



Edward Levey KC

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"A joy to work with. He is a fantastic advocate and his cross-examination is immense."

The Legal 500

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Edward Levey KC has a broad commercial and civil practice spanning commercial litigation and arbitration with specialisms in banking and finance, energy and natural resources, civil fraud, professional negligence and professional discipline.

Edward is a confident advocate with a considerable amount of courtroom experience. He is consistently praised for his advocacy, being described in the legal directories as a “fearsome cross-examiner” and a “formidable advocate who thinks on his feet”. He is noted for “instilling confidence in clients” and being a “pleasure to work with”.

Edward acts in cases of a varying size and nature ranging from multi-party, high value commercial actions to smaller trials and interlocutory matters. He has considerable experience of injunctive proceedings and acted in a high-profile contempt application which led to a solicitor being given a 14 month custodial sentence for breach of a freezing injunction.

Edward’s practice spans all divisions of the High Court as well as various forms of commercial arbitration. He has appeared once in the Supreme Court and twice in the Privy Council. Since taking silk, he has appeared four times in the Court of Appeal.

A number of Edward’s cases involve an international element and he has been licensed to practise on an ad hoc basis in the Isle of Man, Gibraltar and Northern Ireland. He regularly acts in cases involving issues concerning jurisdiction, conflicts of law and anti-suit injunctions.

He lectures on different areas of practice and procedure, such as arbitration, banking, professional negligence and civil fraud.

Recent Highlights

Ivy Technology Ltd v Bell & Martin

Acting for the claimant, Ivy Technology, in a fraudulent misrepresentation and breach of warranty claim arising out of the purchase of an online gambling business. A 200-page judgment was handed down in May 2022 following a two-week trial before Henshaw J in the **Commercial Court** in which the defendants were found liable for deceit and

unlawful means conspiracy.

Nord Naphtha Ltd v New Stream Trading AG

Acting for the claimant, Nord Naphtha, in a \$16 million oil and gas claim arising out of a force majeure at one of Russia's largest refineries. Nord Naphtha successfully obtained summary judgment in the Commercial Court and New Stream's appeal to the **Court of Appeal** was subsequently dismissed.

Valbonne Estates Ltd v Cityvalue Ltd & United Homes Ltd

Acting for the respondent, UHL, in its application to set aside a proprietary injunction on the grounds of misrepresentation and material non-disclosure. The injunction was set aside by the **High Court** (with indemnity costs ordered in favour of the respondent) and Valbonne's appeal to the **Court of Appeal** was subsequently dismissed.

Global Energy Horizons Corporation v Gray

Acting in a set of long-running proceedings against a defaulting fiduciary for an account of profits in respect of his alleged interests in innovative technology for the extraction of oil from underperforming wells. Five day hearing in the **Court of Appeal** in June 2020 (led by Timothy Dutton CBE KC).

Fine Care Homes v Royal Bank of Scotland

Acting for the Royal Bank of Scotland in a swaps 'mis-selling' claim involving a complex derivative product (leading **Laurie Brock**). This was one of only a handful of swaps cases ever to reach trial. The claim against the bank was dismissed following an 8-day trial in the **Chancery Division** before Bacon J.

Expertise

Arbitration

Edward has extensive experience of arbitrations, including international commercial arbitrations conducted under the ICC, LCIA and UNCITRAL rules, and he also has experience of ICSID arbitrations. A number of those arbitrations involved oil and gas and energy disputes (see below under Construction, Energy & Infrastructure).

Notable Arbitration cases

Sole counsel in an LCIA arbitration in a dispute concerning the hospitality industry involving claims brought by the owner of a hotel against the hotel operator under a Hotel Management Agreement.

Acting for the defendant in English proceedings resisting enforcement of a New York arbitration award under section 103 of the Arbitration Act 1996.

Acting in an LCIA arbitration in a dispute under a lease involving the closure of a deluxe hotel.

Acting in an ICC arbitration on behalf of an investment fund owned by a major US investment bank in a substantial international commercial arbitration worth in excess of £50 million. The claim by the investment fund involved the failed IPO of a major Polish real estate company following the banking crisis in 2008. Led by Guy Philipps QC.

Acting in a substantial arbitration under UNCITRAL rules concerning the establishment and operation of a mobile telephone network in Nigeria.

Banking & Finance

Edward has considerable experience of acting for and against clearing and investment banks and other financial institutions in a broad range of domestic and international disputes.

Notable Banking & Finance cases

OBEX and Prime Capital v Cowen (Commercial Court)

Edward acted for Cowen, a US-based financial services company, in a prime brokerage dispute which raised issues as to whether Cowen was entitled to issue margin calls in respect of its client's accounts and whether those margin calls were satisfied.

