



Paul Casey

Call 2002

"He is excellent, his advice is superb and his advocacy is extremely good. Judges listen to him."

Chambers & Partners

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Paul Casey has a commercial and civil practice which focuses on commercial and fraud disputes (both litigation and arbitration), banking and financial services, and employment.

He has particular experience of acting in long-running complex litigation, and has been instructed in some of the most prominent and highest value disputes to come before the English courts in recent years.

Recent Highlights

Autonomy / Hewlett-Packard v Lynch & Hussain

Sole counsel for the second defendant in what is said to be the largest fraud trial ever heard in the English courts (March 2019 – January 2020). The litigation arose from the acquisition of Autonomy Plc by Hewlett-Packard and involved allegations that the former CEO and CFO of Autonomy were party to a substantial accounting fraud. Damages of c.\$ 5 billion were claimed under FSMA s. 90A and for breach of fiduciary duty, breach of contract, and misrepresentation.

Post Office Horizon IT Inquiry

Junior counsel to the former CEO of Post Office for the statutory public inquiry into the Post Office Horizon scandal. The Inquiry is tasked to investigate the failings which led to Post Office bringing private prosecutions or civil claims against hundreds of sub-postmasters on the basis of evidence from an unreliable computer accounting system, called Horizon.

Standish & Ors v Royal Bank of Scotland Plc & Anr [2020] 1 All ER (Comm.) 814; [2020] 1 BCLC 826; [2019] 1 All ER (Comm.) 97

Acting for the bank in a long-running dispute involving allegations that entities in the RBS group conspired to take over a private company. The claimants' unsuccessful appeal from the striking out of the claim is a leading authority on the scope of the duties of a shadow director.

Recovery Partners GB Ltd & Anr v Rukhadze & Ors [2019] Bus LR 1166

Acting for the defendants in a \$200 million claim that a group of LLP partners and employees had diverted an asset recovery and private equity opportunity in breach of their contractual and fiduciary duties, and had misused confidential information.

Gudavadze v Anisimov

Acting for the claimant in a \$1 billion claim to an interest in a Russian metals business. Issues included jurisdiction, conflict of laws, Russian and Georgian law, asset tracing and complex facts spanning over a decade.

Expertise

Banking & Finance

Paul has acted for all of the major banks in defence of product mis-selling claims and has recently handled a large number of GRG-related claims against the RBS group. Other subject matters include banking regulation, complex financial agreements, breach of mandate, derivatives, factoring, letters of credit, securities, and fraud.

Notable Banking & Finance cases

Standish & Ors v Royal Bank of Scotland Plc & Anr [2020] 1 All ER (Comm.) 814; [2020] 1 BCLC 826; [2019] 1 All ER (Comm.) 97

Acting for the bank in a long-running dispute involving allegations that entities in the RBS group conspired to take over a private company. The claimants' unsuccessful appeal from the striking out of the claim is a leading authority on the scope of the duties of a shadow director.

WTA Global Holdings Ltd v Lombard North Central Plc & Ors [2019] EWHC 277 (Comm.)

Acting for the defendants in a claim that they had used various unlawful means to undermine the claimant's business.

Axia FX Ltd v Royal Bank of Scotland Plc [2016] EWHC 409

Sole counsel for the bank at a seven-day trial concerning whether the bank was entitled to withdraw the claimant's trading facilities on suspicion of unlawful trading and money laundering.

(1) Dar Al Arkan Real Estate Company (2) Bank Alkhair v Al Refai & Ors

Acting for the claimants in a \$800 million claim against the former CEO of a Bahraini bank and others for conspiracy and breach of confidence. Issues included whether the shares in the bank were held in breach of Bahraini securities law and whether the bank had entered into a series of unlawful disguised trades with a related party.

Bank Leumi v Akrill [2014] EWCA Civ. 907; [2014] EWHC 4341

Acting for the bank in applications for summary judgment and conditional orders in respect of a fraud defence to the enforcement of a guarantee given by a property developer. Defence struck out following non-compliance with conditional orders.

