



# James Duffy KC

Call 2005 | Silk 2024

*"One of the strongest juniors I have worked with across any chambers. Incredibly sharp, responsive, hard-working and all over the detail."*

*Chambers & Partners*

✉ [jd@fountaincourt.co.uk](mailto:jd@fountaincourt.co.uk) ☎ +44 (0)20 7583 3335

James Duffy has been regularly instructed in some of the most high-profile and high-value commercial litigation in recent years.

Described as an *"outstanding barrister who clearly operates at a junior silk level"*, James is recognised for having *"an exceptionally sharp, forensic mind"* combined with being *"strategically savvy"* and *"an excellent advocate"*.

James has a broad commercial practice, with particular expertise in banking and finance and aviation disputes. He is highly experienced in acting for large commercial institutions, both as a junior in a larger team and as sole advocate. He is noted for his handling of cases that are complex, high-profile and reputationally sensitive.

In the last couple of years, James has been instructed by major international insurance companies in relation to substantial claims concerning both the Russian aircraft leasing market and the Greensill scandal; acted for investment banks in the long-running Ingenious Litigation and in various claims regarding financial derivatives; appeared as sole counsel at trial for an aircraft manufacturer; and represented Ukraine in its largest ever investor state claim (\$6 billion) concerning Ukraine's largest oil and gas company.

James is ranked by the leading professional directories in Commercial Litigation (both in the UK and Globally), Banking and Finance, Aviation and Professional Negligence:

*"James is a brilliant junior and would be my top choice for just about any case. He's extremely bright, has excellent commercial judgement, handles clients very well, is first rate at drafting, and really excellent on his feet in court."* (The Legal 500)

*"James is a very safe pair of hands and certainly a future KC. He is able to hold his own in a courtroom full of other KCs. His lay client skills are impressive and he is always a reassuring presence."* (Chambers & Partners)

## Recent Highlights

### The Ingenious Litigation

Acting for UBS in defending claims for alleged professional negligence in the high-profile Ingenious Litigation, in

which claims were brought by over 500 individuals in relation to a failed film finance tax scheme. The 6-month trial – identified by *The Lawyer* as one of its cases of the year – settled just before it was due to start in April 2022. In the course of the claim, James appeared successfully in the Court of Appeal on issues concerning obtaining security for costs from litigation funders: [2021] 1 WLR 3189.

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### Littop Enterprises v Ukraine

Successfully representing Ukraine (with Bankim Thanki KC and Giles Robertson) in defeating a USD \$6 billion claim brought by three nominally Cypriot companies relating to their minority shareholdings in Ukrnafta, Ukraine's largest producer of oil and associated gas, in an investment treaty arbitration under the Energy Charter Treaty (Stockholm Chamber of Commerce).

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### Federal Deposit Insurance Corporation (FDIC) v LIBOR Panel Banks

Representing Lloyds Banking Group (with Richard Handyside KC) in proceedings brought on behalf of 39 failed US banks alleging fraudulent misrepresentation and anti-competitive collusion in relation to USD LIBOR submissions.

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### Reinsurers of Malaysia Airlines flight MH370

Appearing in USD \$100 million London arbitration proceedings between the all risks and war risks reinsurers arising out of the disappearance of Malaysia Airlines flight MH370.

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### LNT Aviation v Airbus [2022] EWHC 309 (Comm)

Acting as sole advocate at trial for Airbus in its successful defence of claims alleging breach of contract and negligence in respect of repairs and maintenance required as a result of a mandatory EASA airworthiness directive.

## Expertise

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### Aviation & Travel

James is regularly instructed by leading aviation teams and clients in relation to a wide range of aviation disputes.

He is ranked by both *Chambers & Partners* and *Legal 500* in Aviation:

*"James Duffy is a regular in substantial commercial aviation disputes and a firm favourite with instructing solicitors, who appreciate his winning manner as well as his considerable intellect. He acts for a client base composed of various industry bodies, in sophisticated and high-profile cases in the regulatory and insurance spheres."* (*Chambers & Partners*, 2023)

*"James is highly intelligent and very able to advise on complex aviation disputes. He picks matters up quickly,*

*delivers succinct advice and is approachable in order to stress test that advice.” (The Legal 500, 2022)*

## Notable Aviation & Travel cases

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### **Reinsurers of Malaysia Airlines flight MH370**

Appearing in USD \$100 million London arbitration proceedings between the all risks and war risks reinsurers arising out of the disappearance of Malaysia Airlines flight MH370.

