



# Laura John KC

Call 2001 | Silk 2021

*"She is one of the most natural and accomplished silks of her generation."*

*Chambers & Partners*

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Laura John KC is described in the directories as being:

- “an exceptionally talented silk and a devastatingly effective cross-examiner”;
- “absolutely all over the law and constructs a very tight case on paper”;
- “a formidable opponent, identifying her points with clarity and arguing them with tenacity”; and
- “an excellent trial advocate and brilliant on her feet. A very accomplished cross examiner”.

Laura is an experienced advocate in all types of applications, arbitrations, trials and appeals. She has a wide-ranging commercial practice encompassing all aspects of complex commercial disputes, with particular expertise in banking and financial services, civil/commercial fraud, insolvency and restructuring, insurance and reinsurance, art/media/entertainment and professional negligence.

Laura is ranked for her work by *Chambers & Partners*, *Legal 500*, *Legal Experts* and *Who's Who Legal*, in the fields of Commercial Dispute Resolution, Banking & Finance and Civil/Commercial Fraud and Insurance.

Laura has been named:

- 2020 Commercial Litigation Junior of the Year by *Legal 500*.
- 2016 Banking and Finance Junior of the Year by *Chambers & Partners*.
- A “Litigation future leader 2020” by *Who's Who Legal*.

## Recent Highlights

### Phones 4U Ltd (in administration) v EE Ltd & Ors [2023] EWHC 2826 (Ch) Nov 2023

Acting for the first defendant in an 11-week trial in a multi-party dispute concerning alleged anticompetitive agreements by mobile network operators to cease supply to indirect distributor and alleged breach of contract/bad faith (instructed with Meredith Pickford KC, David Gregory and Daniel Schwennicke).

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### **Vegeentials Ltd v Shanghai Commercial and Savings Bank Ltd [2024] EWHC 7 (Ch) Jan 2024**

Acting for defendant bank in vicarious liability claim for alleged fraudulent misrepresentation. Damages reduced by 80% on loss of a chance (instructed with Nathalie Koh).

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### **Afriquia Gaz v Maghreb Gaz v UBS Switzerland AG [2023] EWCA Civ 1072 Sept 2023**

Acting for the defendant bank in constructive trust/restitution claim alleging payment by mistake. Initial jurisdiction challenge, raising novel questions of service following Brexit transitional arrangements (instructed with Dan Schwennicke).

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### **Allianz & Ors v Deutsche Bank & Ors (Comm Ct)**

Acting for the first defendant bank in high value, multi-party proceedings concerning competition claims arising out of the alleged manipulation of the FX markets.

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### **Allianz v JD Williams (Commercial Court)**

Acting for the defendant in a high value claim arising out of mis-selling of PPI over a lengthy period. The dispute concerned complicated legal and regulatory issues, including as to contribution between the parties, following compensation having been paid to consumers (instructed with Paul Stanley KC, Sam Ritchie, Dan Carrall-Green and Mark Belshaw).

## Expertise

### **Art & Cultural Property**

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Laura acts across the full range of art disputes including for auction houses, dealers and individuals.

#### Notable Art & Cultural Property cases

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Acting for defendants in a fraudulent misrepresentation claim arising out of a high profile global fraud in the art market. Successfully resisted a writ of control issues in the High Court and purportedly exercised without notice in February 2022.

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Acting for an individual in relation to issues arising out of the sale of works of art (2019).

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Acting for Sotheby's in a range of disputes, including interpleader proceedings.

## Banking & Finance

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Laura specialises in financial litigation and arbitration, and is instructed by major banks, their customers and other financial institutions.

Laura is instructed in investment and retail banking disputes (including all aspects of credit and security), arising from a range of financial instruments (e.g. derivatives and related products), structured finance, mortgages, guarantees, letters of credit, performance bonds and other securities, fraud, undue influence, breach of mandate, negligence, money-laundering/POCA issues, freezing injunctions, *Norwich Pharmacal* applications and equitable claims/remedies, mistaken payments, restitution claims and regulatory issues.

Laura is listed in the legal directories for Banking & Finance and was named the 2016 'Banking and Finance Junior of the Year' by *Chambers & Partners*.

### Notable Banking & Finance cases

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#### **Vegeentials Ltd v Shanghai Commercial and Savings Bank Ltd [2024] EWHC 7 (Ch) Jan 2024**

Acting for defendant bank in vicarious liability claim for alleged fraudulent misrepresentation. Damages reduced by 80% on loss of a chance (instructed with Nathalie Koh).

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#### **Afriquia Gaz v Maghreb Gaz v UBS Switzerland AG [2023] EWCA Civ 1072 Sept 2023**

Acting for the defendant bank in constructive trust/restitution claim alleging payment by mistake. Initial jurisdiction challenge, raising novel questions of service following Brexit transitional arrangements (instructed with Dan Schwennicke).