Acting for a bank in connection with allegations of negligence arising from its involvement with businesses controlled by Bernie Madoff.

Acting in a claim involving allegations that a bank induced a repudiatory breach of contract by a party to a \$3 billion asset sale and purchase agreement.

Acting for a bank in multi-party proceedings concerning allegations of negligent financial modelling and auditing for a major PFI project.

Advising a major bank in relation to PPI claims.

Acting for a bank in a fraud action concerning the misappropriation of funds advanced to the government of Ukraine to upgrade airport safety.

Mahonia v WestLB

Acting for the defendant in an action concerning the enforceability of a \$150 million letter of credit taken out in respect of a transaction involving Enron.

Advising the FSA on the implementation of MIFID.

Civil Fraud

Paul has considerable experience of advising and acting in civil fraud claims, including cases involving deceit, bribery, false accounting, dishonest assistance, knowing receipt, and equitable remedies.

Notable Civil Fraud cases

Autonomy/Hewlett-Packard v Lynch & Hussain

Sole counsel for the second defendant in what is said to be the largest fraud trial ever heard in the English courts. The litigation arose from the acquisition of Autonomy Plc by Hewlett-Packard and involved allegations that the former CEO and CFO of Autonomy were party to a substantial accounting fraud. Damages of c.\$ 5 billion were claimed under FSMA s. 90A and for breach of fiduciary duty, breach of contract, and misrepresentation.

Recovery Partners GB Ltd & Anr v Rukhadze & Ors [2019] Bus LR 1166

Acting for the defendants in a \$200 million claim that a group of LLP partners and employees had diverted an asset recovery and private equity opportunity in breach of their fiduciary duties and had misused confidential information.

Peak Hotels & Resorts Ltd v Tarek Investments Ltd

Acting for a defendant to a \$50 million claim that investments in a luxury hotel and resorts chain had been procured by fraud.

Bank Alkhair v Al Refai

Acting for the claimant to enforce a number of foreign judgments which the defendant alleged had been procured by fraud on the foreign court.

(1) Dar Al Arkan Real Estate Company (2) Bank Alkhair v Al Refai & Ors

Acting for the claimants in a \$800 million claim against the former CEO of a Bahraini bank and others for conspiracy and breach of confidence. Issues included whether the shares in the bank were held in breach of Bahraini securities law and whether the bank had entered into a series of unlawful disguised trades with a related party.

Advising professional services providers in connection with claims arising from their involvement with businesses controlled by Bernie Madoff.

Acting for the defendant to a \$170 million LCIA arbitration concerning whether a put option in respect of shares in a CIS telecommunications company had been procured by fraud.

VTB Capital Plc v Nutritek & Ors

Acting for the principal defendant in ancillary and substantive BVI proceedings and English proceedings concerning an alleged conspiracy to obtain a \$240 million loan from the claimant bank. Issues included interim injunctions, jurisdiction, Russian law and the enforcement of cross-undertakings on a freezing injunction.

Energy Venture Partners v Malabu Oil & Gas Ltd [2014] EWHC 1390 (Comm)

Acting for the claimant in an application for a post-judgment freezing injunction.

Acting for a major construction company alleged to have been party to a conspiracy to “black-list” trade union activists and to commit breaches of the Data Protection Act.

PJSC “Aeroflot - Russian Airlines” v Berezovsky & Ors

Acting for a defendant to a claim that the defendants had embezzled substantial amounts from the Russian state airline.

Commercial Disputes

Notable Commercial Disputes cases

Gudavadze v Anisimov

Acting for the claimant in a \$1 billion claim for an interest in the shares of a Russian metals business. Issues included jurisdiction, conflict of laws, Russian and Georgian law, asset tracing and complex facts spanning a period of around 12 years.

Berezovsky v Hine litigation

Acting in a number of separate multi-billion dollar actions arising from an alleged joint venture between CIS oligarchs. Issues dealt with included breach of trust and fiduciary duty, Russian law, Russian asset valuation, a large scale disclosure exercise, forensic accountancy, asset tracing, and privilege.