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### **LNT Aviation v Airbus [2022] EWHC 309 (Comm)**

Acting as sole advocate at trial for Airbus in its successful defence of claims alleging breach of contract and negligence in respect of repairs and maintenance required as a result of a mandatory EASA airworthiness directive.

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### **Durham Tees Valley Airport v bmibaby**

Acting (led by Akhil Shah KC) for the low-cost airline in a substantial dispute concerning the economic operation of low cost airlines and their contractual relationships with regional airports, following the Court of Appeal decision on liability ([2011] 1 All E.R. (Comm) 731). The case involved complex expert evidence in the fields of aviation network profiling and airport economics.

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### **Ersson, Carlsson v Airbus and others**

Instructed – as sole counsel – on behalf of Airbus in respect of a series of claims and potential claims (and contributions) arising out of a fatal helicopter crash.

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### **Shah v L3 Commercial Training Solutions and others**

Acting in multi-jurisdictional proceedings concerning a fatal aircraft accident. The case concerned an accident which took place during aircraft flight training in Portugal which resulted in the death of the trainee pilot, a United Arab Emirates domiciled student. [2021] EWHC 2154 (QB).

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### **SATA International – Azores Airlines S.A. v Hi Fly and Aircraft Engine Lease Finance Ltd**

Instructed by a Portuguese charter airline and aircraft leasing company in relation to a three-party dispute as to the contractual interpretation of an aircraft lease and its novation.

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### **Shaker v VistaJet**

Acting (with Akhil Shah KC) for VistaJet, a leading luxury aviation company for private jet charter and ownership, in a case concerning the aborted sale of an aircraft and which raised issues as to the enforceability of agreements to agree and contractual estoppel.

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### London Luton Airport v APCOA Parking

Acting as sole counsel for Luton Airport in its claim in the Commercial Court which involved the proper construction of a concession agreement.

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### Doric v Hi Fly

Acting for a Portuguese charter airline in relation to claims concerning payments allegedly due under an aircraft leasing agreement.

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### Afreximbank v Arik Air Limited

Acting for African Export-Import Bank, who provided \$76.5 million in loans to Arik Air, a Nigerian carrier, to purchase two aircraft, in relation to enforcing their security over the engines and aircraft.

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Instructed by an airline in relation to a dispute concerning the delay of the supply of aircraft to the carrier.

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## Banking & Finance

James is frequently instructed in relation to a wide range of banking and finance disputes of varying levels of complexity and size.

James is recognised as a leading junior in the field of Banking and Finance by *The Legal 500* (Band 1) and *Chambers & Partners* (Band 2):

*“James is a top banking junior – he knows the market really well, is eminently sensible, and drafts brilliantly.” (The Legal 500, 2023)*

*“Absolutely one of the best senior juniors for banking litigation work. Very straightforward and easy to deal with, robust and bullish when appropriate, and a fantastic team player.” (The Legal 500, 2022)*

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### Notable Banking & Finance cases

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#### Federal Deposit Insurance Corporation (FDIC) v LIBOR Panel Banks

Representing Lloyds Banking Group (with Richard Handyside KC and Christopher Brown) in proceedings brought on behalf of 39 failed US banks alleging fraudulent misrepresentation and anti-competitive collusion in relation to USD LIBOR submissions.

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#### The Ingenious Litigation

Acting (with Richard Handyside KC and Nick Daly) for UBS in defending claims for alleged professional negligence in the high-profile Ingenious Litigation, in which claims were brought by over 500 individuals in relation to a failed film

finance tax scheme. The 6-month trial – identified by *The Lawyer* as one of its cases of the year – settled just before it was due to start in April 2022. In the course of the claim, James appeared successfully in the Court of Appeal on issues concerning obtaining security for costs from litigation funders: [2021] 1 WLR 3189.

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### **Decura v UBS**

Acting (with Richard Handyside KC) for UBS in an expedited 3-week trial of a claim for \$200 million concerning whether a major restructuring of UBS' investment bank gave rise to a 'material adverse change': [2015] EWHC 171 (Comm).

