



Stuart Ritchie KC

Call 1995 | Silk 2012

"Stuart is exceptional. One of the (if not the) most gifted oral advocates at the Bar – he is also razor sharp, dedicated, and an absolute pleasure to work with."

The Legal 500

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Stuart Ritchie KC is recognised as one of the leading silks in practice at the Commercial Bar.

His practice encompasses domestic and international commercial disputes in litigation and arbitration. Particular areas of expertise include commercial contracts, civil fraud, disputes involving directors and senior executives and partners and LLP members.

Stuart is the author (with Andrew Stafford KC) of *Fiduciary Duties: Directors and Employees*.

Recent Highlights

Public Institution for Social Security v Al Rajaan & 37 Other Defendants

Acting as Lead Counsel for the Claimant in a claim for more than US\$800 million alleging bribery against the former Director General of the Kuwaiti State Pension and Social Security Fund (one of *The Lawyer's* 'Top 20' cases).

Golivina & Another v Rusal Plc

Instructed on behalf of the Defendant in connection with its challenge to the jurisdiction of the Jersey Court in a claim for breach of intellectual property rights by the Claimant and connected proceedings challenging redomiciliation under the Jersey Companies Legislation.

Sakho v WADA

Instructed by the former Liverpool footballer in connection with his claim against the World Anti-Doping Authority for negligence in connection with its allegations that he had taken a banned substance.

Various senior executives v Tesco Plc

Acting for Tesco in claims brought by senior executives arising out of the termination of their employment in

connection with the 2014 misstatement of its accounts.

Katara v Guez [2018] EWHC 3063 (Comm)

Acting for the Claimant in claim to enforce guarantees in sum of US\$60 million arising from sale of the business which held the Buddha Bar franchise.

Expertise

Civil Fraud

Notable Civil Fraud cases

Public Institution for Social Security v Al Rajaan & 37 Other Defendants

Acting as Lead Counsel for the Claimant in a claim for more than US\$800 million alleging bribery against the former Director General of the Kuwaiti State Pension and Social Security Fund (one of *The Lawyer's* 'Top 20' cases).

Iranian Offshore Engineering & Investment Company v Dean Investments & Others

Acting for the fifth and sixth defendants in a claim in respect of the first defendant's allegedly fraudulent failure to deliver a large drilling rig for which the claimant paid US\$87 million.

Pamplona v ISAM, Fink & Arora & Others - CI 2016 404 (Comm)

Acting for the Claimant in its fraud claim against ISAM, Lord Fink and Surinder Arora arising out of the pre-emption provisions of the parties' shareholders agreement.

DAAR & Bank Alkhair v Al Refai [2018] EWHC 616 (Comm); [2015] EWHC 1793

Acting for the main Defendant to conspiracy and fraud proceedings arising out of the termination of Mr. Al Refai's directorship of the Claimant property company and bank and subsequent enforcement proceedings (one of *The Lawyer's* 'Top 20' cases).

Bazhanov v Fosman [2017] EWHC 3403 (Comm)

Successfully challenging jurisdiction for a fraud claim on the part of a former government minister against alleged business partner.

VTB Capital v Nutritek Int Corp [2011] EWHC 3107 (Ch) [2011] EWHC 2842 (Ch)

Acting for the Claimant in the major fraud claim in connection with freezing relief and other interim issues.

Weight Watchers (UK) Ltd v Revenue & Customers Commissioners [2011] UKLT 433

Acting for Weight Watchers in their proceedings against the Revenue at both first instance, and in appeal, arising out of the tax and employment status of national “helpers” at their meetings.

Fiona Trust v Privalov

Acting for Mr. Privalov in the long-running Commercial Court fraud proceedings.

Commercial Disputes

Notable Commercial Disputes cases

Public Institution for Social Security v Al Rajaan & 37 Other Defendants

Acting as Lead Counsel for the Claimant in a claim for more than US\$800 million alleging bribery against the former Director General of the Kuwaiti State Pension and Social Security Fund (one of *The Lawyer's* ‘Top 20’ cases).

Golivina & another v Rusal Plc

Instructed on behalf of the Defendant in connection with its challenge to the jurisdiction of the Jersey Court in a claim for breach of intellectual property rights by the Claimant and connected proceedings challenging redomiciliation under the Jersey Companies Legislation.

Katara v Guez [2018] EWHC 3063 (Comm)

Acting for the Claimant in claim to enforce guarantees in sum of US\$60 million arising from sale of the business which held the Buddha Bar franchise.