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#### **Allianz & Ors v Deutsche Bank & Ors (Comm Ct)**

Acting for the first defendant bank in high value, multi-party proceedings concerning competition claims arising out of the alleged manipulation of the FX markets. Proceedings were transferred from the Commercial Court to the CAT in 2022 (instructed with Derek Spitz and Laurentia de Bruyn).

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#### **Permasteelisa v Santander Factoring (London Circuit Comm Ct)**

Acting for the defendant bank in a part 8 claim made following the insolvency of Carillion, alleging monies owed pursuant to invoice administration and discounting arrangements.

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#### **ECU Group v Deutsche Bank & Ors [2021] EWHC 2083 (Ch Div)**

Successful application for security for costs.

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### **T v N (Ch Div Business List) 2020**

Acting (unled) for a defendant bank in a claim involving POCA/money laundering issues arising out of purported supply of PPE to the NHS.

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### **Boyse (International) Ltd v NatWest [2020] EWHC 1264 (Ch)**

Acting (unled) for the defendant bank. Successfully obtained strike out on the basis that the claims against it, including as to fraud, were not properly pleaded and were time-barred. This is the first case to be decided on the issue of limitation in LIBOR-rigging claims.

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### **Yuanda (UK) Co Ltd v Multiplex Construction Europe Ltd & ANZ Bank [2020] EWHC 468 (TCC)**

Acting (unled) for the defendant bank in injunction proceedings seeking to restrain payment of a performance bond, against a construction company and Laura's client, a Hong Kong Bank. The main issue was construction of the performance bond: as to its type, conditions for payment and the expiry of the instrument. The injunction against the bank was discharged & the proceedings were successfully and entirely disposed of at the final return date.

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### **Marme Inversiones 2007 S.L. v RBS & Ors (Comm Ct) 2019**

Acting for first defendant bank in a case concerning alleged fraudulent misrepresentations based on EURIBOR rigging allegations. Total amounts owed by the claimant in relation to the swaps is in the region of €710 million. Laura successfully: (i) defeated an interlocutory application for early disclosure; (ii) obtained security for costs; and (iii) resisted an application to stay proceedings in England in favour of insolvency proceedings taking place in Spain ([2016] EWHC 1570 (Comm), [2017] BPIR 138, Blair J). The case also gave rise to a series of complex disclosure issues, in particular due to the fact of an ongoing investigation by the European Competition Commission ([2016] EWHC 1920 (Comm) LTL 25/7/2016 Blair J). The case was listed in The Lawyer's "Top 20 cases of 2016". Led by Adrian Beltrami KC, 3VB subsequently by David Quest KC, 3VB – together with Max Evans, Fountain Court. Eight-week trial Oct-Nov 2018. Judgment in February 2019: Successful in defence and counterclaim. Permission to appeal refused by the Court of Appeal.

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### **ICICI Bank UK Plc v Assam Oil Company Limited & Ors [2019] EWHC 750 (Comm)**

Acting for the UK arm of ICICI Bank Limited, India's largest private sector bank, in a summary judgment application to recover a loan made to Assam Oil Company Limited. Issues included allegations of fraud and enforceability of guarantees. Summary judgment successfully obtained by the bank. The defendants were ordered to repay over £44 million and, in a supplemental judgment, the defendants were ordered to pay costs on the indemnity basis. Leading Max Evans (Fountain Court).

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### **A v E (Ch Div) 2019**

Acting for the defendant bank in a case in which the claimant (a borrower in admitted default) sought a short notice application for injunctive relief to discharge the appointment of receivers, alleging that the defendant bank had

exercised an alleged discretion to draw upon the funds held in as specified account, either unreasonably or in bad faith. The claimant also alleged that the bank acted in bad faith in appointing the receivers. Legal issues involved whether the mortgage/lending agreements contained implied terms, alleged contractual discretions and the scope of a good faith requirement. Settled.

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### **Syndicate Bank v Shrenuj & Ors (Ch Div) 2017-2018**

Acting for one of the defendants, an Indian National, successfully disputed the jurisdiction of the English Courts in relation to a claim under a guarantee, both at First Instance and on Appeal.

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### **Hockin & Ors v RBS (Ch Div Business List) 2017**

Acting for the defendant bank in a case alleging swaps mis-selling, LIBOR manipulation and conspiracy/breach of an alleged implied term of good faith. Settled during trial 2017. Led by Mark Hapgood QC, Brick Court, subsequently by Joe Smouha KC, Essex Court (together with Emily Wood, Essex Court and Ed Meuli, Maitland Chambers).

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### **Barnett Waddington Trustees & Anor v RBS [2017] EWHC 834 (Ch Div) LTL 19/04/2017**

Acting for the defendant bank on a res judicata issue. Led by John Taylor KC, Fountain Court.