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### **Goldman Sachs v J García Carrión**

Acting (together with Ben Valentin KC) by Goldman Sachs to act in its Commercial Court claim against J García Carrión, a Spanish company and the fifth largest wine producer in the world. The claim concerned damages in respect of certain FX derivative transactions, which the defendant claimed were unauthorised and for which it lacked capacity as a matter of Spanish law.

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### **Various SAMs Borrowers v Bank of Scotland**

Instructed (together with Richard Handyside KC and Simon Popplewell) by Bank of Scotland in group litigation brought by over 200 claimants in relation to the alleged mis-selling of a certain type of mortgage (shared appreciation mortgages (SAMs)).

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### **Targetfollow v Bank of Scotland**

Acting (with Richard Handyside KC) for the Bank of Scotland in its defence of a fraudulent misrepresentation claim brought in relation to alleged LIBOR manipulation by a major property development group, which seeks around £1 billion in damages.

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### **JB Drax Honore v Cimolai**

Acting as sole counsel for Drax, a specialist derivatives broking house, in its claims against Cimolai, an Italian company engaged in designing and supplying complex steel structures internationally. The claim concerns certain FX derivatives entered into by the Italian company.

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### **Marz v Bank of Scotland**

Appeared (with Rosalind Phelps KC) in Lloyds Banking Group's first trial of an interest rate swap mis-selling claim: [2017] EWHC 3618 (Ch).

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### **Barclays Bank v UniCredit [2012] EWHC 3655 (Comm)**

Acting for Barclays in its substantial claim against the German and Austrian subsidiaries of UniCredit (led by David Railton KC and Giles Wheeler KC). The two-week trial of the action concerned whether it was “commercially reasonable” for a bank to refuse to consent to the early termination of a securitisation transaction unless and until it had received five years’ fees.

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### **Hammond and others v UBS**

Acting (with Richard Handyside KC) for UBS’ wealth management division in its defence of negligent advice claims brought by high net-worth individuals in relation to certain film finance tax schemes.

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### **Merrill Lynch v Florence; UBS v Florence; Dexia v Florence**

Acting for the City of Florence (led by Patricia Robertson KC) in its defence of claims issued by three investment banks involving the application of the court’s discretion in respect of claims for declaratory relief and the Italian local authority’s capacity to enter into certain derivative transactions.

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### **Alexander & Others v Clydesdale Financial Services**

Acting (with Andrew Mitchell KC and Tamara Oppenheimer KC) for Clydesdale Financial Services in connection with over 200 claims brought by consumers under s.75 and s.56 of the Consumer Credit Act 1974 arising out of alleged mis-selling of timeshares.

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### **Crédit Agricole & FGIC v IKB**

Instructed (with David Railton KC and Derrick Dale KC) by the German bank IKB in defending one of the largest credit crunch-related claims in the Commercial Court. The claim involved allegations of fraudulent misrepresentation in relation to a series of structured securitisation transactions and in which the claimants sought over \$2 billion in damages. The case settled shortly before trial, which had been listed for 10-weeks in Michaelmas term 2011. (Described as one of the top 20 trials of 2011 in *The Lawyer*.)

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### **ECU v HSBC**

Instructed by HSBC (together with Ben Valentin KC) in relation to prospective claims alleging a \$500 million fraudulent FX trading scheme.

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### **Dhadhi & Others v Barclays Bank**

Acting (with Andrew Mitchell KC) for Barclays in respect of claims concerning wide-spread mortgage/valuation frauds and involving purchasers, solicitors and valuers. The trial of the action was listed for five weeks.

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**Office of Fair Trading v Abbey National & Others [2008] 2 All ER (Comm) 625; [2009] 2 W.L.R. 1286; [2010] 1 A.C.**

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Acting (with Bankim Thanki KC, Richard Handyside KC and Edward Levey KC) for Lloyds Banking Group in the test case brought by the OFT in respect of bank overdraft charges. James appeared in the Commercial Court, the Court of Appeal and the Supreme Court in relation to the trial of certain preliminary issues. (Described as one of the top 10 cases of 2009 in *The Lawyer*.) He has advised and represented the bank on various aspects in relation to the ongoing litigation in the county courts.

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### JSC BTA Bank v Ablyazov & Others

Instructed (with Brian Doctor KC) in relation to various applications in the Chancery Division in connection with this very substantial litigation concerning the fraudulent misappropriation of hundreds of millions of dollars by Mr Ablyazov and others from BTA Bank in Kazakhstan.

