allegations that a solicitor had deliberately misled the Commercial Court as to the dating of a terrorist incident.

Tempo v Fortuna [2014] 2 CILR 191

Acting (with Michael Green KC (as he then was)) in an eight-week trial in the Cayman Islands (before Henderson J) of a shareholder dispute relating to a substantial (approximately \$1 billion) company. This matter raised a wide range of company and contract law issues including as to directors’ obligations, fraud upon the minority, contractual formation, repudiation, plus issues of Taiwanese, Samoan and Caymanian law.

Commercial Disputes – Conflict of Laws and Jurisdiction

Daniel has a particular interest in private international law, and regularly advises/appears in numerous high-profile conflicts cases. Daniel’s interest is also academic, with Daniel presently co-authoring a textbook on the law and practice of service both within and without jurisdiction.

Notable Commercial Disputes – Conflict of Laws and Jurisdiction cases

AIML v KPMG [2021] DIFC CFI-041-2021 (Court of Appeal, 19 Dec 2023); (CFI 3 Nov 2021); (CFI 2 Nov 2023); (CFI 24 Nov 2023); (CFI 28 Nov 2023)

Acting (with Anneliese Day KC) in a c.£1.6 billion claim in professional negligence proceeding in the DIFC against the former auditors of what was the largest private equity group in the Middle East prior to its collapse as an alleged fraudulent ponzi scheme. This matter included an extended dispute of jurisdiction, with success in both a substantial jurisdiction challenge before Mr Justice Wayne Martin (Order with Reasons dated 3 Nov 2021) and subsequent attempts to appeal the same and otherwise stay the claims in both the Court of First Instance (Order with Reasons dated 2 Nov 2023, 24 Nov 2023 and 28 Nov 2023) and Court of Appeal (19 Dec 2023).

VTB Capital v Republic of Mozambique & Ors [2023] EWHC 1650 (Comm); [2023] EWHC 1148 (Comm)

Acting (with Timothy Howe KC et al) for VTB Capital and appearing in both heavy interlocutory hearings across 2023 and a 12 week Commercial Court trial (from October to December 2023) before Knowles J arising from the notorious 'Tunabonds' hidden loans/bribery controversy involving >\$2 billion of debt guaranteed by the Republic of Mozambique (one of *The Lawyer's* "Top 20 Commercial Cases of 2023"). This matter raised multiple novel legal issues in relation to the Law of State Immunity.

Banco Central de Venezuela & Ors v Bank of England & Ors [2023] EWCA Civ 742; [2022] EWHC 2040 (Comm); [2022] EWHC 2702 (Comm)

Acting (with Richard Lissack KC et al) for one of the two competing Boards of the Central Bank of Venezuela in an ongoing dispute as to which is properly authorised to give instructions in relation to: (i) c.€2 billion of gold stored in the vaults of the Bank of England; and (ii) instructions to act on an LCIA arbitration. Judgment was handed down on a wide range of private international law issues including as to the recognition of judgments, natural justice, the 'one voice' principle, public policy and the Independence and impartiality of the Venezuelan judiciary following an expedited Commercial Court trial of remitted issues in July 2022, and with Cockerill J commending the legal teams for their approach an extremely hostile and difficult context, and specifically recording that she was "*particularly indebted*" to junior counsel including Daniel. An appeal of this judgment is listed to be heard in May 2023 (one of *The Lawyer's* "Top 20 Cases of 2023").

SKAT v Solo Capital Ltd & Ors [2022] EWCA Civ 234; [2021] EWHC 1222 (Comm)

Acting (with Patricia Robertson KC) on behalf of one of the defendant groups in the preparation of their defence of a c.£1.3 billion Commercial Court claim arising from an alleged 'cum/ex' dividend trading fraud. Raising issues of justiciability pursuant to *Dicey* Rule 3 (the 'Revenue Rule'), Daniel appeared as sole counsel at both the preliminary issues trial in the High Court (one of *The Lawyer's* "Top 10 commercial cases of 2021") and in the Court of Appeal (one of *The Lawyer's* "Top Appeals of 2022").