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### **Barnett Waddington Trustees & Anor v RBS [2015] EWHC 2435 (Ch Div) LTL 24/8/2015**

Acting for the defendant bank on a question of construction of an indemnity, in particular whether the borrowers were liable to pay the costs of unwinding an interest-rate swap. Permission to appeal was granted, case settled before appeal, led by David Quest KC 3VB on appeal.

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### **AB Bank v Abu Dhabi Commercial Bank [2016] EWHC 2082 (Comm), [2017] 1 WLR 810 & [2016] EWHC 3446 (Comm)**

Acting for the respondent/defendant bank successfully setting aside an ex parte Norwich Pharmacal order on the basis that the Court had no jurisdiction to permit service out of the jurisdiction.

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### **Jong v HSBC Monaco & Ors [2015] EWCA Civ 1057, [2015] 2 CLC 607 and first instance [2014] EWHC 4165 (Ch), HHJ Charles Purle QC**

Acting for the defendant HSBC entities, on behalf of HSBC Monaco successfully disputed the jurisdiction of the English courts at first instance and on appeal. The negligence claim against other HSBC entities in the UK concerns amongst other issues, Forex trading (trades in the value of £474 million). Led by David Quest KC, 3VB.

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### **Morris Group Limited v RBS & Ors (Comm)**

Acting for defendant bank, in an interest rate swap claim alleging misrepresentation, arising out of LIBOR rigging

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allegations. The swap was entered into in support of facilities in excess of £300 million. Led by John Taylor KC, Fountain Court.

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### **Crestsign v NatWest & RBS [2014] EHC 3043 (Ch Div); [2014] All ER (D) 115 (Oct)**

Acting for the successful defendant banks. First full trial of a case alleging swaps mis-selling to a small to medium enterprise. Leading decision on the issue of banker's duties of care and in particular the application of basis clauses and contractual estoppel. Led by Andrew Mitchell KC, Fountain Court.

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### **Melli Bank UK v Holbud (Comm Ct) [2013] EWHC (Comm), LTL 14/5/2013**

Acting in a dispute concerning the payment of commitment fees following the imposition of an asset freeze implemented by the Iran (European Community Financial Sanctions) Regulations 2007, whether agreement frustrated or terminated for repudiatory breach. Summary judgment successfully obtained.

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### **BMA Special Opportunity Hub Fund Ltd v African Minerals Limited (Court of Appeal): [2013] EWCA Civ 416, LTL 23/4/2013**

Acting on behalf of the respondents. Dispute on a point of construction arising out of the refinancing of a Facility Agreement for \$205 million. The issue in dispute was whether a prepayment fee of \$17.19 million was payable. Appeal dismissed. Led by Adrian Beltrami KC, 3VB.

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### **Bank of New York Mellon v Truvo & Ors (Commercial Ct) [2013] EWHC 136 (Comm), LTL 12/2/2013**

Acting for the borrower in a dispute concerning the proper interpretation of multi-million Euro Facility Agreements: namely the contractual mechanism for amendment and/or variations and the priorities of payment.

## **Civil Fraud**

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Laura has specialist experience of both bringing and defending fraud claims, including cross-jurisdictional claims. She is regularly instructed in proceedings involving obtaining freezing, search, disclosure and asset tracing/preservation orders; conflicts of law; and interim payment and other summary applications. She has extensive experience of civil fraud trials both as lead advocate and junior.

Her cases often involve allegations of fraudulent misrepresentation/deceit, conspiracy, bribery and economic torts. Laura also has experience in the regulatory and insolvency issues arising out of large-scale frauds.

Laura is co-author of the Fraud section of Bullen & Leake's *Precedents of Pleading*. She is recommended as a leading junior in this field by the legal directories.

### **Notable Civil Fraud cases**

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### **Vegeentials Ltd v Shanghai Commercial and Savings Bank Ltd [2024] EWHC 7 (Ch) Jan 2024**

Acting for defendant bank in vicarious liability claim for alleged fraudulent misrepresentation. Damages reduced by 80% on loss of a chance (instructed with Nathalie Koh).

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### **AA v BB [2021] EWCA Civ 1017**

Acting for the defendant (together with Charles Béar KC) in an appeal against the continuation of a worldwide freezing order against directors of two companies in circumstances in which criminal restraint orders were also in place.

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### **Parsdome Holdings v Plastic Energy (Comm Ct)**

Acting for the claimant in a fraudulent misrepresentation claim arising out of the selling of shares in a plastic waste recycling company.

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Acting for defendants in a fraudulent misrepresentation claim arising out of a high profile global fraud in the art market. Successfully resisted a writ of control issues in the High Court and purportedly exercised without notice in February 2022.

