



Samuel Rabinowitz

Call 2016

"One of the cleverest and most able juniors around - searing intellect, delightfully modest about his incredible abilities, and puts 150% into every case. Faultless drafting and inspires confidence in all his clients."

The Legal 500

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Samuel Rabinowitz has a broad practice including in commercial litigation, civil fraud, sports law, banking & finance and professional negligence.

He is ranked by The Legal 500 for both Commercial Litigation and Fraud: Civil, and has been called to the Bar in the British Virgin Islands.

Sam specialises, in particular, in sports law. He has acted both for and against regulatory bodies, clubs, players/athletes, club directors and agents across a range of sports, both in the High Court and in various arbitral settings.

He recently undertook a secondment at the specialist sports law firm Onside Law and is a member of the FA's National Serious Case Panel for the 2023-24 and 2024-25 seasons.

Sam is a contributor to The Practitioner's Guide to Global Investigations (GIR, 4th to 8th editions, 2020-2024): chapter on "Privilege: The UK Perspective", with Tamara Oppenheimer KC and Rebecca Loveridge, and a contributing writer of articles for Law in Sport.

From January to July 2018, Sam was a full-time Judicial Assistant at the Commercial Court. Sam assisted in this capacity on various trials and other interlocutory, case management and injunctive hearings, including as judicial assistant to Popplewell J, Cockerill J, Robin Knowles J and Bryan J.

Recent Highlights

HRH Princess Deema Bint Sultan Bin Abdulaziz Al Saud v Ronald Gibbs [2024] EWHC 356 (Comm)

Acting for the claimant (led by Simon Atrill KC) in Commercial Court proceedings relating to the failure of the defendant, a former partner at a City law firm, to return to the claimant US\$25 million that had been transferred to him to invest on the claimant's behalf, and consequential losses suffered as a result. The case, which was widely publicised in the national press, involved allegations of breach of contract, misrepresentation, breach of trust/fiduciary duty and contractual estoppel, and until the claims were narrowed following the claimant's successful application for summary judgment on certain of her claims, claims were also brought in knowing receipt, unjust enrichment and negligence, under English, Swiss and/or Saudi law. At trial the claimant obtained an award of

US\$39.7 million. Sam appeared unled in some of the many interlocutory and consequential hearings in these proceedings and related enforcement proceedings in the Chancery Division.

Confidential sports cases

Acting in, and advising in relation to, various sporting disputes and investigations in both the High Court and in arbitral settings including the London Court of International Arbitration and various independent arbitral panels convened by particular sporting bodies.

Terre Neuve & Ors v Yewdale & Ors

Acting for the claimants (led by, variously, Alain Choo-Choy KC, Alex Barden and Simon Atrill), in civil fraud proceedings involving allegations under Swiss and French law of breach of contract, unjust enrichment, breach of fiduciary duties, money laundering and various other breaches of civil and criminal provisions. Hearings included a series of jurisdiction challenges, resulting in particular in the judgment of Bryan J at [2020] EWHC 772 (Comm) on, among other things, the scope of jurisdiction agreements. Sam also appeared unled in the interlocutory procedural hearing at [2020] 7 WLUK 73.

Care Tree Invest 2 Ltd v Bell [2023] EWHC 1151 (Comm)

Acting for the claimant (led by James Cutress KC) in a trial relating to the defendant's fraudulent misrepresentation and breach of warranty in the sale, to the claimant, of a portfolio of care homes during the Covid-19 pandemic. The defendant admitted breach and misrepresentation and so the trial mostly related to the quantum of damage, as to which the claimant successfully recovered the majority of the damages claimed.

Wilton Trustees (IoM) Ltd & Anor v AFS Trustee Ltd & Ors BVIHC (COM) 2018/154

Acting for the claimants (led by Camilla Bingham KC) in civil fraud proceedings in the BVI Commercial Court and Eastern Caribbean Court of Appeal, arising out of the Steinhoff accounting scandal in South Africa and involving allegations of conspiracy, dishonest assistance, knowing receipt, misrepresentation and breach of trust against multiple defendants.

Expertise

Banking & Finance

Notable Banking & Finance cases

CNM Estates (Tolworth Tower) Ltd v VeCREF I SARL & others

Acting (led by Tamara Oppenheimer KC) for the lender defendants in a circa £45 million claim for alleged breaches of loan agreements entered into in relation to a property development.

J Jeffery (Builder) Limited v Santander UK Plc

Acting for the defendant bank (led by Tamara Oppenheimer KC) in the two-week trial in July 2019 of an interest rate swap mis-selling claim.

Advice to a European Football Association

Advising a European football association in relation to its potential causes of action against a bank arising out of a fraud committed on the football association concerning the provision of video assistant referee (VAR) services.

Acting (as sole counsel) for Barclays Bank in relation to the County Court trial of a case of alleged misselling of payment protection insurance (2022; and, as adjourned, 2023).