Qatar v Emirates NBD PJSC (CL-2020-000732)

Acting (with Richard Handyside KC) on behalf of a Middle Eastern bank as to the justiciability of claims as a matter of private international law following allegations of unlawful means conspiracy arising from the alleged manipulation of exchange rates and forward markets as a part of an alleged international multi-billion-dollar unlawful conspiracy by various sovereign states against the state of Qatar.

Company, Restructuring & Insolvency

Daniel is regularly instructed and advises in respect of company law matters, and in particular issues arising in relation to directors' duties and disputes as between shareholders (including unfair prejudice petitions).

Notable Company, Restructuring & Insolvency cases

Ebury Partners Belgium NV/SA v Cimolai SpA (FL-2022-000034)

Acting (as sole counsel) on behalf of the claimant financial services provider claiming in excess of €10 million from a defendant Italian corporate in cross-border insolvency proceedings following the close-out of a series of FX forward transactions.

Your City Office Ltd v Mr Gary Lee (BL-2021-002172)

Instructed and advising upon company law elements in a High Court claim (business list) including allegations of (i) breaches of an agreement that shares would be held upon trust; and (ii) breaches of directors' duties and the taking of secret profits.

SKAT v Solo Capital Ltd & Ors [2022] EWCA Civ 234; [2020] EWHC 1658 (Comm); [2020] EWHC 2022 (Comm)

Advising (as sole counsel) on potential liabilities arising from asset transfers to directors and members (including disqualification and s.994 unfair prejudice proceedings) of multiple companies/partnerships in a complex holding structure.

Wojakovski v Matyas & Ors (BL- 2018 – 000544)

Acting (as sole counsel) on behalf of an alleged de facto director in a substantial High Court claim alleging unfair prejudice and the fraudulent breach of directors' duties in relation to a multi-million-pound company.

Weatherley v Weatherley & Ors [2018] EWHC 3201 (Ch)

Acting (as sole counsel) in the interlocutory proceedings, strategy and preparation up to trial (for which he was unavailable) of the successful defence of an unfair prejudice petition in relation to a substantial company.

Tempo v Fortuna [2014] 2 CILR 191

Instructed (with Michael Green KC (as he was then)) in an eight-week trial (before Henderson J) in the Cayman Islands of a shareholder dispute to a substantial (approximately \$1 billion) company that raised a wide range of company law issues including bearer shares, the scope and application of the Duomatic principle, shareholders' meetings, directors' obligations, fraud upon the minority, as well as issues of Taiwanese, Samoan and Caymanian law.

Miscellaneous confidential advices (ongoing)

Daniel regularly advises on difficult aspects of company law, and has recently advised (as sole counsel) on matters including:

- Claims for breach of a shareholders' agreement, wrongful dismissal, and a petition for unfair prejudice in

relation to two FCA regulated asset management companies.

- In relation to share transfers, breaches of directors' duties and a shareholder agreement in relation to a substantial BVI company; and
- On an unfair prejudice petition (amongst other remedies) in relation to a substantial tech start up.

Energy

Daniel has a niche energy practice, being regularly instructed by Valero Energy Ltd – the UK's largest oil-refinery – to advise in respect of various commercial disputes in the energy context, including: (i) as sole counsel in defending an allegedly £1.5 million claim in contract and unjust enrichment relating to the installation of specialist engineering equipment; (ii) acting (with James Cutress KC) on an LCIA governed arbitration relating to funds due under a Participation Agreement for the operation of the UK's pipeline system; (iii) as sole counsel advising in respect of a multi-million power claim arising following interruption to a power supply in the summer of 2019; and (iv) to advise in respect of pilotage fees at a trust port.

Offshore

Daniel is regularly instructed and advises in respect of claims overseas where the subject matter bears on other areas of his expertise. He has particular experience of litigation in the Caribbean (having completed an eight-week trial instructed by Maples & Calder in *Tempo v Fortuna* [2014] 2 CILR 191), the Channel Islands, and the DIFC, where he is a registered practitioner and recently appeared successfully in the Court of First Instance in *AIML v KPMG* [2021] DIFC CFI-041-2021 (3 Nov 2021).