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Advising (with Richard Handyside KC) a payment service provider for credit and debit card transactions in relation to its complex contractual arrangements with VISA and MasterCard among others.

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### MASNOL v Edward Symmons

Acting (with Mark Simpson KC and Jamie Smith) in proceedings concerning the recoverability of the breakages costs of portfolio hedges.

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Acting for Barclays Private Banking in its defence of a multi-million-pound claim regarding the alleged mis-selling of commercial property investment funds.

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Acting for NatWest/RBS in a number of claims in relation to the alleged mis-selling of interest rate swap agreements.

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Acting (with John Taylor KC) in relation to various claims for fraud and conspiracy in relation to substantial financial investments.

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Instructed by Clydesdale Financial Services and Barclays as sole counsel in connection with various claims brought by consumers under s.75 and s.56 of the Consumer Credit Act 1974 arising out of alleged mis-selling of products.

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Advising a Luxembourg investment company in relation to claims arising out of the mis-selling of longevity contingent zero coupon notes.

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Instructed by JP Morgan in respect of both a multi-million euro claim on a credit facility agreement and a claim for mistaken payment.

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Acting for RBS in proceedings concerning the alleged misrepresentation of various loan facilities and guarantees. James was instructed as sole counsel for a trial listed for one week.

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Acting for numerous banks (including Barclays, Lloyds Banking Group, NatWest and Capital One) in relation to various disputes involving Consumer Credit Act issues.

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Appearing for Lloyds Banking Group in a claim concerning alleged negligent misrepresentations and advice.

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Representing a lender in a substantial claim before the High Court concerning negligent advice.

## Commercial Disputes

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James' practice covers a wide range of domestic and international commercial dispute resolution, in both arbitration and litigation.

He has been repeatedly ranked by both *Chambers & Partners* and *The Legal 500* in the field of Commercial Litigation:

*'An outstanding barrister who clearly operates at a junior silk level. Extremely smart and a great team player. A very good person to work with, even under pressure and during hearings, and also an excellent advocate.'* (*The Legal 500*, 2023)

## Notable Commercial Disputes cases

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### The Ingenious Litigation

Acting (with Richard Handyside KC and Nick Daly) for UBS in defending claims for alleged professional negligence in the high-profile Ingenious Litigation, in which claims were brought by over 500 individuals in relation to a failed film finance tax scheme. The 6-month trial – identified by *The Lawyer* as one of its cases of the year – settled just before it was due to start in April 2022. In the course of the claim, James appeared successfully in the Court of Appeal on issues concerning obtaining security for costs from litigation funders: [2021] 1 WLR 3189.

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### Littop Enterprises v Ukraine

Successfully representing Ukraine (with Bankim Thanki KC and Giles Robertson) in defeating a USD \$6 billion claim brought by three nominally Cypriot companies relating to their minority shareholdings in Ukrnafta, Ukraine's largest producer of oil and associated gas, in an investment treaty arbitration under the Energy Charter Treaty (Stockholm Chamber of Commerce).

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### Various claimants v Peugeot, Citroen



Acting for the Stellantis group, the global automobile company, in their defence of over 25,000 claims brought against Peugeot and Citroen in relation to NOx emissions.

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### **Angophora v Retemmy & Ovsyankin**

Acting in a successful LCIA arbitration, and then response to a challenge of the award under ss.24 and 68 of the Arbitration Act 1996, for an investment group in relation to their fraud claims against their former joint venture partner, a Russian company engaged in the oil and gas industry.

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### **Crédit Agricole & FGIC v IKB**

Instructed (with David Railton KC and Derrick Dale KC) by the German bank IKB in defending one of the largest credit crunch-related claims in the Commercial Court. The claim involved allegations of fraudulent misrepresentation in relation to a series of structured securitisation transactions and in which the claimants sought over \$2 billion in damages. The case settled shortly before trial, which had been listed for 10-weeks in Michaelmas term 2011. (Described as one of the top 20 trials of 2011 in *The Lawyer*).

