



Nathalie Koh

Call 2019

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Nathalie Koh joined chambers in October 2020, following the successful completion of her pupillage under the supervision of Ben Lynch KC and James Duffy.

Nathalie is developing a broad commercial practice in line with chambers' profile.

Nathalie graduated with a First Class degree in Law from the University of Oxford. She was awarded the Slaughter and May Prize, the Rajah & Tann LLP Prize, the Mander Law Prize, and the Michael Junior Scholarship. She later read for the BCL at Oxford, where she received the Princess Royal and Fountain Court Scholarships, as well as the Ralph Chiles Prize.

Prior to joining chambers, Nathalie was a teaching fellow at The Queen's College (Oxford) in Trusts Law, and worked as a research assistant for the University of Oxford's Faculty of Law on *Chitty on Contracts*, and *Studies in the Contract Laws of Asia*. She was also a legal adviser at Hackney Migrant Centre, working pro bono. Having grown up in Singapore, she is a native speaker of Mandarin Chinese and has a good understanding of the Asian markets.

Recent Highlights

The Financial Conduct Authority v Arch Insurance (UK) Limited & Ors [2021] UKSC 1

Instructed as Counsel before the Supreme Court, in the landmark test case considering whether policies respond to COVID-19-related losses (with Ben Lynch KC and Simon Paul). Also instructed in the High Court proceedings ([2020] EWHC 2448 (Comm)).

Re Transform Medical Group (CS) Ltd [2020] EWHC 2064 (and pending Court of Appeal litigation)

Instructed as Counsel in the long-running PIP Breast Implant Litigation, on matters relating to the exercise of privilege over joint retainer documents (with Ben Lynch KC).

Breach of trust claim in the BVI

Assisting, as a pupil, in the preparation of a Defence to a factually complex claim involving an alleged breach of a declaration of trust and the transfer of shares. Subsequently instructed as Counsel.

SRA v Gary Senior & Ors (Case No. 11976-2019)

Assisting, as a pupil, in the high-profile disciplinary proceedings concerning sexual conduct by a City solicitor with a junior colleague. This was one of the first times in which the Solicitors Disciplinary Tribunal has been called on to determine allegations of this nature.

Sole Counsel

Regularly instructed as Counsel in the County Court, on cases involving aviation and banking.

Expertise

Administrative & Public Law

Notable Administrative & Public Law cases

Advising an Ombudsman on potential claims relating to delay and maladministration (assisting James McClelland as a pupil).

Advising the Environment Agency in its dispute with landowners relating to the construction and maintenance of sea defence works, as well as its duty to consult various stakeholders (assisting James McClelland as a pupil).

Aviation & Travel

Notable Aviation & Travel cases

Advising an airline on its appeal of the CAA's decision to revoke of its operating license, in light of COVID-related amendments to the Operation of Air Services in the Community Regulations 2009 (assisting Rosalind Phelps KC as a pupil).

Regularly acting as sole counsel in the County Court on behalf of airlines defending claims brought against them under EU Regulation 261/2004.

Banking & Finance

Notable Banking & Finance cases

Advising on the powers of the Financial Services Compensation Scheme to pay compensation into an account held directly by a deposit aggregator (assisting James Cutress KC as a pupil).

Advising a large asset management company on possible options under English law to recover losses arising out of its investments in a bond programme (assisting John Taylor KC as a pupil).

Advising a bank in its defence against a claim for breach of mandate and duty of care (assisting Christopher Langley as a pupil).

Advising a bank in its defence against a claim for breach of a collateral contract (assisting Marianne Butler as a pupil).

Commercial Disputes

Notable Commercial Disputes cases

Public Institution for Social Security of Kuwait v Man Group PLC & 37 other defendants

Advising on a large-scale fraud case that will be one of the largest disputes ever heard in the Commercial Court, concerning alleged bribery and corruption by the former director general of the Kuwaiti state social security and pension scheme (assisting James McClelland KC as a pupil).