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### **Derbyshire v Waheed & Ors (2021)**

Successfully acted for a third party applying to be joined to freezing order proceedings and to discharge and vary the freezing order on the basis that the frozen property belonged to the third party and not to the defendant.

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Acting (as part of a counsel team) for a high net worth individual in proceedings across a number of jurisdictions.

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### **Boyse (International) Ltd v NatWest [2020] EWHC 1264 (Ch)**

Acting (unled) for the defendant bank. Successfully obtained strike out on the basis that the alleged fraud claims against it were not properly pleaded and were time-barred. This is the first case to be decided on the issue of limitation in LIBOR-rigging claims.

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### **Natixis v Marex Financial & Ors(Comm) 2019**

Acting in a case involving metal trades based on counterfeit warehouse receipts. Led by Alain Choo-Choy KC (One Essex Court), together with Robert Weekes (Blackstone Chambers) and Max Kasriel (Fountain Court). Three-week trial before Bryan J Jan-Feb 2019.

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Acting for / advising high net worth individuals in relation to multi-jurisdictional fraud proceedings against them.

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### **Marme Inversiones 2007 S.L. v RBS & Ors (Comm) 2019**

Acting for first defendant bank. Case alleging fraudulent misrepresentation against the bank, based on EURIBOR rigging allegations, arising out of the European Commission cartel decision in relation to Euribor and the conviction of Barclays and Deutsche Euribor traders. The case was listed in The Lawyer's "Top 20 cases of 2016". Led by Adrian Beltrami KC, 3VB and subsequently by David Quest KC, 3VB – together with Max Evans, Fountain Court. Eight-week trial Oct-Nov 2018. Judgment in February 2019: successful in defence and counterclaim. Permission to appeal refused by the Court of Appeal.

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### **Bilta v RBS (Ch Div) 2017**

Acting for defendant bank in a claim alleging dishonest assistance and/or knowing receipt arising out of credit carbon trading. Led by John Wardell KC, Wilberforce Chambers.

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Acting for a Canadian company (Comm) which had been the victim of a fraud.

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### **Kazakhstan Kagazy Plc & Ors v Baglan Abdullayevich Zhunus & Ors (Comm) [2015]**

Acting for a third party in disclosure proceedings.

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### **Ralph Lauren Europe SARL & Anor v Butcher & Ors [2014] LTL 10/11/2014 (Comm Ct)**

Acting for the claimant in a claim against one of its former senior executives who misappropriated £3.1 million from his employer. Also included claims against related parties for dishonest assistance, knowing receipt and conspiracy. The claimant was granted freezing orders against four defendants and Norwich Pharmacal relief against various banks in 2014. In November 2014 the claimant obtained summary judgment against D1.

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### **Gilbert v Holms(Ch) [2014] EWHC 482 (Ch), LTL 12/03/2014**

(Andrew Simmonds KC) Acting for the defendant in a trial involving allegations of fraudulent and negligent misrepresentation in relation to the purchase of shares in a company which was attempting to raise funds in order to commercialise a pharmaceutical product in Europe. Settled before Appeal.

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### **Lloyd's Syndicate 2623/623 (Beazley) v KNAL/KNWM (QBD) 2014 (Eder J)**

Acting for the defendant independent financial adviser in successfully resisting an unusual disclosure application, in which the claimant insurers sought delivery up of two forensic computer images.

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### **Markscheffel & Anor v Brands International (Ch Div) 2013**

Acting for the defendant in a claim arising out of the sale of shares and the conduct of directors, alleging breach of fiduciary and contractual duties and receipt of secret commission. Led by Paul Lowenstein KC.

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### Crown v The Hut Group (Comm) 2013

Acting for the defendants/counter-claimants in a multi-million pound dispute concerning breaches of warranties (vendors' and purchaser's) under a share purchase agreement following serious accounting irregularities. Led by Paul Lowenstein KC.

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### N v HSBC (Comm) 2013

Acting for the claimant/applicant seeking disclosure order from a bank in order to trace monies following a fraud.

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### Abbey National Plc v JSF Finance & Currency Exchange Co Ltd. [2006] EWCA Civ 328

Acting for a number of banks in relation to the fraudulent operation of accounts, freezing orders.

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## Commercial Disputes

Laura is a specialist in commercial litigation and arbitration. She has a well-established practice acting for and advising domestic and international institutions / litigants in a range of complex commercial and contractual disputes. Laura also frequently acts and advises in relation to injunctive relief (e.g. freezing injunctions, search orders and disclosure / asset preservation orders) and jurisdictional issues.

Before taking silk in 2021, Laura was named the 2020 'Commercial Litigation Junior of the Year' by *The Legal 500*.