Notable Offshore cases

***AIML v KPMG* [2021] DIFC CFI-041-2021 (Court of Appeal, 19 Dec 2023); (CFI 3 Nov 2021); (CFI 2 Nov 2023); (CFI 24 Nov 2023); (CFI 28 Nov 2023);**

Acting (with Anneliese Day KC) in a c.£1.6 billion claim in professional negligence proceeding in the DIFC against the former auditors of what was the largest private equity group in the Middle East prior to its collapse as an alleged fraudulent ponzi scheme, including success in a substantial jurisdiction challenge before Mr Justice Wayne Martin (Order with Reasons dated 3 Nov 2021) and multiple applications to appeal the same and otherwise stay the claims in both the Court of First Instance (Order with Reasons dated 2 Nov 2023, 24 Nov 2023 and 28 Nov 2023) and Court of Appeal (19 Dec 2023).

***Riad Al Sadiq v Clyde & Co LLP & Ors* [2024] EWHC 818 (Comm)**

Acting (with Ian Croxford KC) in the successful defence of a leading solicitor's firm's Middle Eastern office in a substantial (allegedly c.\$88m) professional negligence claim relating to the Defendant's conduct of substantial litigation involving Caymanian funds over a 10 year period in the Cayman Islands, Privy Council, and Dubai, with litigation proceeding in England & Wales as well as potentially offshore (including in the BVI).

***Oleg Deripaska v Chernukhin* [2021] JCA 206**

Advising (with Richard Lissack KC et al) and preparing the written submissions on behalf of the successful respondent in both the Royal Court of Jersey and the Jersey Court of Appeal on interlocutory issues arising as a part of a substantial and ongoing multi-jurisdictional claim involving allegations of dishonesty and misleading the Court.

Global Capital Fund v Lodha Developers UK Ltd & Ors (CL-2020-000769)

Acting (as sole counsel) with a BVI investment fund in relation to potential civil liabilities issues, regulatory issues and causes of action arising from a \$35 million corporate bond investment (settled in 2021).

Bogolyubov v Kolomoisky (Isle of Man Court of General Gaol Delivery – 2019)

Instructed (with Richard Lissack KC) to advise and prepare written submissions for a successful application to discharge an asset restraint order made pursuant to the Isle of Man Proceeds of Crime Act 2008.

Tempo v Fortuna [2014] 2 CILR 191

Instructed (with Michael Green KC (as he was then)) in an eight-week trial (before Henderson J) in the Cayman Islands of a shareholder dispute to a substantial (approximately \$1 billion) company that raised a wide range of company law issues including bearer shares, the scope and application of the Duomatic principle, shareholders' meetings, directors' obligations, fraud upon the minority, as well as issues of Taiwanese, Samoan and Caymanian law.

Tradinvest Fund Ltd v Standard Bank Jersey Ltd & Ors

Acting (with Raymond Cox KC and Bridget Lucas KC) in the preparation of the successful defence and counterclaim on behalf of a Jersey-based investment fund-manager and custodian from a multi-million euro claim alleging, inter alia, breach of contract and professional negligence.

Privilege, Confidentiality & Conflicts of Interest

Daniel's practice regularly raises issues of privilege, confidentiality and conflicts of interest both on a stand-alone basis and as satellite issues in larger claims.

Notable Privilege, Confidentiality & Conflicts of Interest cases

Riad Al Sadiq v Clyde & Co LLP & Ors [2024] EWHC 818 (Comm)

Acting (with Ian Croxford KC) in the successful defence of a leading solicitor's firm's Middle Eastern office in a substantial (allegedly c.\$88m) professional negligence claim relating to the Defendant's conduct of substantial litigation involving Caymanian funds over a 10 year period in the Cayman Islands. With reverse summary judgment granted in early 2024, this matter raised issues as to the scope of waiver where the Claimant sought to rely on legal

advice received in support of his position on limitation.

VTB Capital v Republic of Mozambique & Ors [2023] EWHC 1650 (Comm); [2023] EWHC 1148 (Comm)

Acted (with Timothy Howe KC et al) for VTB Capital in a 12 week Commercial Court trial (from October to December 2023) before Knowles J arising from the notorious 'Tunabonds' hidden loans/bribery controversy involving >\$2 billion of debt guaranteed by the Republic of Mozambique (one of *The Lawyer's* "Top 20 Commercial Cases of 2023"). This matter raised multiple interlocutory issues involving privilege and confidentiality including in relation to alleged waivers of legal advice and the terms of multiple confidentiality clubs.

