



John Taylor KC

Call 1993 | Silk 2013

"A very strong advocate with excellent court presence and very user friendly."

The Legal 500

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John Taylor KC is commercial Silk described in the directories as "a fantastic advocate" who is "rigorous in his analysis", "tenacious" and "great with clients".

He has a wide-ranging practice covering aviation, banking and finance, civil fraud, energy, company law, professional liability and insurance/reinsurance. In recent years he has been involved in many high-profile commercial disputes including in relation to the major financial issues of the day such as LIBOR manipulation, derivatives mis-selling and PPI.

Much of John's work is international in nature – he frequently appears in international arbitrations (including ICC, LCIA and UNCITRAL) and overseas including the Dubai International Financial Centre.

His cases frequently involve regulatory matters and he is experienced in working with both litigation and compliance teams on disputes with business-wide implications. He relishes working in large teams across different jurisdictions, with clients describing him as a "team player" who has "total identification with his clients' interests."

John has written and lectured extensively on his areas of practice and has contributed to books on the law of aviation and banking, including *The Law of Bank Payments* (Sweet & Maxwell).

He is a qualified mediator and accepts appointments as an arbitrator.

Recent Highlights

Peregrine Aviation Bravo v Laudamotion GmbH [2023] EWHC 48 (Comm)

Represented Ryanair and its subsidiary Laudamotion against a substantial damages claim by an aircraft lessor arising out of the rejection of four Airbus A320 aircraft during Covid-19 due to failure to comply with lease delivery conditions.

Cantor Fitzgerald and Co v YES Bank Ltd [2023] EWHC 745 (Comm)

Represented YES Bank against a claim by a US broker and investment bank for a success fee arising out of YES

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Bank's US\$ 2 billion capital raise by way of further public offering in July 2020.

Hamon v University College London [2023] EWHC 1812 (KB)

Acting for UCL in proposed Group Litigation arising out of lecturer strikes and COVID-19 claims.

Smith & Burrell v Royal Bank of Scotland [2023] UKSC 34

Represented RBS in the Supreme Court on a test case concerning the correct approach to limitation and delay in bringing claims for unfair relationships under s140A-B of the Consumer Credit Act 1974.

Altamimi v Emirates NBD Bank

Represented a group of banks in the Dubai International Financial Centre in a case concerning cross border insolvency issues and the jurisdiction in which disputes concerning the enforceability of security ought to be determined.

Expertise

Aviation & Travel

John regularly acts in aviation related matters including aircraft leases, aircraft insurance, aircraft sales, product liability claims, aviation accidents, CAA regulations and ATOL regulations.

Notable Aviation & Travel cases

Representing a major European airline in relation to claims for damages arising out of the termination of long-term leases of Airbus A320 aircraft raising issues of compliance with conditions precedent, contractual construction, repudiatory conduct and mitigation.

Blanche v EasyJet [2019] EWCA Civ 69

Appearing in the Court of Appeal test case on air passenger compensation claims under Regulation (EC) 261/2004, also known as the Flight Compensation Regulation.

Representing the owner of an Agusta helicopter in its claim for damages arising from negligent piloting (2018).

Acting for the lessor in a substantial two-and-a-half-week ICC arbitration concerning the return condition of Boeing



737 aircraft leased to a national airline (2016-2017).

Acting for the lessor in a dispute with Sri Lankan airlines concerning the enforceability of aircraft leases which made the national press in Sri Lanka (see [here](#)).

Acting for the lessee in a tripartite dispute between manufacturer, lessor and lessee concerning the operating capabilities of a helicopter in offshore operations (2017).

Virgin Atlantic v KI Holdings and Mitsubishi Corp

Acting for Mitsubishi Corporation in a Commercial Court claim brought by Virgin Atlantic Airways concerning the fitness for purpose/compliance with airworthiness directives of retro-fitted seats in Boeing aircraft.

Shaker v Vistajet Group Holding SA [2012] 2 Lloyd's Rep. 93

Acting for the Claimant in a Commercial Court claim for return of a deposit of US\$3.55 million paid pursuant to a letter of intent to purchase a Bombardier Challenger aircraft.

Advising a European aircraft and engine lessor in connection with an indemnity dispute with a Brazilian airline relating to Boeing 747 aircraft and engines.

Pindell Ltd v AirAsia Bhd [2012] 2 C.L.C. 1

Acting for the lessor in a Commercial Court trial of claims for damages and contractual indemnities arising out of the late redelivery of a Boeing 737-300 at the end of its lease raising issues of construction, estoppel, causation and remoteness of damage.

