



Paul Sinclair KC

Call 1997 | Silk 2018

"He is highly cerebral, measured and engaging in advisory mode, commanding and highly effective on his feet."

Chambers & Partners

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Paul Sinclair KC is an advocate specialising in commercial litigation, civil fraud, banking and international arbitration, with particular expertise in Africa and the Middle East.

He has been recently described in the directories as a *"formidable intellectual and authoritative presence in court"* and *"a master of the skills required by an advocate in the commercial court. He can present a complex legal of factual argument briefly and clearly, and with unadorned simplicity."* Paul is also commended for *"always getting results"*.

Paul has acted in some of the major commercial disputes in recent years including *Unitel SA v UIH BV*, *Riley v Nat West Bank*, *Morley v RBS*, *London Executive Aviation v RBS*, *PAG v RBS*, *Peak Hotels* and *JKX Oil & Gas*. He regularly appears before the High Court, Court of Appeal and Supreme Court. He also carries out a wide variety of advisory work.

As well as specialising in civil fraud, banking, shareholder disputes, insurance and reinsurance and aviation, Paul has particular expertise in questions of interest rate swaps, LIBOR claims, guarantees, non-justiciability/immunity and economic torts. Paul is particularly experienced in interlocutory injunctions and freezing orders including internet and phishing fraud and complex disputes. Paul has particular experience with African and Middle Eastern disputes having been involved in a variety of claims involving interests or disputes relating to (among others) Angola, Nigeria, Equatorial Guinea, Palestine, Israel, UAE, Bahrain, Iraq and Kuwait.

Recent Highlights

Unitel SA v Unitel International Holdings BV [2023] EWHC 3231 (Comm)

Acting for the Angolan Telecoms company, Unitel SA, in pursuing a claim for in excess of US\$300 million against the daughter of the former President, Isabel dos Santos, and her company. Successfully resisted a jurisdiction challenge and obtained an on notice freezing injunction against Ms dos Santos.

Riley v National Westminster Bank plc [2023] EWHC 2401 (Ch)

Successfully striking out a multimillion claim in fraud against the Bank on grounds of a prior settlement deed notwithstanding allegations of unknown fraud and that the deed was itself procured by fraud.

Oliver Morley (t/a Morley Estates) v Royal Bank of Scotland [2020] EWHC 88 (Ch), [2022] 1 All ER (Comm) 703 (CA)

Acting for the successful bank in a three-week trial concerning allegations of economic duress, intimidation and breach of duties of good faith. The Court was asked to resolve issues concerning RBS's GRG Division and West Register. Paul also successfully opposed the claimant's appeal in the Court of Appeal which considered the scope of the bank's duties to customers and the torts of economic duress and intimidation.

Arani and Others v Cordic Group Ltd [2023] EWHC 95 (Comm)

Acting for the successful purchasers in a claim for fraudulent breach of warranty arising out of the sale of a taxi and despatch software company. The claim involved complex factual allegations and issues concerning quantification and causation in breach of warranty claims.

Von Westenholz v Gregson and another [2022] EWHC 2947 (Ch)

Acting for the non-executive directors in a claim concerning the failure to issue shares and allegations of breach of fiduciary duty and economic torts. The case involved a detailed consideration of inconsistent dealing and the Guardian Trust jurisdiction imposing liability on trustees when dealing with disputed trust property.

Expertise

AI, Crypto & Technology

Notable AI, Crypto & Technology cases

Arani and Others v Cordic Group Ltd [2023] EWHC 95 (Comm)

Acting for the successful purchasers in a claim for fraudulent breach of warranty arising out of the sale of a taxi and despatch software company. The business model involved SaaS (Software as a Service) and cloud computing and complex technical expert evidence. The claim involved complex factual allegations and issues concerning quantification and causation in breach of warranty claims.

Al-Alaiwi v Rotimi

Acting for the Claimants in a phishing fraud in which he obtained freezing injunctions and Bankers Trust relief.

Ministry of Justice of Iraq v Richmond

Acting for the Claimant in a claim arising out of a phishing fraud in which he has obtained freezing injunctions against the four defendants as well as Bankers Trust relief.