Al Sadik v Investcorp

Acted for an international investment bank, Investcorp, in a \$135 million claim arising out of a failed hedge-fund investment. Led by Lord Falconer KC in the Privy Council. Link to judgment [here](#).

UBS v Kommunale Wasserwerke Leipzig

Acted (with David Railton KC and Richard Power) for Depfa Bank in defence of an \$80 million claim brought against it by UBS for payment under two credit-default swaps and in Depfa's claim against KWL, a state-owned German water company, for payment of \$130 million under two back-to-back swaps. Link to judgment [here](#).

Fine Care Homes v Royal Bank of Scotland

Edward has acted for Barclays and RBS in numerous claims involving the alleged 'mis-selling' of interest rate swaps and other derivative products. In one of only a handful of such cases to reach trial, Edward acted for RBS in its successful defence of a claim brought by Fine Care Homes, a nursing home company, in respect of a complex

interest rate hedging product. Link to judgment [here](#).

WestLB v Nomura

Acted with Richard Handyside KC on behalf of Nomura in a \$22 million claim brought against it by WestLB arising out of the valuation by the Calculation Agent of shares in a Mauritian investment fund following the collapse of Lehman Brothers. Link to judgment [here](#).

Williams v Central Bank of Nigeria

Acted with Guy Philipps KC on behalf of the Central Bank of Nigeria in a claim involving allegations dating back more than 25 years. The Bank's successful appeal to the Supreme Court is the leading authority on the limitation period applicable to a claim for dishonest assistance and knowing receipt. Link to judgment [here](#).

OFT v Abbey National & Others ('Bank Charges Litigation')

Acting as part of the Lloyds TSB team in the bank charges litigation, a high-profile test case concerning the legality of charges for unplanned borrowing on current accounts. Led by Bankim Thanki KC and Richard Handyside KC.

AK Investment CJSC v Kyrgyz Mobil Tel

Acted for CP-Crédit Privée, a Swiss fiduciary house, in a multi-million dollar dispute concerning the disputed ownership of a Kyrgyz mobile telephone company. The Privy Council's decision is one of the leading modern authorities on jurisdictional challenges and the judgment of Lord Collins is frequently cited in jurisdictional disputes. Link to judgment [here](#).

African Strategic Investment v Main and Rensburg Sheppards

Acting for a firm of stockbrokers in its successful application to strike out a contribution claim brought against it by the defendant arising out of the alleged conversion of a share certificate worth \$40 million.

Civil Fraud

Edward has considerable experience of claims involving civil fraud and is frequently instructed in cases involving robust advocacy and cross-examination. As part of his practice, he is regularly instructed in cases involving urgent injunctive relief, whether to freeze assets or obtain information about the whereabouts of assets, and he also has experience of contempt proceedings arising out of breaches of injunctions.

He is currently acting for a US broker-dealer in a claim against two employees accused of stealing in the region of \$35 million, thought to be one of the biggest frauds thought to have taken place in the City of London in recent years (leading Bobby Friedman of Wilberforce Chambers).

He is frequently instructed in share purchase and breach of warranty claims involving allegations of fraudulent misrepresentation and deliberate concealment.

Notable Civil Fraud cases

Commercial Bank of Dubai v Al Sari

Acting for the main group of defendants in relation to claims brought by the Commercial Bank of Dubai in the Commercial Court in respect of claims for an unlawful means conspiracy and other economic torts arising out of the bank's attempts to enforce a foreign judgment in the sum of c.£78 million.

Ivy Technology v Bell & Martin

Acted for the claimant in a civil fraud claim arising out of the purchase of an online gambling business. In a 200-page judgment handed down by Henshaw J in May 2022, following a two-week trial in the Commercial Court (leading [Nick Daly](#)), the two defendants were both found liable for deceit and unlawful means conspiracy. [Link to judgment here.](#)

Discovery Land Company v Jirehouse

Acted for Discovery Land in a \$15 million civil fraud claim against its solicitors arising out of its purchase of Taymouth Castle in Scotland. Discovery Land obtained a freezing injunction against Jirehouse and subsequently brought contempt proceedings against one of the solicitors as a result of his failure to comply with disclosure obligations and undertakings, which culminated in his being committed to prison for 14 months. [Link to news item here.](#)

Williams v Central Bank of Nigeria

Acted with Guy Philipps QC on behalf of the Central Bank of Nigeria in a claim involving allegations of fraud dating back more than 25 years. The Bank's successful appeal to the Supreme Court is the leading authority on the limitation period applicable to a claim for dishonest assistance and knowing receipt. [Link to judgment here.](#)