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### Notable Commercial Disputes cases

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#### Phones 4U Ltd (in administration) v EE Ltd & Ors [2023] EWHC 2826 (Ch) Nov 2023

Acting for the first defendant in an 11-week trial in a multi-party dispute concerning alleged anticompetitive agreements by mobile network operators to cease supply to indirect distributor and alleged breach of contract/bad faith (instructed with Meredith Pickford KC, David Gregory and Daniel Schwennicke).

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#### Allianz v JD Williams (Commercial Court)

Acting for the defendant in a high value claim arising out of mis-selling of PPI over a lengthy period. The dispute concerns complicated legal and regulatory issues, including as to contribution between the parties, following compensation having been paid to consumers (instructed with Paul Stanley KC, Sam Ritchie, Dan Carrall-Green and Mark Belshaw).

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#### Inspired Education v Crombie (Ch Div Business List) ongoing

Breach of warranty claim arising out of share sale in relation to an online school (instructed with James Hart).

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### **Handa v Handa & Ors (Ch Div Business List) ongoing**

Acting for a company in a shareholder dispute centred on the validity of an expulsion notice (instructed with James Hart).

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### **European Film Bonds v Lotus Holdings LLC [2021] EWCA Civ 807**

Appeal concerning the construction of a completion guarantee (instructed with Robert Howe KC).

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### **Mulberry v Unilever & Mitie (Comm Ct)**

Acting for defendant in claim arising out of waste disposal contracts (instructed with Sam Ritchie).

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### **Parsdome Holdings v Plastic Energy (Comm Ct)**

Acting for the claimant in a fraudulent misrepresentation claim arising out of the selling of shares in a plastic waste recycling company.

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### **S v D (LCIA arbitration proceedings) 2021**

Successfully acted for the claimant in a claim for damages arising out of breaches of investment agreements.

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### **Natixis v Marex Financial & Ors (Comm Ct) 2019**

Acting in a case involving metal trades based on counterfeit warehouse receipts. In addition, a claim against the insurers under the Insurance Act 2015 raising a range of coverage issues including material non-disclosure. Led by Alain Choo-Choy KC (One Essex Court), together with Robert Weekes (Blackstone Chambers) and Max Kasriel (Fountain Court). Three-week trial before Bryan J Jan-Feb 2019.

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### **European Film Bonds & Ors v Larkhark Film & Ors (Ch Div Bus List) 2019-2020**

Acting for a defendant film producer in a film finance dispute. Awaiting decision from CA in permission to appeal application.

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### **eImagine films v Mister Smith (Ch Div Bus List) 2019**

Successfully acting (unled) for the defendant in two-week trial; claim arising out of a film finance dispute.

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### **Marme Inversiones 2007 S.L. v RBS & Ors (Comm Ct)**

Acting for first defendant bank. Case concerned alleged fraudulent misrepresentations based on EURIBOR rigging

allegations. Total amounts owed by the claimant in relation to the swaps is in the region of €710 million. Successfully: (i) defeated an interlocutory application for early disclosure; (ii) obtained security for costs; and (iii) resisted an application to stay proceedings in England in favour of insolvency proceedings taking place in Spain ([2016] EWHC 1570 (Comm), [2017] BPIR 138, Blair J). The case also gave rise to a series of complex disclosure issues, in particular due to the fact of an ongoing investigation by the European Competition Commission ([2016] EWHC 1920 (Comm) LTL 25/7/2016 Blair J). The case was listed in The Lawyer's "Top 20 cases of 2016". Led by Adrian Beltrami KC, 3VB subsequently by David Quest KC, 3VB – together with Max Evans, Fountain Court. Eight-week trial Oct-Nov 2018. Judgment in February 2019: successful in defence and counterclaim. Permission to appeal refused by the Court of Appeal.

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### **Darker v LGT Vestra LLP (QBD) 2018**

Acting (together with Philip Alquist, Fountain Court) for the defendant financial adviser and investment manager. The claim alleged negligent financial advice and mismanagement of the claimant's investment portfolio. Settled.

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### **Rocker v FCAM [2017] EWHC 2999 (QBD)**

Two-week trial acting for the portfolio manager defendant facing allegations of negligent management of an investment portfolio made by a wealthy investor. Other issues included alleged breach of statutory duties (FSMA and COBS). Awaiting listing of claimant's appeal.

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### **Insurance Medical Reporting Ltd & Anor v Your Lawyers Ltd (Ch Div) [2018] EWHC 1632**

Acting in a case concerning a credit agreement for the provision of medico-legal services.

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### **Kirk v Aviva & Ors (TCC) 2017**

Acting (together with Kate Holderness, 3VB) for the defendant placing broker in a multiparty suit arising out of declinature of cover by the co-defendant insured. Settled.