Aviation & Travel

Paul has acted in numerous cases concerning aviation, in particular aviation finance disputes. He is the author of Chapter in *Bullen & Leake on Aviation* with a particular specialism in regulation of drones and similar technology.

Reported Aviation & Travel cases

Novus Aviation Ltd v Alubaf Arab International Bank BSC

Acting for the successful claimant in a 6 day trial before Leggatt J in which he successfully enforced a rudimentary 'Commitment Letter' in an aviation finance context. The case concerned issues of actual and apparent authority, intention to create legal relations, certainty and execution.

Jet 2.com v Blackpool Airport

Commercial court claim concerning obligation of airport to remain open to accept flights by claimant airline outside its normal operating hours.

Notable Aviation & Travel cases

London Executive Aviation Ltd v Royal Bank of Scotland Plc

Acting for the successful bank in the 11 day trial against a small aviation company.

Company A v Company B

Claim concerning ownership of disputed aircraft parts following Monarch administration.

Company A v Company B

Acting for company involved in repair of aircraft and components and supply of in-flight entertainment in confidential commercial dispute.

Airline v Aircraft Manufacturer

Acting confidentially for a well known airline concerning its rights and obligations under a multi-million dollar contract for the purchase of several aircraft.

Company A v Company B

Acting confidentially for a Russian company concerning rights under various English law contracts for the acquisition of aircraft including enforcement of aircraft mortgages in England and offshore jurisdictions.

Airline v Aircraft Maintenance Company

Acting confidentially for a well-known national flag carrier concerning a claim for damage to an aircraft caused by an aircraft maintenance company.

Banking & Finance

Paul has unrivalled experience of dealing with LIBOR, mistreatment and mis-selling claims having successfully acted for banks on a large number of such cases all the way to trial and on appeal. He has acted for Royal Bank of Scotland, National Westminster Bank, HSBC and Barclays Bank on numerous claims concerning alleged mis-selling of interest rate swaps and misrepresentation including LIBOR, ISDA and GRG claims. Other subject matters include cheque conversion, breach of mandate, bailment and a variety of disputes concerning the enforceability of securities, including guarantees and mortgages.

Reported Banking & Finance cases

Riley v National Westminster Bank PLC [2023] EWHC 2401 (Ch)

Paul acted for the Bank in a successful application to strike out a fraud claim involving allegations concerning the steps taken by the Bank to deal with bad debts during the financial crisis. The application involved consideration of a prior settlement deed and the suggestion it did not extend to unknown fraud claims. The Court also considered complex issues on limitation grounds.

CJ & LK Perk Partnership v Natwest Markets Plc [2022] EWHC 726 (Comm)

Acting for the successful bank in a trial concerning alleged failure to explain the risks of various interest rate swap agreements and alleged mistreatment by the bank leading to the claimant's insolvency.

Oliver Morley (t/a Morley Estates) v Royal Bank of Scotland [2020] EWHC 88 (Ch), [2019] EWHC 2865 (Ch) [2019] 4 WLR 152 and [2022] 1 All ER (Comm) 703 (CA)

Acting for the successful bank in a 3 week trial in November 2019 and in the Court of Appeal in 2021 concerning allegations of economic duress, intimidation and breach of duties of good faith. The Court was asked to resolve issues concerning RBS's GRG Division and West Register. The case also considered the circumstances in which a party was obliged to serve a witness summary and witness summons.

North Shore Ventures Ltd v Anstead Holdings Inc [2012] Ch 31

Acting for the successful claimant seeking to enforce guarantees in a case concerning the enforceability and variation of guarantees and the scope of non-disclosure.

Notable Banking & Finance cases

Riley v National Westminster Bank PLC [2023] EWHC 2401 (Ch)

Paul acted for the Bank in a successful application to strike out a fraud claim involving allegations concerning the steps taken by the Bank to deal with bad debts during the financial crisis. The application involved consideration of a prior settlement deed and the suggestion it did not extend to unknown fraud claims. The Court also considered complex issues on limitation grounds.

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Acting for the successful bank in a trial concerning alleged failure to explain the risks of various interest rate swap agreements and alleged mistreatment by the bank leading to the claimant's insolvency.