Breach of trust claim in the BVI

Assisted, as a pupil, in the preparation of a Defence to a factually complex claim involving an alleged breach of a declaration of trust and the transfer of shares. Subsequently instructed as Counsel.

Advising on the Republic of Mozambique's guarantee of £1.5 billion worth of loans to Credit Suisse and a number of other banks (assisting Bankim Thanki KC and Ben Lynch KC as a pupil).

Advising in a multi-million dollar LCIA arbitration concerning a series of disputed transactions entered into by the shareholder of a Russian entity (assisting James Duffy as a pupil).

Advising on the proposed sale of shares in a transshipment company (assisting Simon Atrill as a pupil).

Insurance

Notable Insurance cases

FCA Business Interruption Insurance test case

Instructed as counsel for the Hiscox Action Group (consisting of 369 policyholders) in the landmark test case and related arbitration, considering whether policies respond to COVID-19-related losses (led by Ben Lynch KC).

Re Transform Medical Group (CS) Ltd [2020] EWHC 2064 (and subsequent High Court cases)

Advising an insurer in the long-running PIP Breast Implant Litigation, on matters relating to the exercise of privilege over joint retainer documents (assisting Ben Lynch KC as a pupil).

Advising an insured business on the law regarding a notification of circumstances clause in a 'claims made' insurance policy (assisting Patrick Goodall KC as a pupil).

Advising an insurer on the deductibility of insurance payments from damages potentially payable to claimants in an underlying litigation (assisting Jeffrey Chapman KC as a pupil).

Advising an insurer on an insured's claim for breach of the policy, relating to a failure to reinstate the policy following contribution holidays (assisting James McClelland KC as a pupil).

Professional Discipline

Notable Professional Discipline cases

SRA v Gary Senior & ors (Case No. 11976-2019)

Advising in the high-profile disciplinary proceedings concerning sexual conduct by a City solicitor with a junior colleague (assisting James McClelland KC as a pupil).

Advising insolvency practitioners facing complaints lodged by the Insolvency Practitioners Association, relating to breaches of the Statement of Insolvency Principles and the Ethics Code for Members (assisting Chloe Carpenter KC as a pupil).

Advising the SRA in disciplinary proceedings against a solicitor, concerning allegations of dishonest evidence given in a separate trial (assisting James McClelland KC as a pupil).

Professional Negligence

Notable Professional Negligence cases

Advising on potential claims against solicitors arising out of advice given on the settlement of a £84 million claim (assisting Ben Lynch KC as a pupil).

Advising on potential claims against solicitors and a barrister, relating to advice given on a settlement agreement (assisting Ben Lynch KC as a pupil).

Education

- BPTC, BPP Law School: 2018-2019
- Bachelor of Civil Law (BCL), Merton College, Oxford: 2017-2018
- BA (Jurisprudence), The Queen's College, Oxford: 2014-2017 (First)

Appointments, Memberships and Prizes

- Legal Adviser to Hackney Migrants Centre (2019)
- Tutor in Trusts Law at The Queen's College, Oxford University (2019)
- Princess Royal Scholarship, Inner Temple (2019)
- BPTC Pro Bono, Advocacy & Excellence Awards (2019)
- Fountain Court Scholarship (2018)
- Ralph Chiles Prize in Comparative Human Rights, Oxford University (2018)
- Mander Law Prize (placed first in College for FHS), Oxford University (2017)
- Michael Junior Scholarship (achieved a Distinction for all 3 years), Oxford University (2017)
- Semi-finalist in the UK national rounds of the Phillip C. Jessup International Law Moot Court Competition (2016)
- Slaughter & May Prize for Constitutional Law, Oxford University (2015)
- Rajah & Tann LLP Prize for Law Moderations, Oxford University (2015)
- The Queen's College Collection Prizes (2015, 2016 & 2017)
- ALBA

Languages

- Mandarin Chinese (fluent)