CCUK Finance Ltd & Anor v Barclays Bank Plc [2018] EWHC 304 (Comm)

Judicial assistant to Popplewell J during the hearing. An application for summary judgment on particular heads of relief in a claim involving allegations of misselling of credit card accounts by a bank.

(As a pupil) assisting various members of Chambers in defending claims concerning the alleged mis-selling of interest rate hedging products, including claims alleging LIBOR manipulation.

(As a pupil) assisting in the defence of a claim against a bank relating to the alleged breach of a loan facility.

Civil Fraud

Notable Civil Fraud cases

HRH Princess Deema Bint Sultan Bin Abdulaziz Al Saud v Ronald Gibbs [2024] EWHC 356 (Comm)

Acting for the claimant (led by Simon Atrill KC) in Commercial Court proceedings relating to the failure of the defendant, a former partner at a City law firm, to return to the claimant US\$25 million that had been transferred to him to invest on the claimant's behalf, and consequential losses suffered as a result. The case, which was widely publicised in the national press, involved allegations of breach of contract, misrepresentation, breach of trust/fiduciary duty and contractual estoppel, and until the claims were narrowed following the claimant's successful application for summary judgment on certain of her claims, claims were also brought in knowing receipt, unjust enrichment and negligence, under English, Swiss and/or Saudi law. At trial the claimant obtained an award of US\$39.7 million. Sam appeared unled in some of the many interlocutory and consequential hearings in these proceedings and related enforcement proceedings in the Chancery Division.

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Chancery Court proceedings

Acting for two (of the four) defendants, initially as sole counsel, subsequently led by Simon Atrill, in a claim in the High Court, Chancery Division, defending allegations of, among other things, the wrongful use of trust funds and management without authority of trust assets by the beneficiary of a trust and associated persons/ companies.

FM Capital Partners Ltd v Marino & Ors [2018] EWHC 1768 (Comm)

Judicial assistant to Cockerill J during the trial. A civil fraud claim brought by a company against its former director and his associate, involving allegations of conspiracy, dishonest assistance, knowing receipt, bribery and breach of fiduciary duties, and raising issues relating to the conflict of laws, Swiss law and adverse inferences.

Group Seven Ltd & Ors v Notable Services LLP & Ors [2018] PNLR 6, [2017] EWHC 2466 (Ch)

Assisting Simon Atrill (as a pupil) in acting for the claimants relating to claims in dishonest assistance, knowing receipt and conspiracy against multiple defendants arising out of a fraud.

Commercial Disputes

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Municipality of Mariana & Ors v BHP Billiton plc (the Fundão Dam Litigation)

Acting as part of the counsel team for the claimants in a circa \$5 billion claim brought by over 200,000 individuals, businesses, municipalities and others in relation to the collapse of the Fundão dam in Brazil in November 2015. One of *The Lawyer's* 'Top 20 Cases' of 2020.

Katara v Guez [2018] EWHC 3063 (Comm)

Acting for the claimant (led by Stuart Ritchie KC) in the two-week trial of a €65 million claim to enforce a guarantee arising out of the sale of the business which held the Buddha Bar franchise.

Residential Facilities Management v Binani

Acting for the claimant (led by Craig Ulyatt) in a claim for unpaid fees and disbursements; appearing (as sole counsel) in the Urgent Applications Court in the High Court to obtain a stay of a Court Order and an extension of time to file evidence.

Keen Thinking v Jikoni

Acting (as sole counsel) for a restaurant in setting aside default judgment in the County Court in relation to a claim regarding the recruitment of a chef.

O3B Africa Ltd v Interactive E-Solutions JLT & Anor [2018] EWHC 2072 (Comm)

Judicial assistant to Robin Knowles J during the trial of a contractual dispute regarding the delivery of mobile telecommunications in Pakistan.

Reliance Industries Ltd and BG Exploration & Production India Ltd v Union of India [2018] EWHC 822 (Comm)

Judicial assistant to Popplewell J during the hearing. A series of challenges to an arbitration award under sections 67, 68 and 69 of the Arbitration Act 1996.

Blue v Ashley [2017] EWHC 1928 (Comm)

Assisting Simon Atrill (as a pupil) in acting for the claimant, Mr Blue, in a trial on whether a binding contract had been entered into with Mike Ashley on the basis of an alleged oral agreement reached in a pub.

Privilege, Confidentiality & Conflicts of Interest

Notable Privilege, Confidentiality & Conflicts of Interest cases

ENRC v Dechert LLP and David Neil Gerrard [2020] EWHC 1002 (Comm)

Acting (with Anna Boase KC, Tamara Oppenheimer KC, Tim Akkouh and Alyssa Stansbury) for the claimant in relation to issues of legal professional privilege arising upon the defendants' disclosure challenge, in proceedings in which the claimant alleged negligence, breach of fiduciary duty and breach of contract against its former solicitors. One of *The Lawyer's* 'Top 20 Cases' of 2021.

Tchenguiz v Grant Thornton UK LLP & Ors

Acting as part of the counsel team for Grant Thornton in relation to privilege issues in a large civil fraud and conspiracy claim. One of *The Lawyer's* 'Top 20 Cases' of 2018.