Advising an Eastern European national airline on its obligations under a long-term maintenance and service agreement with a UK carrier.

Advising lessors of aircraft leased to the Spanish airline Futura International Airways that went into an insolvency procedure in Spain, including obtaining urgent injunctions in the Commercial Court.

Amiri Flight Authority v BAE

Acting for BAE concerning the enforceability of exclusion clauses in an aircraft sales contract.

Banking & Finance



John has significant experience in banking litigation including disputes concerning securitisations, collateralised debt obligations, ISDA swaps (including credit default and interest rate swaps), syndicated loans, letters of credit, bills of exchange, guarantees, cheques, electronic funds transfer, mortgages and other forms of security. John's work includes disputes arising out of competing claims of lenders, investors, counterparties and insurers in an insolvency situation.

Notable Banking & Finance cases

Representing a syndicate of UAE banks in claims in the DIFC against a corporate group and its guarantors in relation to a US\$300 million banking facility including allegations of fraudulent misappropriation of funds and breach of trust.

Acting on claims of investors in debt securities issued by a major European bank arising out of pre-investment prospectus – FSMA s90, misrepresentation Act 1967, negligence.

Representing a major Australian bank in a Commercial Court claim for US\$80 million in relation to the alleged unauthorised operation of an oil futures trading account.

Representing various UK and Irish banks defending allegations that interest rate derivatives were sold in breach of contract and the COB and COBS Rules (including *Wani LLP v Royal Bank of Scotland plc* [2015] All ER (D) 22 (May); *Warners Retail Ltd v National Westminster Bank Plc* [2014] EWHC 2818 (Ch)).

NRAM Plc v McAdam and Hartley [2015] 2 All E.R. 340 [2016] 3 All ER 665

Acting in a test case against Northern Rock in the Commercial Court and Court of Appeal to determine the effect of loan agreements which were not regulated by the Consumer Credit Act 1974 but were documented as if they were.

Metlife Seguros de Retiro SA v JPMorgan Chase Bank, National Association [2015] EWHC 463 (Comm)

Acting for the Claimant under Argentine inflation-linked structured notes.

Corinth Pipeworks SA v Barclays Bank Plc

Acting for Barclays Bank plc in proceedings in the DIFC Court before Steel J concerning an alleged trade finance fraud.

Acting for various UK banks defending claims for damages and rescission arising out of the alleged manipulation of LIBOR.

Nixon v Credit Suisse



Acting for Credit Suisse in a claim arising out of the sale of AIG Bonds.

Kivu Watt Ltd v Citibank NA & Civicon [2013] EWHC 2354

Acting for Citibank in connection with a claim brought under a performance guarantee.

Andrew v Barclays Bank Plc [2012] CTLC 115

Acting for Barclays Bank plc in the PPI litigation including the lead case on the relationship between court proceedings and the FCA mandated review of the sale of PPI.

Acting for Commerzbank in a dispute with a counterparty over numerous commodity swap transactions governed by an ISDA Master Agreement (1992 edition).

Ixis Corporate Investment Bank v WestLB, CIBC World Markets, Terra Firma Capital Partners

Acting for WestLB the arranger of the £750 million Box Clever Securitisation in its Commercial Court dispute with investors which raised issues of securitisation market practice, financial modelling, lending and valuation of securities.

Advising a major US bond insurer on “credit crunch” related disputes under a credit default swap involving underlying CDOs and other asset backed securities including US sub-prime mortgages.

BNY Corporate Trustee Ltd, Re Eurosail-UK 2007 3 BL Plc [2009] EWHC 513, Ch, Sales J

Acting for Noteholders in a dispute with other classes of Noteholder under the terms of the trust deed and note conditions governing their investment in a structured investment vehicle with underlying assets consisting of US sub-prime mortgage-backed securities.

Acting for a Swiss bank in relation to letters of request under the Evidence (Proceedings in Other Jurisdictions) Act 1975.

Civil Fraud

John has wide-ranging experience of domestic and international civil fraud claims involving many jurisdictions including Liechtenstein, Russia, UAE and the Cayman Islands.

Notable Civil Fraud cases

Acted for Canaccord Genuity in DIFC proceedings successfully defending it against allegations of negligence,



unlawful means conspiracy and breach of the COBs rules arising out of a proposed takeover of a publicly listed company in the US (*KBC Aldini Capital Ltd v Baazov and Canaccord Genuity*).

Stobart Group Ltd v Tinkler [2019] EWHC 258 (Comm)

Representing a company director successfully defending allegations of conspiracy to injure the company.