Oliver Morley (t/a Morley Estates) v Royal Bank of Scotland [2020] EWHC 88 (Ch), [2019] EWHC 2865 (Ch) [2019] 4 WLR 152 and [2022] 1 All ER (Comm) 703 (CA)

Acting for the successful bank in a 3 week trial in November 2019 and in the Court of Appeal in 2021 concerning allegations of economic duress, intimidation and breach of duties of good faith. The Court was asked to resolve issues concerning RBS's GRG Division and West Register. The case also considered the circumstances in which a party was obliged to serve a witness summary and witness summons.

London Executive Aviation Ltd v Royal Bank of Scotland plc [2018] EWHC 74 (Ch)

Acting for the successful bank in the 11 day trial concerning alleged mis-selling of interest rate swaps and misrepresentation, including in respect of the bank's CLU.

Property Alliance Group Ltd v Royal Bank of Scotland [2016] EWHC 3342 (Ch)

Acting for the successful bank in the groundbreaking PAG litigation, a 10 week trial in the financial list, which was the first civil claim concerning LIBOR manipulation as well as a leading authority on issues such as bankers' duties, good faith and implied terms.

Novus Aviation Ltd v Alubaf Arab International Bank BSC[2016] EWHC 1575 (Comm)

Acting for the successful claimant in a 6 day trial before Leggatt J in which he successfully enforced a rudimentary 'Commitment Letter' in an aviation finance context against a Middle Eastern bank. The case concerned issues of actual and apparent authority, intention to create legal relations, certainty and execution.

Claverton Holdings Ltd v Barclays Bank Plc [2015] EWHC 3603 (Comm)

Acting for the successful bank in a claim considering the relevant of similar fact evidence in the context of alleged complaints against a bank.

KB Asia v HSBC Bank(2013-2014)

Acting for the Bank in a claim concerning allegedly fraudulent calls for payment under Letters of Credit.

Civil Fraud

Paul is a specialist in commercial litigation and in particular civil fraud. He has considerable experience of acting and advising in connection with claims involving civil fraud, including breach of fiduciary duty, deceit, bribery, dishonest assistance, knowing receipt and equitable remedies. He has frequent experience of obtaining or setting aside freezing injunctions and other interim relief in the context of civil fraud claims, large and small including internet and phishing fraud.

Notable Civil Fraud cases

Unitel SA v Unitel International Holdings BV [2023] EWHC 3231

Acting for the Claimant in a US\$400 million claim by the Angolan state telecom giant against Isabel dos Santos, the African billionaire and daughter of the former President. Paul successfully resisted Ms dos Santos's challenge to the jurisdiction of the English Court and is pursuing claims against her for breach of fiduciary duty and granting of massive loans under a conflict of interest and without commercial justification. In December 2023 Paul successfully obtained an on notice freezing injunction against Ms Dos Santos.

Riley v National Westminster Bank plc [2023] EWHC 2401 (Ch)

Paul acted for the Bank in a successful strike out of a claim for fraudulent misrepresentation. The application involved consideration of the application of a prior settlement deed to allegedly unknown fraud claims and the allegation that the settlement deed had itself been procured by fraud.

Arani and Others v Cordic Group Ltd [2023] EWHC 95 (Comm)

Acting for the successful purchasers in a claim for fraudulent breach of warranty arising out of the sale of a taxi and despatch software company. The claim involved complex factual allegations and issues concerning quantification and causation in breach of warranty claims. The claim could only succeed on proof of fraud which Paul successfully established.

Von Westenholz v Gregson and another [2022] EWHC 2947 (Ch)

Acting for the non-executive directors in a claim concerning the failure to issue shares and allegations of breach of fiduciary duty and economic torts. The case involved a detailed consideration of inconsistent dealing and the Guardian Trust jurisdiction imposing liability on trustees when dealing with disputed trust property.

Adeem Investment Holding Co KSCH v Al-Humaidhi [2021] EWHC 1483 (Ch)

Acting for the claimants to a claim concerning alleged manipulation of the ownership of substantial shares in Aston Martin Lagonda Global Holdings. The case involved obtaining and maintaining freezing injunction relief together with complex multi-jurisdictional proceedings in England, Jersey and Kuwait.