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### **Wild Side Video v Entertainment One UK Limited (2016, Ch Div)**

Instructed by the respondent in on notice proceedings for an injunction in a dispute concerning distribution rights to the television series *The Walking Dead* series six.

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### **Jong v HSBC Monaco & Ors [2015] EWCA Civ 1057, [2015] 2 CLC 607 and first instance [2014] EWHC 4165 (Ch) HHJ Charles Purle QC**

Acting for the defendant HSBC entities, on behalf of HSBC Monaco successfully disputed the jurisdiction of the English courts at first instance and on appeal. The negligence claim against other HSBC entities in the UK concerns amongst other issues, Forex trading (trades in the value of £474 million). Led by David Quest KC, 3VB.

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**LCIA Arbitration [2015]**

Acting in this dispute between two Russian counter-parties as to respective liabilities under a commercial agreement.

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**Friary Intermediate Limited v DMWSL 586 Limited (in liquidation) (Ch Div) 2016**

Acting for the claimant in a dispute arising out of a Sale and Purchase Agreement. Settled.

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Acting for a Guernsey company in a dispute arising out of an investment agreement.

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**Kazakhstan Kagazy Plc & Ors v Baglan Abdullayevich Zhunus & Ors (Comm Ct) [2015]**

Acting for a third party in disclosure proceedings.

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**Ralph Lauren Europe SARL & Anor v Butcher & Ors [2014] LTL 10/11/2014 (Comm Ct)**

Acting for the claimant in a claim against one of its former senior executives who misappropriated £3.1 million from his employer. Also includes claims against related parties for dishonest assistance, knowing receipt and conspiracy. The claimant was granted freezing orders against four defendants and Norwich Pharmacal relief against various banks in 2014. In November 2014 the claimant obtained summary judgment against the first defendant.

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**Gilbert v Holms (Ch Div) [2014] EWHC 482 (Ch), LTL 12/03/2014 (Andrew Simmonds KC)**

Acting for the defendant in a six-day trial involving allegations of fraudulent and negligent misrepresentation in relation to the purchase of shares in a company which was attempting to raise funds in order to commercialise a pharmaceutical product in Europe. Settled before Appeal.

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**Magenta v Barclays (Ch Div) 2014**

Acting for the defendant bank, successfully defeating a long-running dispute arising out of a factoring agreement, including a five-day taking of an account (trial) in the Chancery Division.

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**Lloyd's Syndicate 2623/623 (Beazley) v KNAL/KNWM (QBD) 2014**

Acting for the defendant independent financial adviser in successfully resisting an unusual disclosure application, in which the claimant insurers sought delivery up of two forensic computer images.

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**Cambridge v Golding (QBD) 2014**

Acting for the claimant successfully resisting an application for costs made in respect of a claim form which was

never served and during the currency of which no CPR r.7.7 notice was served.

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### **Melli Bank UK v Holbud (Comm Ct) [2013] EWHC (Comm), LTL 14/5/2013**

Acting in a dispute concerning the payment of commitment fees following the imposition of an asset freeze implemented by the Iran (European Community Financial Sanctions) Regulations 2007, whether agreement frustrated or terminated for repudiatory breach. Summary judgment successfully obtained.

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### **BMA Special Opportunity Hub Fund Ltd v African Minerals Limited (Court of Appeal) [2013] EWCA Civ 416, LTL 23/4/2013**

Acting on behalf of the respondents. Dispute on a point of construction arising out of the refinancing of a Facility Agreement for \$205 million. The issue in dispute was whether a prepayment fee of \$17.19 million was payable. Appeal dismissed. Led by Adrian Beltrami KC.

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### **Bank of New York Mellon v Truvo & Ors (Comm) [2013] EWHC 136 (Comm), LTL 12/2/2013**

Acting for the borrower in a dispute concerning the proper interpretation of multi-million Euro Facility Agreements: namely the contractual mechanism for amendment and/or variations and the priorities of payment.

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### **The Hut Group v Crown & Ors (Comm) 2014**

Acting for the defendants/counter-claimants in a multi-million pound dispute concerning breaches of warranties (vendors' and purchaser's) under a share purchase agreement following serious accounting irregularities (led by Paul Lowenstein KC).

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Acting and advising in relation to a number of IT/telecoms disputes.

## **Company, Restructuring & Insolvency**

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Laura is regularly instructed in corporate and personal insolvency work in the High Court on behalf of creditors and other applicants / respondents. Laura also acts for and against liquidators, administrators and receivers. Laura also advises and acts in actions arising out of share sale agreements.

### **Notable Company, Restructuring & Insolvency cases**

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Acting for a creditor in a large cross-border administration (2020).

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Regularly acting and advising in relation to shareholder disputes and litigation arising out of share sale agreements.