AK Investment v Kyrgyz Mobil Tel Limited

Led by Bankim Thanki KC, Edward acted for one of the defendants, CP-Crédit Privée, in a long-running fraud claim (led by Bankim Thanki KC). The claim concerned the disputed ownership of a Kyrgyz mobile telephone company and included an allegation that the Kyrgyz Supreme Court had been bribed or improperly influenced fraud. The Privy Council's decision is one of the leading modern authorities on jurisdictional challenges and the judgment of Lord Collins is frequently cited in jurisdictional disputes. [Link to judgment here.](#)

Primafacio v Tres Canopia & Euroenergy Investments Corp

Currently acting with [Gillian Hughes](#) for the defendants in a claim relating to various solar energy and wind parks situated in Greece. The defendants are counterclaiming on the basis that the assets were deliberately sold at an overvalue with a view to the director personally benefiting from the transaction. The defendants were recently given permission to rely on other transactions by way of 'similar fact evidence' to prove the alleged fraud – link to judgment [here](#).

UBS v Kommunale Wasserwerke Leipzig Gmbh v Depfa Bank

Acting for Depfa bank in a \$350 million claim arising out of credit default swaps entered into by a state-owned German water company. The underlying claim involved allegations of fraud, misrepresentation and bribery made by KWL against UBS. During the course of the 12-week trial, evidence emerged for the first time which led to Depfa bringing its own successful fraud claim against UBS. Link to judgment [here](#).

Commercial Disputes

A significant amount of Edward's practice falls under the rubric of general commercial litigation, whether in the context of the financial services industry, the oil and gas industry, IT and telecoms disputes, or more generally. He has acted in a number of disputes in the hospitality sector involving hotel management agreements. regularly advises in relation to breach of warranty claims under share purchase agreements.

Edward is comfortable working on cases of a technical nature in unfamiliar fields. He has been involved in a diverse range of technical cases, ranging from a case concerning the proper management of a blast furnace to a software dispute concerning the migration of customer data between electronic payment platforms. He recently acted in a dispute involving companies specialising in cyber-offensive technology designed to exploit vulnerabilities in the Android and Apple operating systems (leading [Philip Ahlquist](#)).

Notable Commercial Disputes cases

Ivy Technology v Martin & Bell

Whether an individual who is not named as a party to an agreement can nonetheless be held liable for breach of warranty. Link to Court of Appeal's judgment [here](#).

Wells & Solari v Cathay Investments & PNC Global Logistics

Acted (with [Nick Daly](#)) for the defendant companies, Cathay and PNC, in an expedited trial in the High Court arising out of a shareholder/ employee dispute. The companies succeed in their claims that the claimants were 'bad leavers' – and therefore not entitled to more than nominal value for their shares – as a result of the way they had reverse-engineered the company's management accounts. Link to judgment [here](#).

Idemitsu v Sumitomo

Acted in a \$150 million misrepresentation claim between two major Japanese companies arising out of the purchase

of a North Sea oil and gas field. This is a leading authority on whether a contractual warranty can also be relied on as a representation (led by Simon Rainey KC of Quadrant Chambers). Link to judgment [here](#).

Ahmed v Sheikh Khalifa

Acted for a member of the Bahraini royal family in his successful defence of a \$50 million claim for breach of contract relating to the arrangement of meetings with high-profile Bollywood film stars. Led by Andrew Hochhauser KC of Essex Court Chambers. Link to judgment [here](#).

WPP Plc v Ghossoub

Acted with Charles Béar KC for Mr Ghossoub in proceedings arising out of the sale of a middle eastern media business to WPP. Successfully resisted WPP's application for an anti-suit injunction as well as its subsequent attempt to obtain summary judgment against Mr Ghossoub. Link to judgment's [here](#) and [here](#).

Al Sadik v Investcorp

Acted for an international investment bank, Investcorp, in a \$135 million claim arising out of a failed hedge-fund investment. Led by Lord Falconer KC in the Privy Council. Link to judgment [here](#).

Palmer & Harvey Mclane Ltd v Garrad

Acted on behalf of the claimant, a major confectionery supplier, against a former trading partner. The claim and counterclaim were worth in the region of £8 million. The proceedings involved allegations of sham transaction, breach of contract and misrepresentation. Led by Stephen Rubin KC. Link to judgment [here](#).