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### **Office of Fair Trading v Abbey National & Others [2008] 2 All ER (Comm) 625; [2009] 2 W.L.R. 1286; [2010] 1 A.C. 696**

Acting (with Bankim Thanki KC, Richard Handyside KC and Edward Levey KC) for Lloyds Banking Group in the test case brought by the OFT in respect of bank overdraft charges. James appeared in the Commercial Court, the Court of Appeal and the Supreme Court in relation to the trial of certain preliminary issues. (Described as one of the top 10 cases of 2009 in *The Lawyer*.) He has advised and represented the bank on various aspects in relation to the ongoing litigation in the county courts.

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### **Barclays Bank v UniCredit [2012] EWHC 3655 (Comm)**

Acting for Barclays in its substantial claim against the German and Austrian subsidiaries of UniCredit (led by David Railton KC and Giles Wheeler KC). The two-week trial of the action concerned whether it was “commercially reasonable” for a bank to refuse to consent to the early termination of a securitisation transaction unless and until it had received five years’ fees.

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### **Merrill Lynch v Florence; UBS v Florence; Dexia v Florence**

Acting for the City of Florence (led by Patricia Robertson KC) in its defence of claims issued by three investment banks involving the application of the court’s discretion in respect of claims for declaratory relief and the Italian local authority’s capacity to enter into certain derivative transactions.

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### **Rawlinson & Hunter Trustees & Others v Serious Fraud Office**

Acting for Vincent Tchenguiz and various corporate entities in a £200 million damages claim against the Serious

Fraud Office (with Bankim Thanki KC and Rosalind Phelps KC).

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### **Re: The Buncefield Incident - Shell v Total**

Acting for Shell in the high-profile litigation arising out of the Buncefield Oil Depot fire in December 2005 (with Richard Handyside KC). James was instructed in relation to the quantum proceedings, drafting the claim for damages against Total amounting to over \$150 million.

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### **Brightside v Paul Chase Gardener and RSM**

Acting (with Bankim Thanki KC) in proceedings brought by Brightside, the insurance company, against both its former finance director and its former auditors, Baker Tilly (now known as RSM). The claims allege breaches of fiduciary duty and negligence in relation to a series of events, including the £32 million sale to Brightside of a car insurance business and complex issues in relation to the company's client money accounting.

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### **Valla PTC Ltd v Faiman**

Instructed as sole counsel by Valla in respect of a €33 million claim, including obtaining summary judgment and freezing injunction relief.

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### **GFH v various parties**

Acting on claims arising out of a major fraud (in excess of \$800 million) perpetrated against the leading Bahrain financing institution. The litigation involved various jurisdictions including Bahrain, France, UK, and Jersey.

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### **British American Tobacco v Sequana**

Instructed by BAT (together with Timothy Dutton CBE KC) to assist in its 8-week trial against Sequana in fraud claims of around \$800 million. James was brought in at short notice to deal with important privilege applications that were taking place at the start of the trial.

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### **Quebec Tobacco Litigation**

Acting (with Bankim Thanki KC) for a partner with Hogan Lovells in giving evidence in the class action before the Superior Court of Quebec against Imperial Tobacco.

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### **UBM v GfK**

Acting (led by David Railton KC and Marcus Smith QC) in relation to a multi-million pound claim concerning the proper construction of a share purchase agreement.

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### **SATA Internacional – Azores Airlines S.A. v Hi Fly and Aircraft Engine Lease Finance Ltd**

Instructed by a Portuguese charter airline and aircraft leasing company in relation to a three-party dispute as to the contractual interpretation of an aircraft lease and its novation.

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### **Ting v Akai Holdings**

Acting (with Craig Orr KC) in interlocutory proceedings in Bermuda arising out of the collapse of Akai, Hong Kong's biggest corporate bankruptcy. The case raised issues of res judicata, abuse of process and contractual construction.

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Acting (with Richard Handyside KC) for the defendant in proceedings between two international private equity firms arising out of a transaction for the sale of an automotive business.

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### **JSC BTA Bank v Ablyazov & Others**

Acting (with Brian Doctor KC) in various applications in respect of claims of legal professional privilege over certain seized documents.

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### **State Street v Mourant**

Acting for State Street in its claims under a share purchase agreement concerning the multi-national acquisition of various businesses.

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Acting (with Marcus Smith QC) for a transportation business in relation to claims arising out of the purchase of a luxury chauffeur service.