Party A v Party B (2020)

Acting in confidential proceedings concerning forgery, misuse of trust funds and powers of attorney in relation to very substantial assets in England, Europe and the Middle East.

Oliver Morley (t/a Morley Estates) v Royal Bank of Scotland [2020] EWHC 88 (Ch)

Acting for the successful bank in a 3 week trial in November 2019 and in the Court of Appeal concerning allegations of economic duress and intimidation and breach of duties of good faith. The Court of Appeal's judgment included a careful analysis of the scope of these economic torts.

Philip Jackson v David Feeney

Acting for an applicant seeking payment out of frozen funds on a claim concerning payment processing services.

Super-Max Offshore Holdings v Rakesh Malhotra

Acting for the Defendant in proceedings concerning shareholder disputes and alleged contempt of court.

Phoenix Group Foundation v Cochrane

Acting for a party seeking variation to a cross undertaking in damages granted under a freezing injunction as part of a long-running fraud claim.

London Executive Aviation Ltd v Royal Bank of Scotland Plc

Acting for the successful bank in the 11 day trial concerning alleged mis-selling of interest rate swaps and misrepresentation, including in respect of the bank's CLU.

Holeszowski v Clydesdale Bank & Others

Acting for a Defendant, successfully striking out the claim for fraud and intimidation on limitation grounds and lack of substantive cause of action.

Abena UK Ltd v Zackaria

Acting for a director accused of theft and false accounting as well as misuse of company assets.

Parish v Danwood Group Ltd

Acting for the successful Defendants in a 5 day trial concerning allegedly fraudulent misrepresentation on share sales.

Commercial Disputes

Paul is a specialist in commercial dispute resolution acting in a wide variety of commercial disputes concerning banking, finance, contractual disputes as well as commercial claims including allegations of fraud and deceit.

Reported Commercial Disputes cases

Unitel SA v Unitel International Holdings BV and Isabel dos Santos [2023] EWHC 3231 (Comm)

Acting for the Claimant in a US\$400 million claim by the Angolan state telecom giant against Isabel dos Santos, the African billionaire and daughter of the former President. Paul successfully resisted Ms dos Santos's challenge to the jurisdiction of the English Court and is pursuing claims against her for breach of fiduciary duty and granting of massive loans under a conflict of interest and without commercial justification.

Oliver Morley (t/a Morley Estates) v Royal Bank of Scotland [2020] EWHC 88 (Ch), [2019] EWHC 2865 (Ch) [2019] 4 WLR 152 and [2022] 1 All ER (Comm) 703 (CA)

Acting for the successful bank in a 3 week trial in November 2019 and in the Court of Appeal in 2021 concerning allegations of economic duress, intimidation and breach of duties of good faith. The Court was asked to resolve issues concerning RBS's GRG Division and West Register. The case also considered the circumstances in which a party was obliged to serve a witness summary and witness summons.

American Leisure Group v Canaccord Genuity and others [2014] 1 WLR 4102

Acting for the Claimant in two linked US\$400m claims concerning professional negligence by advisors and directors in relation to certain Florida property investments. The case has raised several applications on issues regarding service including the period of validity of a claim form "to be served out of the jurisdiction" ([2014] EWHC 2101 (Ch)); rules concerning substitution of parties ([2015] PNLR 21); and submission to the jurisdiction; and Paul acted successfully in the Court of Appeal on the issue of assignment and title to sue ([2016] EWCA Civ 445).

Notable Commercial Disputes cases

Arani and Others v Cordic Group Ltd [2023] EWHC 95 (Comm)

Acting for the successful purchasers in a claim for fraudulent breach of warranty arising out of the sale of a taxi and despatch software company. The claim involved complex factual allegations and issues concerning quantification and causation in breach of warranty claims.

Riley v National Westminster Bank plc [2023] EWHC 2401 (Ch)

Paul acted for the successful bank in an application to strike out the claim which involved allegations of fraudulent misrepresentation.