Oleg Deripaska v Chernukhin [2021] JCA 206

Prepared written submissions (with Richard Lissack et al) on behalf of the successful respondent in both the Royal Court of Jersey and the Jersey Court of Appeal on the question of whether privilege had been waived by the 'deployment' of material and, if so, whether any waiver could be retracted.

Confidential (Commercial Court – 2020)

Advised and prepared submissions (with James Laddie KC) on behalf of a bank responding to injunctive proceedings where that bank had allegedly breached duties of confidence by copying a rival bank's credit derivative product.

SKAT v Solo Capital Ltd & Ors [2020] EWHC 1658 (Comm)

Advised (with Patricia Robertson KC) as to whether privilege subsisted in specialist foreign law tax advice and, if so, whether such privilege had nevertheless been waived.

Professional Negligence

Daniel is regularly instructed and advises in respect of negligence claims against professionals, and, in particular, in claims including lawyers (solicitors and barristers), insurance brokers, bankers, financial advisors and accountants. He is a contributor to *The Journal of Professional Negligence*.

Notable Professional Negligence cases

AIML v KPMG [2021] DIFC CFI-041-2021 (Court of Appeal, 19 Dec 2023); (CFI 3 Nov 2021); (CFI 2 Nov 2023); (CFI 24 Nov 2023); (CFI 28 Nov 2023);

Acting (with Anneliese Day KC) in a c.£1.6 billion claim in professional negligence proceeding in the DIFC against the former auditors of what was the largest private equity group in the Middle East prior to its collapse as an alleged fraudulent ponzi scheme, including success in a substantial jurisdiction challenge before Mr Justice Wayne Martin (Order with Reasons dated 3 Nov 2021) and multiple applications to appeal the same and otherwise stay the claims in both the Court of First Instance (Order with Reasons dated 2 Nov 2023, 24 Nov 2023 and 28 Nov 2023) and

Court of Appeal (19 Dec 2023).

Riad Al Sadiq v Clyde & Co LLP & Ors [2024] EWHC 818 (Comm)

Acting (with Ian Croxford KC) in the defence (and successful early disposal) of a claim against a leading solicitor's firm in a substantial (allegedly c.\$88m) professional negligence claim in the Commercial Court relating to the Defendant's conduct of substantial litigation over a 10 year period in the Cayman Islands, Privy Council, and Dubai.

Siem & Ors v Womble Bond Dickinson (UK) LLP (BL-2023-001216)

Acting (with Mark Simpson KC) in the defence of a leading solicitor's firm substantial claim in the Chancery Division relating to an (allegedly) £126m property development in Kensington, London.

Mitchell v Leigh Day (KB-2023-002577)

Acting (with Marie-Louise Kinsler KC) in the defence of a leading solicitor's firm in a substantial (allegedly c.\$26m) professional negligence claim in the King's Bench Division relating to the Defendant's conduct of a substantial litigation (a clinical negligence claim) in Dubai.

Closegate (Durham No.2) Ltd v Womble Bond Dickinson (UK) LLP (CL-2019-000733)

Acted (with Mark Simpson KC) in the defence of a c.£25 million Commercial Court claim in professional negligence arising from legal services provided in relation to the development of the Radisson Blu hotel in Durham.

SKAT v Solo Capital Ltd & Ors [2022] EWCA Civ 234; [2020] EWHC 1658 (Comm); [2020] EWHC 2022 (Comm)

Acted (led by Patricia Robertson KC) on behalf of a co-defendant group in the preparation of their defence of a >£1.5 billion commercial court claim arising from inter alia allegations of negligence under Danish Law.

Boreh v Djibouti [2015] EWHC 769 (Comm)

Acted (with Lord Falconer et al) in a high-profile hearing (before Flaux J as he then was) relating to an application to set-aside a freezing order and proprietary injunction following allegations that a solicitor had deliberately misled the Commercial Court as to the dating of a terrorist incident.