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### **Benedetti v April Holding**

Appearing as sole counsel in an application in connection with the long-running dispute arising out of the acquisition of Wind Telecom.

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Acting for Ecobank Nigeria in its application to set aside a registration order which had been improperly registered in the English courts.

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Acting for an international trading company in relation to claims for breach of fiduciary duty, dishonest assistance and tracing brought against its former director and advisors.

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Acting for Aspinall's Club, a high-profile London casino, in a number of disputes concerning the Gaming Acts and the Gambling Act 2005.

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## Construction, Energy & Infrastructure

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### Notable Construction, Energy & Infrastructure cases

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#### Littop Enterprises v Ukraine

Successfully representing Ukraine (with Bankim Thanki KC and Giles Robertson) in defeating a USD \$6 billion claim brought by three nominally Cypriot companies relating to their minority shareholdings in Ukrnafta, Ukraine's largest producer of oil and associated gas, in an investment treaty arbitration under the Energy Charter Treaty (Stockholm Chamber of Commerce).

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#### Angophora v Retemmy & Ovsyankin

Acting in a successful LCIA arbitration, and then response to a challenge of the award under ss.24 and 68 of the Arbitration Act 1996, for an investment group in relation to their fraud claims against their former joint venture partner, a Russian company engaged in the oil and gas industry.

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#### Re: The Buncefield Incident - Shell v Total

Acting for Shell in the high-profile litigation arising out of the Buncefield Oil Depot fire in December 2005 (with Richard Handyside KC). James was instructed in relation to the quantum proceedings, drafting the claim for damages against Total amounting to over \$150 million.

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Acting as sole counsel in a five-day arbitration concerning the construction of a force majeure provision in an international coal supply agreement.

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Acting for a manufacturer of electricity generators in relation to a substantial dispute with a company producing wind turbines which concerned the proper construction of a long-term supply contract.

## Insurance

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In addition to work in connection with more substantial disputes, James is regularly instructed as sole counsel in relation to smaller scale disputes, across a range of insurance products and for a range of insurers, brokers and advisers (including the sale of life insurance policies, coverage disputes, and negligent mis-selling).

### Notable Insurance cases

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#### Russian aircraft leasing

Acting for Tokio Marine Kiln in relation to various substantial litigation across multiple jurisdictions concerning claims under war risks policies arising out of aircraft leased to companies in Russia and the Ukraine.

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## Reinsurers of Malaysia Airlines flight MH370

Appearing in USD \$100 million London arbitration proceedings between the all risks and war risks reinsurers arising out of the disappearance of Malaysia Airlines flight MH370.

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## XL v AXA and AIG

Acting (with Stephen Moriarty KC) for AIG in defence of claims brought against it and AXA by XL arising out of the \$200 million settlement of a rail disaster in Chatsworth, California that resulted in the loss of 26 lives.

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## 2Agriculture Ltd v Compagnie Française d'Assurance pour le Commerce Extérieur S.A. UK Branch

Acting for the claimant in a coverage dispute concerning trade credit insurance.

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## American Reliable & CNA v Willis

Acting for over two years (with Christopher Hancock KC, Bankim Thanki KC, Richard Coleman KC and Alexander Gunning) for Willis in a claim brought by a reinsurer for losses in excess of \$250 million arising out of the PA LMX reinsurance market. The claim involved allegations of dishonest assistance, misrepresentation and negligence, as well as an appeal on a point of case management (described as one of the top ten trials of 2009 in *The Lawyer*).

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## Morini Ltd v Moffatt Saunders

Instructed (with Mark Simpson KC) on behalf of an insurance broker in relation to a claim for negligence following a dispute as to the coverage of the policy.

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Instructed by the international insurance group in relation to claims arising out of the Greensill scandal.

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## Professional Negligence

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### Notable Professional Negligence cases

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#### The Ingenious Litigation

Acting (with Richard Handyside KC and Nick Daly) for UBS in defending claims for alleged professional negligence in the high-profile Ingenious Litigation, in which claims were brought by over 500 individuals in relation to a failed film finance tax scheme. The 6-month trial – identified by *The Lawyer* as one of its cases of the year – settled just before it was due to start in April 2022. In the course of the claim, James appeared successfully in the Court of Appeal on issues concerning obtaining security for costs from litigation funders: [2021] 1 WLR 3189.