Von Westenholz v Gregson and another [2022] EWHC 2947 (Ch)

Acting for the non-executive directors in a claim concerning the failure to issue shares and allegations of breach of fiduciary duty and economic torts. The case involved a detailed consideration of inconsistent dealing and the Guardian Trust jurisdiction imposing liability on trustees when dealing with disputed trust property.

Adeem Investment Holding Co KSCH v Al-Humaidhi [2021] EWHC 1483 (Ch)

Acting for the claimants to a claim concerning alleged manipulation of the ownership of substantial shares in Aston Martin Lagonda Global Holdings. The case involved obtaining and maintaining freezing injunction relief together with complex multi-jurisdictional proceedings in England, Jersey and Kuwait.

CJ & LK Perk Partnership v Natwest Markets Plc [2022] EWHC 726 (Comm)

Acting for the successful bank in a trial concerning alleged failure to explain the risks of various interest rate swap agreements and alleged mistreatment by the bank leading to the claimant's insolvency.

Oliver Morley (t/a Morley Estates) v Royal Bank of Scotland [2020] EWHC 88 (Ch)

Acting for the successful bank in a 3 week trial in November 2019 concerning allegations of economic duress, intimidation and breach of duties of good faith. The Court was asked to resolve issues concerning RBS's GRG Division and West Register.

YJB Port Limited v M&A Pharmachem [2019] EWHC 2117 (Ch), [2021] EWHC 42 (Ch)

Acting for the claimant in a Chancery trial concerning breach of a distributorship agreement in relation to a quasi-pharmaceutical product.

Philip Jackson v David Feeney [2018] EWHC 256 (Ch)

Acting for an applicant seeking payment out of frozen funds on a claim concerning payment processing services.

Super-Max Offshore Holdings v Rakesh Malhotra [2018]

Acting for the Defendant in proceedings concerning shareholder disputes and alleged contempt of court.

London Executive Aviation Ltd v Royal Bank of Scotland Plc [2018] EWHC 74 (Ch)

Acting for the successful bank in the 11 day trial concerning alleged mis-selling of interest rate swaps and misrepresentation, including in respect of the bank's CLU.

Parish v Danwood Group Ltd [2015] EWHC 940

Acting for the successful Defendants in a 5 day trial concerning allegedly fraudulent misrepresentation on share sales.

American Leisure Group v Canaccord Genuity & Others [2014] 1 WLR 4102

Acting for the Claimant in two linked US\$400m claims concerning professional negligence by advisors and directors in relation to certain Florida property investments. The case has raised several applications on issues regarding service including the period of validity of a claim form "to be served out of the jurisdiction" ([2014] EWHC 2101 (Ch)); rules concerning substitution of parties ([2015] PNLR 21); and submission to the jurisdiction; and Paul acted successfully in the Court of Appeal on the issue of assignment and title to sue ([2016] EWCA Civ 445).

De Vere v Seychelles (2013-2014)

Acting for the Defendants in a claim concerning early termination of a management agreement in relation to venues at Millbank Tower and a substantial counterclaim for allegedly poor management services.

Cavendish Corporate Finance v Kims Property [2014] EWHC 1282 (Ch)

Acting for the Claimants in a substantial Chancery case concerning non-payment of success fee to an agent arising out of a property transaction.

Berezovsky v Patarkatsishvili (2009-2012)

A number of separate actions worth in excess of US\$1 billion proceeding in the Chancery Division. Issues raised involved breach of trust and fiduciary duty, Russian law, private international law and complex factual issues. Procedural issues to date include freezing orders, search and seizure orders and jurisdiction disputes.

Kuwait Airways Corporation v Iraqi Airways Company & Others (2011-2012)

Acting for the Iraqi parties in this long-running litigation arising out of the destruction of aircraft during the first Gulf War. The current action concerned an attempt by KAC to enforce its US\$1.2bn judgment against the Republic of Iraq and certain Iraqi ministries. The claim involved issues of jurisdiction and immunity from adjudication and enforcement.