Royal Westminster Investments v Varma [2012] EWHC 3439 (Comm)

Acting for the successful Defendant in resisting claim for interim relief under s, 25 CJA arising out of alleged breach of a joint venture agreement and proceedings in BVI.

BAT Industries Plc v Windward Prospects Ltd [2013] EWHC 3612

Acting for the Defendant in proceedings concerning liability arising out of the remediation of the Fox River in

Wisconsin and challenges brought by BAT in connection with reduction in capital and alleged unlawful distributions made by the Defendant.

Company, Restructuring & Insolvency

Notable Company, Restructuring & Insolvency cases

Stobart Group v Tinkler LM 2018 113

Acting for the Defendant in the well-publicised dispute between the board members of the Stobart Group.

Pamplona v ISAM, Fink & Arora & Others - CI 2016 404 (Comm)

Acting for the Claimant in its fraud claim against ISAM, Lord Fink and Surinder Arora arising out of the pre-emption provisions of the parties' shareholders agreement.

DAAR & Bank Alkhair v Al Refai [2018] EWHC 616 (Comm); [2015] EWHC 1793

Acting for the main Defendant to conspiracy and fraud proceedings arising out of the termination of Mr. Al Refai's directorship of the Claimant property company and bank and subsequent enforcement proceedings (one of *The Lawyer's* 'Top 20' cases).

Nilon Ltd v Royal Westminster Investments SA [2015] UKPC 2

Acting for the successful Appellant in its challenge in the Privy Council from the Court of Appeal decision in the Court of the Eastern Caribbean: principal issue concerned the power to rectify a share register of members in the context of provisions to serve out of the jurisdiction: related proceedings.

Employment

Notable Employment cases

Various senior executives v Tesco Plc

Acting for Tesco in claims brought by senior executives arising out of the termination of their employment in connection with the 2014 misstatement of its accounts.

Marathon Asset Management LLP v Seddon & Others [2017] EWHC 479 (Comm); [2017] EWHC 300 (Comm); [2016] EWHC 2615 Comm

Acting for the main Defendant to claims for conspiracy, breach of duty and breach of confidence arising from the

alleged team move of the defendants to join Jeremy Hosking in joint venture. Involving detailed consideration of Wrotham Park/negotiating damages. Successfully argued that damages should be nominal only (one of *The Lawyer's* 'Top 20' cases).

John Linwood v BBC [Employment Tribunal] 7 August 2014

Acting for the successful Claimant in proceedings brought against the BBC for unfair dismissal arising from his sacking as its Chief Technology Officer in connection with its Digital Media initiative.

Tullett Prebon v BGC Brokers LP & Others [2010] EWHC 989, [2010] EWHC 484

Acting for the lead individual Defendant in this leading team move case heard over 42 days of trial.

International Arbitration

Stuart has extensive experience of domestic and international arbitration. Domestically, his experience is typically of disputes concerning professional services companies and firms and directors, LLP members or senior individuals within them. Internationally, arbitrations have concerned disputes arising out of commercial contracts in respect of sale of businesses and other financial transactions, many involving CIS parties. He has appeared in LCIA, ICC and ad hoc arbitrations.

Notable International Arbitration cases

L v I (LCIA 2010-2013)

Instructed for primary Respondent to a LCIA arbitration concerning alleged fraud and breach of fiduciary duty concerning sale of mineral business by an oligarch in a CIS state. Claim valued at in excess of \$US200 million. Arbitration settled shortly before substantive hearing. Arbitral tribunal: Alan Redfern, David Sutton, Sir John Chadwick.

E v S (ICC 2013)

Instructed for Respondent in ICC arbitration concerning an operating agreement for a Guinea Gold Mine, in which both parties alleged that the other was in repudiatory breach, resulting in a temporary shut-down of the mine and a change of operating contractor. Arbitration settled shortly before substantive hearing. Arbitral Tribunal: John Marrin KC, Joe Smouha KC, Sir Gordon Langley.

T v A (LCIA 2011)

Acting for Respondent (counterclaiming claimant), an SPV owned by a CIS national in LCIA arbitration concerning fraud on a trading account operated by a major CIS bank. Instructed one month prior to hearing. Amended case and successfully obtained award for US\$10million in respect of unauthorised trading. Arbitrator: Hilary Heilbronn KC.

G v J&Y (Ad hoc 212-2013)

Dispute between two leading law firms in relation to alleged unlawful team move of star earners from one of its litigation teams to a rival firm in alleged unlawful team move. Settled prior to arbitration. Arbitrator: Christopher Style KC.