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## American Reliable & CNA v Willis

Acting for over two years (with Christopher Hancock KC, Bankim Thanki KC, Richard Coleman KC and Alexander Gunning) for Willis in a claim brought by a reinsurer for losses in excess of \$250 million arising out of the PA LMX reinsurance market. The claim involved allegations of dishonest assistance, misrepresentation and negligence, as well as an appeal on a point of case management (described as one of the top ten trials of 2009 in *The Lawyer*).

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### Choicezone v Simmons and Simmons

Representing the international law firm in their defence of a substantial professional negligence claim brought by a former client hotelier arising out of the £185 million purchase of the Waldorf Hotel on the Aldwych, London.

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### Hammond and others v UBS

Acting (with Richard Handyside KC) for UBS' wealth management division in its defence of negligent advice claims brought by high net-worth individuals in relation to certain film finance tax schemes.

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### Morini Ltd v Moffatt Saunders

Instructed (with Mark Simpson KC) on behalf of an insurance broker in relation to a claim for negligence following a dispute as to the coverage of the policy.

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### MASNOL v Edward Symonds

Acting (with Mark Simpson KC and Jamie Smith) for a surveyor facing substantial claims for negligent valuation of commercial properties, including for the breakage costs of certain hedges entered into in relation to the loan portfolio.

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Acting (with Craig Orr KC) for a private individual in bringing a claim in negligence against a well-known firm of tax advisors.

## Directory Quotes

*"Absolutely one of the best senior juniors for banking litigation work. Very straightforward and easy to deal with, robust and bullish when appropriate, and a fantastic team player."*

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The Legal 500

*"He is excellent and one of the best senior juniors at the Bar. He's very easy to work with, obviously very sharp and very intelligent."*

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The Legal 500

*"James has an exceptionally sharp, forensic mind combined with an ability to express himself crisply on paper and in speech."*

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The Legal 500

*"James is a very safe pair of hands and certainly a future QC. He is able to hold his own in a courtroom full of other QCs. His lay client skills are impressive and he is always a reassuring presence."*

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Chambers & Partners

*"A go-to senior junior, who is clever, strategic and creative in his advice, drafting and oral advocacy. On his feet, he is well organised and persuasive in his submissions. He is also adept at gauging the court's reactions and adapting as required in the course of his submissions."*

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The Legal 500

*"An outstanding barrister who clearly operates at a junior silk level. Extremely smart and a great team player. A very good person to work with, even under pressure and during hearings, and also an excellent advocate."*

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The Legal 500

*"James is a brilliant junior and would be my top choice for just about any case. He's extremely bright, has excellent commercial judgement, handles clients very well, is first rate at drafting, and really excellent on his feet in court."*

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*"James is incredibly responsive, hard-working, and all over the detail." "He is very easy to deal with and strategically savvy."*

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Chambers & Partners

*"James is a top banking junior – he knows the market really well, is eminently sensible, and drafts brilliantly."*

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The Legal 500

## Directory Rankings

### Chambers & Partners – UK guide

- Aviation
- Banking & Finance (Band 1)
- Commercial Dispute Resolution
- Consumer Finance
- Group Litigation

### The Legal 500 – UK guide

- Aviation
- Banking & Finance (Tier 1)
- Commercial Litigation
- Group Litigation
- Professional Negligence

### Chambers & Partners – Global Guide

- Dispute Resolution: Commercial – UK

## Education

- BA Law, Christ Church, Oxford (First)
- BCL, Christ Church, Oxford (Distinction)
- BVC, Inns of Court School of Law (Outstanding)

## Appointments, Memberships and Prizes

- Prize for best performance in Contract Law finals paper, Oxford University (2003)
- John Radcliffe Exhibition for best College performance in Finals, Christ Church, Oxford (2003)
- College Scholarships, Christ Church, Oxford (2001-2003)
- Lord Megarry Scholarship, Lincoln's Inn (2005)
- Lord Denning Scholarship, Lincoln's Inn (2004)
- Hugh Pilkington Scholarship, Christ Church, Oxford (2004)



- British Association for Sport & Law
- Seconded to Mayer Brown Rowe & May (2006)
- Fellow of the Sutton Trust

## Publications

- Contributor to Sweet & Maxwell's *Civil Procedure Reports*

## Languages

- German (basic)

## Awards