Tradinvest Fund Ltd v Standard Bank Jersey Ltd & Ors

Acted (with Raymond Cox KC and Bridget Lucas KC) in the preparation of the successful defence and counterclaim on behalf of a Jersey-based investment fund-manager and custodian from a multi-million euro claim alleging, inter alia, breach of contract and professional negligence.

Miscellaneous confidential advices (ongoing)

Regularly advising as sole counsel on diverse confidential professional negligence matters including:

- In relation to breach of duty by an external legal advisor in relation to the incorporation and share subscription of a substantial BVI company;
- Individual directors and other regulated individuals in relation to an ongoing FCA investigation;
- In relation to substantial High Court claims relating to solicitors' conduct of litigation and the provision of legal advice; and
- As sole counsel in a High Court claim relating to allegations of negligence against a leading insurance brokerage.

Directory Quotes

"It is a pleasure to work with him. He is hard-working and always on top of things." "He gets on with clients very well. He understands different systems and cultures very well."

Chambers & Partners (Banking & Finance)

"Daniel Edmonds is dedicated, insightful and highly knowledgeable. He is an absolute pleasure to work with."

Chambers & Partners (Commercial Dispute Resolution)

"Top notch junior. Extremely hard working and a totally committed team member."

The Legal 500 (Banking & Finance)

"Highly intelligent with a prolific work rate - a key player to have on your team when there is a lot that needs to be done."

The Legal 500 (Commercial Litigation)

"Daniel has a prolific work rate. You want him on your team if you have a huge amount of work to get through."

Chambers & Partners (Banking & Finance)

"He's very hands-on, very good with detail and incredibly responsive." "He sees both the legal and commercial issues"

very clearly and is extremely user-friendly."

Chambers & Partners (Banking & Finance)

"Daniel is a delight to work with; he is amazingly bright and very hard-working." "His knowledge of banking and commercial issues is very up to date, and he is extremely helpful."

Chambers & Partners (Commercial Dispute Resolution)

"Immensely hard-working and liked by clients, he has an eye for detail and displays total commitment to the case." "Bright, hard-working and someone with the ability to deal with voluminous technical material."

Chambers & Partners (Banking & Finance)

"Brilliant junior counsel. First rate technical skills and a brilliant brain coupled with an ability to quickly get to the heart of a problem and come up with realistic solutions."

The Legal 500 (Commercial Litigation)

Directory Rankings

Chambers & Partners

- Commercial Dispute Resolution
- Banking & Finance
- Dispute Resolution – Commercial – UK (global Guide)

The Legal 500

- Banking & Finance (including Consumer Credit)
- Commercial Litigation
- Professional Negligence

Education

- BA (Philosophy, Politics and Economics), Brasenose College, Oxford University (first class, ranking 1st in economics and 2nd overall)
- BA (Law) (accelerated), Wolfson College, Cambridge University (double first class, ranking 4th and 6th respectively)
- LLM, Harvard Law School (Kennedy scholar)
- BVC, City University (outstanding)

International Bar / Court Appointments

- Registered to practice in the Dubai International Financial Centre (DIFC)

Appointments, Memberships and Prizes

- Kennedy Scholar (United Kingdom)
- Frank Burris & Gahan Scholar, Inner Temple
- Prize for outstanding performance on the BVC, Inner Temple
- Duke of Edinburgh entrance scholarship, Inner Temple
- Major CPE Scholar, Inner Temple
- Hicks & Webb Medley prize for best overall performance in economics, University of Oxford
- John Hicks Foundation scholarship for best performance in macroeconomics, University of Oxford
- College prizes for academic achievement, Brasenose College, Oxford
- Commendations for best performance in the law of torts and law and economics, University of Cambridge
- Sir David Williams prize, Wolfson College, Cambridge
- 2 x Jennings prize, Wolfson College, Cambridge

Publications

- Forthcoming, *Service in Civil Proceedings: Law & Practice* (OUP), Co-author with Sarah Tulip (of 3 Verulam Buildings)

Languages

- Chinese Mandarin (HK3)
- French (B1/B2)
- Spanish (B1)

Awards