Commercial Disputes - Jurisdiction and Conflicts of Law

Edward regularly acts in cases with an international element and has considerable experience of disputes concerning jurisdiction and conflicts of law. He has acted and advised in many such disputes, including disputes in relation to anti-suit injunctions, *forum conveniens*, jurisdiction clauses, choice of law, concurrent proceedings and the enforcement of foreign judgments and arbitration awards.

He acted for one of the defendants in [AK Investment CJSC v Kyrgyz Mobil Tel](#), the leading modern authority on jurisdictional challenges and frequently cited in jurisdictional disputes.

He acted for Mr Ghossoub in [WPP v Ghossoub](#), a case where the court refused to grant an anti-suit injunction to restrain foreign proceedings in Hong Kong despite the existence of a jurisdiction clause in favour of England. The case also considered the circumstances in which the court may permit service of proceedings in the UAE using an alternative method of service despite the existence of a service treaty between the two countries.

He is currently acting for an Australian bank served with a 'Norwich Pharmacal' disclosure order which is challenging the disclosure order on jurisdictional grounds.

Construction, Energy & Infrastructure

Edward has extensive experience in the fields of oil and gas, mining and natural resources, both in the High Court and in arbitral proceedings.

He acted for the claimant in an oil and gas claim arising out of a force majeure at one of Russia's largest refineries. He is currently acting in a breach of warranty claim involving an oil and gas company arising out alleged failures to disclose decommissioning liabilities and breaches of environmental and health and safety regulations. He is also acting on behalf of the defendants in relation to a claim for unpaid commission relating to a gold mine project in Ethiopia.

Notable Construction, Energy & Infrastructure cases

Primafacio v Tres Canopia & Euroenergy Investments Corp

Currently acting with [Gillian Hughes](#) in a claim involving sums allegedly due under a sale and purchase agreement relating to solar energy and wind parks situated in Greece. This is a multi-jurisdictional dispute with related proceedings ongoing in Cyprus and Greece.

Global Energy Horizons Corporation v Gray

Appeared in a 5-day hearing in the Court of Appeal arising out of long-running proceedings against a defaulting fiduciary for an account of profits in respect of his alleged interests in innovative technology for the extraction of oil from underperforming wells. Led by Timothy Dutton CBE KC. Link to judgment [here](#).

Nord Naphtha Ltd v New Stream Trading AG

Acted for the claimant, Nord Naphtha, in a \$16 million oil and gas claim arising out of a force majeure at one of Russia's largest refineries. Nord Naphtha successfully obtained summary judgment in the Commercial Court and New Stream's appeal to the Court of Appeal was subsequently dismissed. Link to judgment [here](#).

Idemitsu v Sumitomo

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Demissie v KEFI Gold and Copper Plc

Currently acting for the defendants in a claim for unpaid commission relating to the Tulu-Kapi gold mine project in Ethiopia.

Maritech Resources Inc. v Ironshore Insurance Limited

Acted for the defendant in proceedings in the Commercial Court involving an insurance coverage dispute arising out of hurricane damage caused to offshore oil and gas properties in the Gulf of Mexico. Led by Andrew Lydiard QC.

Acted in a confidential arbitration concerning one of the largest oil and gas discoveries offshore West Africa in the last decade.

Acted for an exploration company in a High Court action involving the alleged misuse of confidential information in connection with a shale gas concession in Europe.

Advised in relation to a dispute between joint venturers in relation to the operation and management of a substantial mining concession in Central Africa.

Acted in a dispute between joint venture partners involving competing claims for a \$20 million fund held in escrow relating to an oil and gas concession in Nigeria. Led by Simon Rainey KC.

Professional Discipline

Edward has a considerable amount of experience in relation to a number of different regulators and professions, but especially in the context of solicitors. He regularly deals with cases involving allegations of dishonesty, breaches of the Solicitors' accounts rules or money laundering obligations, conflicts of interest, breach of confidence or privilege issues.

As a junior, Edward acted for the SRA in more than 50 disciplinary matters, including a number of high-profile cases, and many of which involved allegations of dishonesty and lack of integrity and required extensive cross-examination of witnesses. Since taking silk, most of his work in this area is for individual solicitors or firms of solicitors facing allegations of professional misconduct.

Edward was the only junior to prosecute (without a leader) any of the disciplinary proceedings arising out of the collapse of the £60m **Axiom Litigation Fund**, in a case where four solicitors were struck off and two non-solicitors were banned from working in the legal profession and fined £250,000 for their role in the scheme (these were the largest fines ever to have been made against any non-solicitors).

He acted for the SRA in the disciplinary proceedings against **Lutfur Rahman**, a solicitor and the former Mayor of Tower Hamlets who was struck off for election corruption; and against **Tracy Sheehan**, a solicitor who was struck off for lying about her billing figures as part of a lateral recruitment process.