Qioptiq Ltd v Teledyne Scientific Imaging LLC

Acting for a defence industry manufacturer in proceedings relating to the alleged breach of a distribution agreement with a US defence contractor. Issues included jurisdiction and US and UK regulation of military equipment.

Xytis Pharmaceuticals Sarl v London School of Hygiene & Tropical Medicine

Acting for the defendant in injunctive proceedings and at an expedited trial in which a bio-tech company alleged that an international clinical drugs trial had been conducted negligently.

Acting for one of the competing parties in interpleader proceedings concerning the ownership of substantial funds held in Switzerland and Gibraltar.

Acting for British Airways in a claim for damage to a Boeing 747 aircraft as a result of a collision at Heathrow Airport.

Acting in an ad hoc arbitration to determine whether a commission was payable in connection with the raising of finance for a very substantial property acquisition.

Acting in a series of food contamination claims.

Resisting a \$100 million freezing injunction sought following the settlement of substantial litigation in support of a purported litigation funding agreement.

Employment

Wide experience of acting and advising on employment and agency proceedings, in particular, relating to business diversion and unlawful competition, breach of confidence; carried interest, and restrictive covenants.

Notable Employment cases

Recovery Partners GB Ltd & Anr v Rukhadze & Ors [2019] Bus LR 1166

Acting for the defendants in a \$200 million claim that a group of LLP partners and employees had diverted an asset recovery and private equity opportunity in breach of their contractual and fiduciary duties, and had misused confidential information.

Acting and advising in arbitral disputes concerning the carried interest rights of investment managers.

Acting for a senior partner of a major city law firm defending allegations of breach of restrictive covenants.

Acting for and against financial services and city workers in connection with restrictive covenants and confidential information.

Acting for a mine owner in proceedings concerning the supply of miners and mineworkers by an industrial recruitment agency.

Acting for a major communications company in proceedings to enforce the restrictive covenants in the contract of its former sales director for EMEA.

Acting for an investment fund defending a protected disclosures/unfair dismissal claim by a former fund manager.

Advising the Criminal Bar Association on the employment aspects of the LSC's proposed scheme for contracts for representation in high value criminal cases.

Directory Quotes

"Super bright, commercially astute and procedurally excellent. Very affable and a real pleasure to work with. His drafting skills are second to none."

The Legal 500

"A very good and courageous performer, with excellent judgment."

The Legal 500

"An appealing advocate who has good judgement." "He gets up to speed exceptionally quickly, and displays enormous intellect, insight and practicality."

Chambers & Partners

"Paul is super bright. He absorbs the detail rapidly. He is always willing to roll his sleeves up and work as part of the team. His written material is always logical, persuasive and compelling."

The Legal 500

"Paul writes very well, and is both effective and concise in cross-examination."

Chambers & Partners

"His strategic thinking and drafting are both exceptional, and his knowledge of procedure is really impressive."

Chambers & Partners

"Paul Casey is smart, tremendously nice and brilliant on every level. When he produces work it arrives quickly."

Chambers & Partners

Directory Rankings

Chambers & Partners

- Commercial Dispute Resolution

The Legal 500

- Commercial Litigation

Education

- CPE/Diploma in Law (Commendation), City University
- Phil in Medieval History (Distinction), Trinity College Cambridge
- BA History (Double First), Trinity College Cambridge

Appointments, Memberships and Prizes

- Major Scholarship, Inner Temple (2001)
- Princess Royal Scholarship, Inner Temple (2000)
- British Academy Award for Postgraduate Study (1999)
- Research Scholarship, Trinity College Cambridge (1999)
- Walker Prize, Trinity College Cambridge (1999)
- College Prizes, Trinity College Cambridge (1998 & 1999)
- Senior Scholarship, Trinity College Cambridge (1998)
- Choral Scholarship, Trinity College Cambridge (1996)

Awards