S v Multiple Parties (LCIA 2014)

Dispute concerning fraudulent sale of shares in company operating Kyrgyzstan gold mine.

Offshore

Notable Offshore cases

Golivina & Another v Rusal Plc

Instructed on behalf of the Defendant in connection with its challenge to the jurisdiction of the Jersey Court in a claim for breach of intellectual property rights by the Claimant and connected proceedings challenging redomiciliation under the Jersey Companies Legislation.

National Housing Trust of Jamaica v Seaton Associates [2015] UKPC 43

Acting for the successful Appellant in its challenge in the Privy Council to an arbitral award on compound interest.

Nilon Ltd v Royal Westminster Investments SA [2015] UKPC 2

Acting for the successful Appellant in its challenge in the Privy Council from the Court of Appeal decision in the Court of the Eastern Caribbean: principal issue concerned the power to rectify a share register of members in the context of provisions to serve out of the jurisdiction: related proceedings.

Royal Westminster Investments v Varma [2012] EWHC 3439 (Comm)

Acting for the successful Defendant in resisting claim for interim relief under s, 25 CJA arising out of alleged breach of a joint venture agreement and proceedings in BVI.

Professional Negligence

Notable Professional Negligence cases

Sakho v WADA

Instructed by the former Liverpool footballer in connection with his claim against the World Anti-Doping Authority for negligence in connection with its allegations that he had taken a banned substance.

Sports

Notable Sports cases

Sakho v WADA

Instructed by the former Liverpool footballer in connection with his claim against the World Anti-Doping Authority for negligence in connection with its allegations that he had taken a banned substance.

Tax

Notable Tax cases

Weight Watchers (UK) Ltd v Revenue & Customers Commissioners [2011] UKLT 433

Acting for Weight Watchers in their proceedings against the Revenue at both first instance, and in appeal, arising out of the tax and employment status of national “helpers” at their meetings.

Directory Quotes

"One of the best advocates: authoritative, strong, always anticipating counter arguments and finding ways round them. An excellent QC."

The Legal 500

"Stuart is outstanding. Undoubtedly one of the leading silks at the Bar, he is intelligent, articulate, persuasive and all-round excellent."

The Legal 500

"He's technically very able, is very good at getting to the heart of the issue very quickly and can explain really complex technical issues succinctly and clearly." "He's fantastic: very approachable and massively responsive."

Chambers & Partners

"A brilliant advocate with a fine legal mind." "He is incredibly clever, hard-working and experienced in fraud cases." "He is articulate and succinct in his submissions and gets on top of the material very quickly."

Chambers & Partners

"Absolutely excellent, as he is great with clients and very hard-working." "He is very creative and an innovative thinker." "Stuart is calm, unflappable and someone who pays huge attention to detail."

Chambers & Partners

"Superb all round commercial litigator with excellent technical legal knowledge and courtroom presentation style. Also a great leader of a multi-barrister and solicitor team. Fantastically hard worker and motivator of other team members."

The Legal 500

"A superb lawyer and advocate, his advocacy really is in the top tier - he is also very knowledgeable regarding fiduciary duties which often feature in corporate and fraud disputes."

The Legal 500

"A charming but tenacious opponent, who is undoubtedly very bright and develops a good rapport with the Judge within a short time. Great technically and great with clients - able to deliver bad news (on the merits of their case) with great charm."

The Legal 500

"Has great judgement and delivers terrific advocacy. Factually and legally highly analytical, he works well in a team." "Stuart is a talented advocate who's totally focused on commercial outcomes."

Chambers & Partners

Directory Rankings

Chambers & Partners – Global

- Dispute Resolution: Commercial – UK – Band 1

Chambers & Partners – UK

- Commercial Dispute Resolution (Band 1)
- Company
- Employment (Band 1)
- Fraud: Civil
- Partnership

The Legal 500

- Commercial Litigation
- Company
- Employment
- Fraud: Civil
- Partnership

Education

- BA, Christ Church, Oxford

Appointments, Memberships and Prizes

- Commercial Mediator (ADR qualified)
- Bencher of Middle Temple
- Sits as a Recorder in the Crown Court
- Expert in English Commercial Law in foreign proceedings
- Deputy Chairman of the Middle Temple Education Committee
- Chairman of the Wellbeing Committee at Fountain Court Chambers
- Chairman of the Bar Choral Society
- Trustee of the Gerald Finzi Trust
- Trustee of the Oldhurst Trust

Publications

- Author (with Andrew Stafford KC) of *Fiduciary Duties: Directors and Employees*.

Languages

- French (fluent-conversational)
- German (fluent-conversational)

Awards