Securing judgment for investors induced by fraud to invest in a financial services business.

Russian Commercial Bank (Cyprus) Ltd v Fedor Khoroshilov & Talon Ltd

Acting in allegations of illegal acts under the Russian Civil Code, worldwide freezing orders.

Corinth Pipeworks SA v Barclays Bank Plc

Acting in allegations of trade finance fraud involving the sale of steel oil pipelines from Greece to Oman and Angola.

Acting in a number of cases alleging LIBOR manipulation.

Commercial Disputes

John frequently appears in the Commercial Court on large-scale commercial litigation. He frequently acts in disputes concerning corporate acquisitions, share sales and shareholder agreements. His cases include high profile disputes such as the *Boxclever* litigation and the *Prince Jefri* litigation.

He has acted in numerous cases involving the granting of emergency injunctive relief including worldwide freezing orders. A number of the cases referred to above involved freezing and disclosure orders including *RCB v Khoroshilov*, *VTB v Tchigerinski* and *Hemsley & RCB Trustees Ltd v Graham*.

John's practice frequently involves issues concerning jurisdiction, conflict of laws and procedural issues. He also provides expert evidence on English law for use in foreign proceedings.

Notable Commercial Disputes cases

Acted for a group of UAE companies in proceedings for wrongful termination of long-term distribution agreements with a multinational tobacco manufacturer in the territories of Iran, Iraq and Jordan.

Represented H.E. Sheikh Mohammed Bin Butti Hamed and the Al Saqer Group successfully challenging the jurisdiction of the English Courts in relation to contractual claims for bonuses and remuneration brought by the Group's former CEO in England. The issues included forum non conveniens and the ability to obtain a fair trial Abu Dhabi ([2021] EWHC 50 (QB)).

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Nimer v United Al Saqer Group LLC [2021] EWHC 50 (QB)

Representing the defendants successfully challenging the jurisdiction of the English Courts. Issues included *forum non conveniens* and the ability to obtain a fair trial in a foreign jurisdiction.

Natixis v Famfa Oil [2020] 2 WLUK 330

Representing a Nigerian oil company in a dispute with a bank over a services contract involving issues of state intervention and contractual frustration.

Stobart Group Ltd v Tinkler [2019] EWHC 258 (Comm)

Acting in the board room dispute at Stobart Group which included allegations of breach of fiduciary duty, conspiracy and shareholder vote rigging.

Grove Park Properties Ltd v Royal Bank of Scotland Plc [2018] EWHC 3521 (Comm)

Requirements for pleading contract void for illegality.

Barnett Waddington v Royal Bank of Scotland [2017] EWHC 834 (Ch)

Abuse of process.

Wani LLP v Royal Bank of Scotland plc [2015] All ER (D) 22 (May)

Late amendments prior to trial.

Meat Corporation of Namibia Ltd v Dawn Meats (UK) Ltd [2011] All ER (D) 67 (Mar)

Expert evidence, confidential information, conflicts of interest.

Middle Eastern Oil v National Bank of Abu Dhabi [2009] Lloyd's Rep Plus 6

Jurisdiction clause, *forum non conveniens*.

Representing a private equity firm in relation to a claim for fraud and breach of warranty in relation to the sale of a well-known online retailer.

Acting for the Russian State owned bank, VTB, against a Russian oligarch, Shalva Tchigirinski, in a dispute over the financing of his Russian real estate business. Following the obtaining of a worldwide freezing order and judgment



against Mr Tchigirinski, John acted in the dispute between judgment creditors concerning their claims to Mr Tchigirinski's assets.

Russian Commercial Bank (Cyprus) Ltd v Talon Ltd & Obneftegas

Acting for Russian Commercial Bank (Cyprus) Ltd against Russian oligarch Fedor Khoroshilov, in a trio of cases which came to trial in the Commercial Court concerning disputes over financing of interests in a Siberian oil and gas extraction businesses. John's involvement started by obtaining an ex parte freezing order from Stadlen J which was continued at an inter parties hearing before Gross J.

Hemsley & RCB Trustees Ltd v Graham & Ors [2013] EWHC 2232 (Ch)

Representing the investors against the directors of a loan company who induced investment in the company through fraudulent misrepresentations made in accounts and a prospectus obtaining judgment for the investors.

Representing the manufacturers of industrial turbines defending claims that equipment was not in accordance with warranty and had caused significant consequential loss.

Representing a Polish private equity concern in relation to multi-million-dollar claims brought against it by management claiming carried interest.