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### **Bilta v RBS (Ch Div)**

Acting for defendant bank in proceedings (inter alia) for compensation under s.213 IA 1986, alleging that the defendants were knowingly a party to the carrying on of a number of companies' businesses with intent to defraud creditors or alternatively for a fraudulent purpose. Led by John Wardell KC, Wilberforce Chambers.

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### **Marme Inversiones 2007 S.L. v RBS & Ors (Comm)**

Acting for first defendant bank. Successfully resisted an application by the claimant to stay proceedings in England in favour of insolvency proceedings taking place in Spain ([2016] EWHC 1570 (Comm), [2017] BPIR 138, Blair J). This case gave rise to considerations of the interplay between the Judgments Regulation and the Insolvency Regulation. Led by Adrian Beltrami KC, 3VB.

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### **Kevin John Hellard (in his capacity as Liquidator of UN029 Realisations Limited in liquidation) v Bhamra (settled 2016)**

Instructed by the Liquidator in an application against the respondent alleging breaches of the IA 1986 including: (i) s.212 (delinquent directors); (ii) s.238 (transactions at an undervalue); (iii) s.239 (voidable preferences); and (iv) s.423 (transactions defrauding creditors).

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Acting in a range of High Court applications, for example injunctions to prevent presentation of winding up petitions, hearings in relation to the conduct of administrations, CVAs and MVLs.

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Advisory work for FSCS (since 2002) on a variety of insurance (and insolvency) issues, including the application of the COMP Rules, general coverage issues, policy issues and mesothelioma-related issues.

## **Insurance**

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Laura acts and has regularly acted for various insurers, reinsurers, brokers, insureds / reinsureds in disputes, both domestic and international, across the full range of insurance-related issues, including coverage, aggregation, contractual construction and broker's negligence.

Laura is an experienced advocate in trials, applications and appeals in all divisions of the High Court.

### **Notable Insurance cases**

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#### **Natixis v Marex Financial & Ors (Comm Ct) 2019**

Acting in a case involving metal trades based on counterfeit warehouse receipts. A claim was also brought against the insurers under the Insurance Act 2015, raising a range of coverage issues including material non-disclosure. This would have been the first substantive case to be decided on the Insurance Act 2015, however the insurance aspect (with which Laura was dealing) settled during trial.

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### Kirk v Aviva & Ors (TCC)

Acting (together with Kate Holderness, 3VB) for the defendant placing broker in a multiparty suit arising out of declinature of cover by the co-defendant insured. Settled 2017.

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### Lloyd's Syndicate 2623/623 (Beazley) v KNAL/KNWM (QBD) 2014 (Eder J)

Acting for the defendant independent financial adviser in successfully resisting an unusual disclosure application, in which the claimant insurers sought delivery up of two forensic computer images.

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### Cowen v Oakley (QBD) 2013

Acting for Part 20 defendant insurance broker in a professional negligence claim.

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### F v L (arbitration) 2013

Acting for defendant insurance broker in an arbitration. Issues include coverage, material non-disclosure and aggregation.

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### A v MIS (2013)

Advising / acting for the managing agent in a coverage dispute.

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### Crown v NWIC & Cambridge Risk (TCC) 2011

Successfully acting for the second defendant in a case concerning trade credit supplier guarantees.

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### Houder v CBL & TSC (Comm) 2011

Acting for the second defendant in a claim arising out of surety bonds.

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## Media & Entertainment

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Laura acts and has acted for clients, in film, television, theatre and the music recording industry in media, entertainment and art disputes. These disputes have covered the full range of intellectual property, licensing and other rights issues as well as trademark infringement, passing off and copyright claims. Laura has also acted and advised in relation to the obtaining of freezing, disclosure and search orders.

### Notable Media & Entertainment cases

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#### European Film Bonds v Lotus Holdings LLC [2021] EWCA Civ 807

Appeal concerning the construction of a completion guarantee (instructed together with Robert Howe KC).

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#### **DN v G (2020)**

Acting for a TV production company in a dispute concerning licensing rights, among other issues.

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#### **European Film Bonds & Ors v Larkhark Film, Lotus & Ors [2020] EWHC 1115 (Ch)**

Acting (together with Alexandra Whelan, Fountain Court) for a defendant film producer in a film finance dispute, expedited trial. Awaiting decision on permission to appeal.

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#### **eMagine films v Mister Smith (Ch Div Bus List) 2019**

Successfully acting (unled) for the defendant in two-week trial; claim arising out of a film finance dispute.

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#### **European Film Bonds & Ors v Larkhark Film & Ors [2019] EWHC 2116 (Ch)**

Acting (together with Alexandra Whelan, Fountain Court) for a defendant film producer in a film finance dispute, challenging the English Court's jurisdiction where there were parallel arbitration proceedings in California.

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Acting for a claimant in a dispute about distribution rights of a popular entertainment television series (2018).