As well as appearing before the SDT, Edward has also acted for the SRA in numerous appeals before the Administrative Court (e.g. **SRA v Emeana**, **SRA v Newell-Austin**, **SRA v Farrimond**, **SRA v Maitland Hudson**, **SRA v Dar**, **SRA v Siaw** and **SRA v Webb**).

Since taking silk, the focus of Edward's practice in this area has been on acting for individual solicitors or firms of

solicitors. He advises firms on a wide range of different issues, including highly sensitive matters, such as where a firm has discovered that one of its employees may have acted dishonestly or committed misconduct, or where conflicts of interest have arisen between the firm and its clients, or in the context of partnership disputes.

Edward is often instructed by firms or individual solicitors who are facing allegations of misconduct, whether made by the SRA or by opposing solicitors or former clients. He has expertise advising firms or individual solicitors as to how best to navigate the complex issues which can arise when allegations of misconduct are raised and with a view to avoiding disciplinary proceedings, or advising firms or solicitors as to whether they should self-report to the SRA for potential misconduct.

He has advised firms facing allegations of various different types of misconduct: for example, a firm alleged to have breached money-laundering obligations by failing to carry out adequate KYC checks; a firm acting in commercial litigation alleged not to have conducted disclosure properly; a firm alleged not to have properly investigated the merits of a claim following their client being disbelieved at trial; a firm which entered into a settlement agreement with a client on terms which were alleged to have breached the SRA the Code of Conduct.

Professional Negligence

Edward has considerable experience of professional negligence claims, particularly claims against solicitors and accountants, but also claims against surveyors and project managers. He is a contributing editor to *Professional Negligence and Liability*, a leading practitioner work in this area.

Directory Quotes

"First-rate: he combines a sharp intellect with pragmatism and good commercial sense. He is very user-friendly and a delight to work with."

The Legal 500

"Excellent on his feet and a fearsome cross-examiner. His advice is always relevant and on the money."

Chambers & Partners

"Incredibly thorough and does sterling cross-examination."

Chambers & Partners

"Ed instils confidence in clients by combining a robust approach with opponents with practical advice that keeps the client's objectives in focus."

Chambers & Partners

"Robust in his advice and preparation and great in hearings. He is the right choice for the hard-fought, aggressive regulatory dispute."

Chambers & Partners

"His laid-back style endears him to tribunals and clients, but belies a formidable advocate who thinks on his feet."

Chambers & Partners

"Very impressive on his feet. Very detailed, and good at delivering all the facts before the Court in a concise, and robust fashion."

The Legal 500

"He is diligent, intelligent, a wonderful draftsman, with a great eye for detail."

The Legal 500

"A highly engaging and persuasive advocate who has the ear of the court."

The Legal 500

Directory Rankings

Chambers & Partners – Global

- Dispute Resolution: Commercial – UK (Global Guide)

Chambers & Partners – UK

- Commercial Dispute Resolution
- Professional Discipline

The Legal 500 – UK

- Professional Disciplinary & Regulatory Law

Education

- BCL, Oxford University
- BA (Law, First Class), Cambridge University
- Newcastle Royal Grammar School

International Bar / Court Appointments

- Called to the Bar of Northern Ireland
- Ad hoc admission to the Gibraltar Bar
- Ad hoc admission to the Isle of Man Bar

Appointments, Memberships and Prizes

- Member of the Commercial Bar Association (**COMBAR**)
- Member of the London Common Law & Commercial Bar Association (LCLCBA)
- Panel member of the **Bar Tribunals & Adjudication Service** (2012-2019) hearing disciplinary cases against barristers
- Everard Ver Heyden Prize for overall performance on the Bar Vocational Course (1999) (fifth place in the year)
- Research Assistant, Law Commission of England & Wales (1997-1998)
- Tutor in Law (part time), University College, London (1997-1999)
- Princess Royal Scholarship from Inner Temple (1998) (highest award available from Inner Temple at that time)
- British Academy Scholarship to fund BCL in Oxford (1997)
- Elected into Scholarship of Robinson College, Cambridge for undergraduate results

Publications

- Contributor to *Professional Negligence & Liability*, responsible (with Raymond Cox KC) for the chapter on limitation.
- Editor, *Commercial Court Procedure* (Sweet & Maxwell).
- Formerly a contributor to *Civil Court Service on Civil Proceedings* (“the Brown Book”) (published by Jordans), responsible for the section on arbitration claims.

Languages

- Modern Hebrew (advanced)
- French (basic)

Awards