Representing a private equity firm with an investment in a national utility provider in its dispute with a fellow shareholder in connection with their respective rights and obligations when dis-investing.

Welven v Soar Ltd [2011] EWHC 3240 (Comm)

Acting for the vendor of a metals manufacturing business successfully defending allegations of breach of warranty and fraud by the purchaser.

Acting for the vendors of a financial advisory firm in relation to claims by the building society purchaser for breach of warranty arising out of liabilities alleged to have been incurred on the historic sale of PPI.

Company, Restructuring & Insolvency

John regularly acts in cases which raise issues of corporate governance both in this jurisdiction and overseas.

Notable Company, Restructuring & Insolvency cases

Stobart Group Plc v Tinkler [2019] EWHC 258 (Comm)

Acting in a board room dispute which analysed in detail the law on directors' fiduciary duties and conflicts.

Acting for a Middle Eastern Government on its rights as shareholder in funds incorporated in the Cayman Islands.

Construction, Energy & Infrastructure

Notable Construction, Energy & Infrastructure cases

ICC Arbitration

Representing a global oil services company in a 2021 ICC arbitration concerning multi-million dollar claims under a cross-border co-operation agreement.

Russian Commercial Bank (Cyprus) Ltd v Talon Ltd & Obneftegas

Acting on a case involving a claim for damages based on the value of oil and gas extraction rights in Siberia.

Advising on a joint venture for the processing of aluminium ore in Bahrain.

Advising on a dispute between shareholders of an AIM-listed oil-extraction company.

Advising on insurance coverage issues arising out of a contractors all risks insurance policy concerning a sub-sea oil pipeline.

Insurance

John has acted in a wide range of insurance and reinsurance disputes in the Commercial Court and in arbitration (specific details of which are confidential).

Notable Insurance cases

Acting in relation to an international reinsurance arbitration concerning long-tail asbestos related claims arising out of thousands of employee claims against employers spanning five decades.

Advising on construction, aggregation and retention issues arising out of numerous types of (re)insurance cover, including excess of loss, quota share, employee fidelity, aircraft hull and liability, D&O, professional indemnity, property, business interruption, and contractors all-risks.



Advising on and acting in numerous claims for negligence against brokers concerning the placing of insurance and reinsurance. Cases have included placement of an overseas national health insurance programme, hotel portfolio all risks insurance and contractors all risks insurance for an oil pipeline.

International Arbitration

Many of John's cases involve international arbitrations under the auspices of various arbitral regimes including the ICC, LCIA and UNCITRAL. John has considerable experience of working closely with the solicitor-counsel team in long running, large-scale cases. John's ability to act as "team player" has been recognised in the legal directories.

Notable International Arbitration cases

Representing a global oil services company in a 2021 ICC arbitration concerning multi-million dollar claims under a cross-border co-operation agreement.

Acting in a substantial two-and-a-half-week ICC arbitration concerning the return condition of Boeing 737 aircraft leased to a national airline.

Acting in an LCIA Arbitration representing an offshore family Trust in connection with its multi-million-dollar dispute with management concerning claims for carried interest on the appreciation in value of large-scale infrastructure projects around the world, including African oil fields and mines.

Acting for a leading global investment manager in LCIA arbitral proceedings concerning a US\$1 billion claim by Bermudan Liquidators arising from the collapse of a hedge fund after the global financial crisis.

Acting for a global investment manager in LCIA arbitral proceedings concerning a multi-million dollar claim against a US investment valuation agent arising out of its valuation of the Fund's worldwide investments.

Acting for a European private equity fund in an UNCITRAL arbitration in relation to its multi-million-dollar dispute with a fellow investor in a Russian glass-making plant concerning profit share, accounting treatment of investment costs and the effect of currency fluctuations on their returns.

Acting for a Russian state-owned Bank and a Cypriot Bank in their related LCIA and High Court proceedings against borrowers under a multi-million-dollar financing facility and in defence of the multi-billion-dollar counterclaim rising out of the funding of exploration and realisation of oil and gas reserves in Russia.

Acting in an LCIA arbitration for the lessor of Boeing 737 aircraft to a national airline in relation to its claims for damages arising out of the indemnities in the lease and the return condition of engines and aircraft.

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Acting in an LCIA arbitration in a dispute between a well-known US Bank and one of its executives concerning his claim to multi-million-dollar bonuses and performance related pay.

Acting in an ICC arbitration between a US financier and lessor of aircraft against a Far East national airline concerning issues of authority and fraud relating to the long-term aircraft fleet leases between the parties.