North Shore Ventures Limited v Anstead Holdings Inc & Others [2011] EWCA Civ 1634

Claim concerning liability of guarantors in respect of US\$50 million loan including, in particular, the scope of the creditor's obligation of disclosure to prospective guarantors and the validity of certificates under the guarantee. The judgment of the Court of Appeal resolves many issues in this significant area.

Company, Restructuring & Insolvency

Paul frequently acts in a variety of company and shareholder disputes including unfair prejudice petitions and claims concerning breach of statutory and fiduciary duties. He has appeared in the Supreme Court in a case concerning statutory duties under the Companies Act and frequently acts in an advisory capacity. He has acted as an expert witness on English company law matters in foreign arbitration.

Reported Company, Restructuring & Insolvency cases

Eclairs Group, Glengary Overseas Limited v JKC Limited [2016] 3 All ER 641

Acting for the successful Claimants in the initial trial before Mann J concerning the validity of restriction notices served by the company under powers in the Article of Association, on the appeal before the Court of Appeal and in the Supreme Court in May 2015. A leading authority on the scope of directors' duties.

Notable Company, Restructuring & Insolvency cases

In the matter of a company

Paul is acting on a confidential basis for a company, carrying out an investigation into corporate governance issues and advising on the same.

Arani and Others v Cordic Group Ltd [2023] EWHC 95 (Comm)

Acting for the successful purchasers in a claim for fraudulent breach of warranty arising out of the sale of a taxi and despatch software company. The claim involved complex factual allegations and issues concerning quantification and causation in breach of warranty claims. The claim could only succeed on proof of fraud which Paul successfully established.

Von Westenholz v Gregson and another [2022] EWHC 2947 (Ch)

Acting for the non-executive directors in a claim concerning the failure to issue shares and allegations of breach of fiduciary duty and economic torts. The case involved a detailed consideration of inconsistent dealing and the Guardian Trust jurisdiction imposing liability on trustees when dealing with disputed trust property.

Adeem Investment Holding Co KSCH v Al-Humaidhi [2021] EWHC 1483 (Ch)

Acting for the claimants to a claim concerning alleged manipulation of the ownership of substantial shares in Aston Martin Lagonda Global Holdings. The case involved obtaining and maintaining freezing injunction relief together with complex multi-jurisdictional proceedings in England, Jersey and Kuwait.

[Currently Confidential] (2020)

Acting for the directors of a company in relation to an unfair prejudice petition concerning health related company.

Turbo Service International v Richard Gale [2019-2020]

Acting for the company in a substantial claim concerning alleged breaches of statutory and fiduciary duties by a company finance director.

Shaw v Chart Hills (Holding) Limited [2019]

Acting for the successful claimant in a claim concerning the triggering of pre-emption rights in Articles of Association.

ASA Resource Group Ltd [2018] EWHC 3441 (Ch)

Acting for the successful director Defendants in an unfair prejudice petition and conspiracy claim concerning mining assets in Africa.

Super-Max Offshore Holdings v Rakesh Malhotra [2018]

Acting for the Defendant in proceedings concerning shareholder disputes and alleged contempt of court.

In the matter of Tariq Halal Meats [2018]

Acting for the Applicant in an unfair prejudice petition concerning a chain of highly successful Halal butchery franchises.

Ashdown v Griffin (Re Adbins Limited)[2018] EWCA Civ 1793; [2017] EWHC 2601 (Ch)

Acting for the successful Respondents in an unfair prejudice petition concerning a company associated with Addison Lee and the management of outdoor cigarette bins.

Peak Hotels & Resorts Limited v Tarek Investments Ltd [2015] EWHC 1997 (Ch)

Acting for one of the Defendants in the Peak Hotels litigation which concerned disagreements between joint venturers in relation to a well known luxury hotel chain.

Parish v Danwood Group Ltd [2015] EWHC 940

Acting for the successful Defendants in a 5 day trial concerning allegedly fraudulent misrepresentation on share sales.

Abena UK Ltd v Zackaria [2015] EWHC 3416 (QB)

Acting for a director accused of theft and false accounting as well as misuse of company assets.

Liquidators of OEM Plc v Noonan & Others (2014-2015)

Acting for one of the Defendants in a claim for misfeasance and/or breach of duty under s.212 Insolvency Act 1986 following the liquidation of OEM Plc.