The Director of the SFO v ENRC [2017] 1 WLR 4205, [2017] EWHC 1017 (QB)

Assisting Tamara Oppenheimer (as a pupil) in acting for the claimant in a trial relating to issues of legal professional privilege.

Professional Negligence

Notable Professional Negligence cases

J Jeffery (Builder) Limited v Santander UK plc

Acting for the defendant bank (led by Tamara Oppenheimer) in the two-week trial in July 2019 of an interest rate swap mis-selling claim.

Hassan Khan and The Khan Partnership v Al-Shanfari and Al Rawas

Acting (as sole counsel) for the claimants in a CMC in the High Court (QBD), dealing with questions of a split-trial and expert evidence in a case involving unpaid legal fees and allegations of professional negligence.

Assetco Plc v Grant Thornton UK LLP [2019] EWHC 150 (Comm)

Judicial assistant to Bryan J during the trial. A professional negligence claim relating to an auditor's failure to detect management fraud and raising issues of legal causation and damages based on the loss of a chance.

Assisting a member of Chambers (as a pupil) in acting for the claimant in relation to a professional negligence claim against a law firm.

Sports

Notable Sports cases

Football managerial dispute

Acting (as junior counsel) for a football club in its dispute with a former manager.

Premier League and FA investigation

Advising an officer of a Premier League football club in relation to an investigation by the FA and Premier League.

Formula 1 arbitration

Acting (as junior counsel) in F1 arbitration proceedings.

Boxing agency dispute

Acting (as junior counsel) for a boxing agency in its dispute with a boxer client.

Boxing appeal

Acting (as junior counsel) for a boxing agency in its dispute with a boxer client.

Cycling dispute

Acting for a professional cycling team in relation to a dispute with a rider.

Football agency dispute

Advising a former Premier League footballer in relation to a dispute with his agent.

Rugby dispute

Advising on matter relating to Premiership rugby club.

Advice to a European Football Association

Advising a European football association in relation to its potential causes of action against a bank arising out of a fraud committed on the football association concerning the provision of video assistant referee (VAR) services.

National Serious Case Panel, Football Association

Appointed to the FA's National Serious Case Panel for the 2023-24 and 2024-25 seasons. The panel adjudicates on serious disciplinary cases arising in grassroots football.

Disciplinary and Appeals Panel Member, Western District Cricket Union of Scotland

Sam served as a member of the disciplinary and appeals panel for the Western District Cricket Union of Scotland.

Directory Quotes

"Sam is a highly intelligent barrister, who pays exceptional attention to detail across all facets of a claim, meaning he

can think creatively about arguments and identify new angles within a case."

The Legal 500

Directory Rankings

The Legal 500 – UK

- Commercial Litigation
- Fraud: Civil

Education

- City Law School: BPTC (Outstanding)
- Jesus College, Oxford University: Senior Status BA in Jurisprudence (First Class Honours)
- Balliol College, Oxford University: BA in History (First Class Honours)

International Bar / Court Appointments

- Sam has been called to the Bar of the British Virgin Islands.

Appointments, Memberships and Prizes

- **Football Association (The FA):** Member of the National Serious Case Panel
- **BASL:** Member of the British Association of Sport and Law
- **Law in Sport:** Member
- **COMBAR:** Member of the Junior COMBAR Executive Committee since 2019, which represents the interests of junior practitioners at the Commercial Bar. Member of the COMBAR Remote Hearings Working Group which undertook consultations and produced guidance notes in 2020.
- **YFLA:** Member of the Young Fraud Lawyers Association.
- **LCLCBA:** Member of the London Common Law and Commercial Bar Association.
- **Lincoln's Inn:** Cholmeley Studentship (Pupillage Scholarship) (2016), Buchanan Prize for performance in Bar Finals (2016), Lord Denning Scholarship (2015-16), Lord Haldane Scholarship (2014-15), Hardwicke Entrance Award (2014).
- **City Law School:** Everard Ver Heyden Prize for performance in Bar Finals (2016), BPTC Scholarship (2015-16).

- **Jesus College, Oxford:** College Prize for performance in Final examinations (2015), Open Scholarship (2013-14 and 2014-15), SR Welson Prize for performance in Law (2014).
- **Oxford University:** Kirk-Greene Prize for the top thesis on Modern African History (thesis on the extent to which football challenged apartheid in 1970s South Africa) (2012).
- **Balliol College, Oxford:** Reynolds Scholarship (2011-12), Reynolds Exhibition (2010-11).

Publications

- Contributor to *The Practitioner's Guide to Global Investigations* (GIR, 4th-8th editions, 2020-2024): chapter on "Privilege: The UK Perspective", with Tamara Oppenheimer KC and Rebecca Loveridge.
- Articles for Law in Sport: 'Balancing parallel governing body and police investigations: when to press pause and when to push back' 26 January 2024 with Clare Sibson KC and Chloe Carpenter KC; further article forthcoming.

Languages

- French (basic)
- Spanish (basic)

Awards