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Acting for a claimant in proceedings concerning the enforcement of a US judgment obtained in relation to the misappropriation of hot news.

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#### **Wild Side Video v Entertainment One UK Limited (2016, Ch Div)**

Instructed by the respondent in on notice proceedings for an injunction in a dispute concerning distribution rights to the television series *The Walking Dead* series 6.

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#### **Dorset v Associated Music International Limited & Ors (Ch Div)**

Acting for the defendants in a dispute concerning royalties in relation to the song In the Summertime by Mungo Jerry.

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Successfully obtaining an interim injunction for a well-known chain of pizza restaurants to prevent trademark infringement and passing off.



## Professional Negligence

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Laura regularly acts for / advises claimants and defendants in professional negligence disputes involving:

- Insurance brokers
- Solicitors
- Accountants
- Tax / financial advisers / investment managers
- Estate agents

## Notable Professional Negligence cases

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### Darker v LGT Vestra LLP 2017-2018 (QBD)

Acting (together with Philip Alquist, Fountain Court) for the defendant financial adviser and investment manager. The claim alleged negligent financial advice and mismanagement of the claimant's investment portfolio. Case settled 2018.

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### Rocker v FCAM (QBD) 2017-2018

Two-week trial in which Laura acted for the portfolio manager defendant facing allegations of negligent management of an investment portfolio made by a wealthy investor. Other issues included alleged breach of statutory duties (FSMA and COBS). Awaiting listing of claimant's appeal.

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### Kirk v Aviva & Ors (TCC) 2017

Acting (together with Kate Holderness, 3VB) for the defendant placing broker in a multiparty suit arising out of declinature of cover by the co-defendant insured. Settled.

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### Cowen v Oakley (QBD Wrexham) 2013

Acting for Part 20 defendant insurance broker in a professional negligence claim.

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### Staniforth v Grant Thornton (Ch Div Manchester) 2012

Acting for the defendant financial adviser.

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### Houlder v CBL & TSC (Comm Ct) 2011

Acting for the second defendant in a claim arising out of surety bonds, the second defendant made a counterclaim alleging professional negligence against the broker claimant.

## Directory Quotes

*"A charming and fluent advocate who always knows the law and her case inside out. Laura has the ear of the court, and always frames their submissions attractively. You know you're in for a real fight when you're against Laura."*

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Legal 500

*"Amazingly calm and focused under pressure and superb with clients in crisis."*

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Legal 500

*"Laura is incredible. Her advocacy is a delight to watch." "She's very robust, direct and prolific in her output." "Laura was simply excellent. On the ball with a tight turnaround, pleasant to deal with and razor smart."*

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Chambers & Partners

*"Her submissions are punchy, pithy and on point." "She is a highly skilled and highly knowledgeable advocate who performs excellently in trials." "Laura is user-friendly and great with clients."*

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Chambers & Partners

*"Laura John is a vastly formidable silk, belying her years with a clarity of thought and argument that judges and clients alike appreciate."*

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Chambers & Partners

*"A complete star, she holds her own against very senior silks and is completely unfazed by any theatrics."*

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Legal 500

*"An excellent advocate, whose advice is clear, succinct and trusted by clients."*

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Legal 500

*"Laura is a fearsome advocate - she is cool under pressure and tenacious. It is a difficult combination for any*

*opponent to contend with." "The quality of her written work is outstanding and she is excellent with clients." "A thoughtful and analytical thinker, who is very user-friendly."*

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Chambers & Partners

*"The 'very strong' Laura John is a 'star' of the Bar."*

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Who's Who Legal

## Directory Rankings

Chambers & Partners – Global

- Dispute Resolution: Commercial – UK

Chambers & Partners – UK

- Banking & Finance
- Commercial Dispute Resolution
- Fraud: Civil

Legal 500 – UK

- Banking & Finance (including Consumer Credit)
- Commercial Litigation
- Fraud: Civil

## Education

- BA, New College, Oxford

## International Bar / Court Appointments

- Admitted to the BVI Bar.

## Appointments, Memberships and Prizes

- Gray's Inn
- COMBAR
- Chancery Bar Association
- 'Commercial Litigation Junior of the Year', *The Legal 500 (2020)*
- 'Banking & Finance Junior of the Year', *Chambers & Partners (2016)*

## Publications

- *Journal of International Banking & Finance Law*: Contributor to the Case Analysis section
- *Financial Services Regulation*: Chapter on "UK Payment Systems"
- *Paget's Law of Banking*, 14th Ed Sept 2014 (Butterworths): Chapter 24 "The Payment Service Regulations 2009" and Chapter 25 "Electronic Payment Systems"
- Bullen & Leake's *Precedents of Pleading*: Co-author of the Fraud section.

## Languages

- French (conversational / working knowledge)

## Awards