Financial Services

Reported Financial Services cases

Oliver Morley (t/a Morley Estates) v Royal Bank of Scotland [2020] EWHC 88 (Ch), [2019] EWHC 2865 (Ch) [2019] 4 WLR 152

Paul acted for the successful bank in a 3 week trial in November 2019 concerning allegations of economic duress, intimidation and breach of duties of good faith. The Court was asked to resolve issues concerning RBS's GRG Division and West Register. The case also considered the circumstances in which a party was obliged to serve a witness summary and witness summons.

North Shore Ventures Ltd v Anstead Holdings Inc [2012] Ch 31

Paul acted for the successful claimant seeking to enforce guarantees in a case concerning the enforceability and variation of guarantees and the scope of non-disclosure.

Notable Financial Services cases

CJ & LK Perk Partnership v Natwest Markets Plc [2022] EWHC 726 (Comm)

Acting for the successful bank in a trial concerning alleged failure to explain the risks of various interest rate swap agreements and alleged mistreatment by the bank leading to the claimant's insolvency.

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London Executive Aviation Ltd v Royal Bank of Scotland plc [2018] EWHC 74 (Ch)

Acting for the successful bank in the 11 day trial concerning alleged mis-selling of interest rate swaps and misrepresentation, including in respect of the bank's CLU.

Property Alliance Group Ltd v Royal Bank of Scotland [2016] EWHC 3342 (Ch)

Acting for the successful bank in the groundbreaking PAG litigation, a 10 week trial in the financial list, which was the first civil claim concerning LIBOR manipulation as well as a leading authority on issues such as bankers' duties, good faith and implied terms.

Novus Aviation Ltd v Alubaf Arab International Bank BSC[2016] EWHC 1575 (Comm)

Acting for the successful claimant in a 6 day trial before Leggatt J in which he successfully enforced a rudimentary 'Commitment Letter' in an aviation finance context against a Middle Eastern bank. The case concerned issues of actual and apparent authority, intention to create legal relations, certainty and execution.

Claverton Holdings Ltd v Barclays Bank Plc [2015] EWHC 3603 (Comm)

Acting for the successful bank in a claim considering the relevance of similar fact evidence in the context of alleged complaints against a bank.

KB Asia v HSBC Bank(2013-2014)

Acting for the Bank in a claim concerning allegedly fraudulent calls for payment under Letters of Credit.

Insurance

Advisory work and litigation in wide variety of large and small insurance and reinsurance disputes.

Reported Insurance cases

Involnert Management Inc v Aprilgrange Ltd [2015] 2 Lloyd's Rep 289

Acting for the Claimant at the 11 day trial of a €13 million insurance dispute concerning the destruction of a yacht by fire and defences of non-disclosure and misrepresentation concerning valuation.

Notable Insurance cases

Party A v Party B (2015)

Acting for Claimant in a confidential claim concerning village green insurance.

Party A v Party B (2014)

Acting for the Defendants in a confidential arbitration concerning payment of reinstatement premiums under certain contracts in the context of WTC claims.

Aviva Insurance v Primary General Insurance (2012-2014)

Acting for Primary General Insurance in a £15 million claim concerning misrepresentation and duress in relation to a binding authority agreement.

Involvement in a large number of confidential reinsurance and insurance arbitrations and/or in confidential pre-litigation advisory work including in relation to ARIAS arbitrations; advice to capital provider of funds at Lloyd's on application of reinsurance recoveries; proposed dispute in Commercial Court concerning professional indemnity.

International Arbitration

Considerable experience of involvement in numerous insurance and reinsurance and other commercial arbitrations including ICC, LCIA and ARIAS arbitrations. Disputes have involved insurance and reinsurance, supply agreements and joint venture agreements.

Reported International Arbitration cases

Kruppa v Benedetti [2014] 2 Lloyd's Rep 421 [2014] 2 All ER (Comm) 617

Acting for the Claimant in a substantial Commercial Court claim arising out of alleged breach of a Shareholders Agreement. The case involved a successful application by Paul that an arbitration clause was unenforceable.