Offshore

Much of John's work is international in nature – he has rights of audience in the Dubai International Financial Centre.

Notable Offshore cases

Acted for Canaccord Genuity in DIFC proceedings successfully defending it against allegations of negligence, unlawful means conspiracy and breach of the COBs rules arising out of a proposed takeover of a publicly listed company in the US (*KBC Aldini Capital Ltd v Baazov and Canaccord Genuity*).

Acted for a group of UAE companies in proceedings for wrongful termination of long-term distribution agreements with a multinational tobacco manufacturer in the territories of Iran, Iraq and Jordan.

Represented H.E. Sheikh Mohammed Bin Butti Hamed and the Al Saqr Group successfully challenging the jurisdiction of the English Courts in relation to contractual claims for bonuses and remuneration brought by the Group's former CEO in England. The issues included forum non conveniens and the ability to obtain a fair trial Abu Dhabi ([2021] EWHC 50 (QB)).

UAE Banking Syndicate

Representing a syndicate of UAE banks in claims in the DIFC against a corporate group and its guarantors in relation to a US\$300 million banking facility including allegations of fraudulent misappropriation of funds and breach of trust.

Corinth Pipeworks SA v Barclays Bank Plc

Acting for Barclays Bank Plc in proceedings in the DIFC Court before Steel J concerning an alleged trade finance fraud.

Professional Negligence

John has acted in a wide range of professional negligence cases including cases involving bankers, stock brokers, financial advisers, valuation agents, trustees, accountants, solicitors, barristers, surveyors and insurance brokers.



Notable Professional Negligence cases

Wey Bridging v Ernst & Young

Acting for the liquidators of a loan business in High Court proceedings against the company's accountants and auditors claiming for losses resulting from an undetected fraud which brought down the company.

Convergence v Chantrey Vellacott

Defending a multi-million-pound claim against accountancy firm Chantrey Vellacott which resulted in judgment for the firm.

Acting for WestLB in its defence of allegations of negligence concerning its role as arranger and joint lead manager of the Boxclever.

Acting for and against financial advisers in numerous cases concerning allegations of negligence, breach of fiduciary duty and breach of the FSA's Rules in the FSA Handbook.

Acting for and against insurance and reinsurance brokers including issues of sub-agency and the placing of international risks involving jurisdictional disputes, conflicts of laws and the role of Lloyd's of London's overseas correspondents.

Directory Quotes

"John is hugely dedicated to his craft. He carefully analyses the issues and advocates with great effect and tenacity in court. His written advice is clear and he distils complex issues. He works collaboratively with solicitors. A superb tactician."

The Legal 500

"He provides a truly excellent service. He works extremely responsively and is very user-friendly."

Chambers & Partners

"He is very impressive, hands-on, direct and commanding." "John is pragmatic, understands complex financial products and is great to deal with." "He is very responsive, and the quality of his written work is excellent."



Chambers & Partners

"A warrior of an advocate and a real pugilist." "He is very quick of mind and user-friendly."

Chambers & Partners

"He is an exceptional strategist. He works collaboratively with solicitors and is highly responsive."

The Legal 500

"He is extremely user-friendly and responsive, measured and analytical, and sees to the heart of a case very quickly."

The Legal 500

"John is incredibly bright and powerfully compelling in both his advocacy and drafting style. He combines this with excellent client service. Furthermore, he can also translate difficult legal concepts into a commercial language which clients like and understand."

Chambers & Partners

"An outstanding banking practitioner."

The Legal 500

"Very impressive, very thorough and a man in total command of all the issues involved." "He is fantastic to work with, as he gives clear advice and produces very solid advocacy."

Chambers & Partners

Directory Rankings

Chambers & Partners – Global

- Dispute Resolution: Commercial – UK



Chambers & Partners – UK

- Aviation
- Banking & Finance
- Commercial Dispute Resolution

The Legal 500 – UK

- Aviation
- Banking & Finance
- Commercial Litigation

Education

- MA in Law (First Class Honours), Cambridge University

International Bar / Court Appointments

- Called to the Bar of the Dubai International Financial Centre (DIFC)

Appointments, Memberships and Prizes

- Rights of audience in the Courts of the Dubai International Financial Centre
- Commercial Bar Association
- The London Common Law & Commercial Bar Association
- Member of the British Association for Sport and Law
- Middle Temple Astbury Scholar
- CEDR accredited mediator

Publications

- Contributor to *The Law of Bank Payments* (5th ed. 2017, Sweet & Maxwell)
- Contributor to *Carriage by Air* (1st ed. Butterworths)

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Awards



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