Notable International Arbitration cases

International Energy Company v Middle Eastern Government [2018-2020]

Acting for a Middle Eastern government in a confidential ICC Arbitration concerning alleged breach of agreements to supply energy related equipment and very substantial alleged losses arising.

B v J [2020] EWHC 1373 (CH)

Paul is acting for the Defendants in a confidential ad hoc arbitration concerning a dispute between closely connected parties in the running of a commercial enterprise largely based in an African energy sector including successfully resisting an application to remove an appointed arbitrator on grounds of bias.

Party A v Party B (2017-2018)

ICC Arbitration between company and agent concerning film finance issues.

Offshore

Reported Offshore cases

Kruppa v Benedetti [2014] 2 Lloyd's Rep 421 [2014] 2 All ER (Comm) 617

Acting for the Claimant in a substantial Commercial Court claim arising out of alleged breach of a Shareholders Agreement. The case involved a successful application by Paul that an arbitration clause was unenforceable.

Notable Offshore cases

Adeem Investment Holding Co KSCH v Al-Humaidhi [2021] EWHC 1483 (Ch)

Acting for the claimants to a claim concerning alleged manipulation of the ownership of substantial shares in Aston Martin Lagonda Global Holdings. The case involved obtaining and maintaining freezing injunction relief together with complex multi-jurisdictional proceedings in England, Jersey and Kuwait.

International Energy Company v Middle Eastern Government [2018-2020]

Acting for a Middle Eastern government in a confidential ICC Arbitration concerning alleged breach of agreements to supply energy related equipment and very substantial alleged losses arising.

B v J [2020] EWHC 1373 (CH)

Acting for the Defendants in a confidential ad hoc arbitration concerning a dispute between closely connected parties in the running of a commercial enterprise largely based in an African energy sector including successfully resisting an application to remove an appointed arbitrator on grounds of bias.

Party A v Party B (2017-2018)

ICC Arbitration between company and agent concerning film finance issues.

Directory Quotes

"Extremely responsive, commercial in his approach and very strong on his feet and in writing. Robust and effective under pressure, an impressive advocate."

The Legal 500

"He is very calm under pressure, cross-examines very effectively and always has everything under control." "He is exceptional. A very good, tough and fair opponent."

Chambers & Partners

"Very strong on his feet, utterly charming and someone with an impressively analytical brain. He is very robust and very decisive, as well as a man of detail."

Chambers & Partners

"Measured and eloquent in court and entirely professional in his dealings, he is an effective and intelligent cross-examiner."

The Legal 500

"Paul is a master of the skills required by an advocate in the commercial court. He can present a complex legal or factual argument briefly and clearly, with unadorned simplicity."

The Legal 500

"A confident and trenchant advocate who gives his clients a first-rate service, and who can also make a very difficult

case seem attractive to the court."

The Legal 500

"A formidable intellectual and authoritative presence in court and with clients."

Chambers & Partners

"Quickly picks up the issues and gets straight to the key points - he's good at stripping away anything that's irrelevant. Judges trust what he's saying, respect him and find it easy to agree with his arguments. He presents things very attractively."

Chambers & Partners

"A calm and steady hand in the most factually complex commercial disputes, and a pleasure to work with to boot."

The Legal 500

Directory Rankings

Chambers & Partners

- Banking & Finance

The Legal 500

- Banking & Finance
- Commercial Litigation

Education

- ICSL (Outstanding)
- M (Magna cum laude, equiv.), Harvard
- A (First Class Honours), Cambridge

International Bar / Court Appointments

- Ad hoc admission to the Gibraltar Bar

Publications

- Contributor to *Trusts and Trustees*
- Contributor to *Insurance and Reinsurance Law Briefing and International Banking & Financial Law*
- Contributing Editor of *Commercial Court Procedure* (Sweet & Maxwell)
- Contributor to Bullen & Leake & Jacob's *Precedents of Pleadings* on aviation precedents (Sweet & Maxwell)
- Joint author, *Carriage by Air* (Butterworths)
- The "Aviation" section in Bullen Leake & Jacob's *Precedents of Pleadings*

Languages

- French (working knowledge)

Awards

