



Victoria Green

Call 2022

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Victoria Green joined Chambers in October 2023, following the successful completion of her pupillage under the supervision of Niamh Cleary, Alex Barden, and Robin Barclay KC.

Prior to coming to the Bar, Victoria practised as a solicitor at Herbert Smith Freehills, working in its London and Tokyo offices, and at Travers Smith in London. She also worked as a Judicial Assistant in the Commercial Court, assisting Butcher J and Waksman J. As part of this, she assisted Waksman J during the 12-week trial of *Eurasion Natural Resources Company v Dechert LLP & Ors* [2022] EWHC 1138 (Comm), a case which concerned allegations of breach of contract / fiduciary duties on the part of a solicitor and procuring breach of contract / misfeasance in a public office on the part of the Serious Fraud Office.

During the course of her pupillage, Victoria assisted members of Chambers on a broad range of commercial disputes, covering an array of sectors, and she hopes to build a similarly diverse commercial practice.

Recent Highlights

AIML & Ors v KPMG & Ors [2021] DIFC CFI-041-2021

Assisting Anneliese Day KC and Daniel Edmonds in resisting a challenge to the jurisdiction of the DIFC Courts. The underlying case concerns a claim of negligence against the former auditors of what was the largest private equity group in the Middle East prior to its collapse as an alleged Ponzi scheme.

A v B

Assisting Stephen Moriarty KC and Niamh Cleary on the two-week hearing of an LCIA arbitration concerning questions of professional negligence.

Voltaire Capital Holdings Limited v Eric Watson & Others

Acting (with Jeffrey Chapman KC, Alex Barden and Rebecca Loveridge) for the claimants in a claim for more than \$100 million involving allegations of deceit, breach of fiduciary duty and unlawful means conspiracy.

Private Trustees S.A. v BGB Weston Limited

Acting (with Christopher Langley) on behalf of a defendant alleged to have conspired in the misappropriation of over €7 million of trust assets in a claim raising allegations of breach of fiduciary duty, dishonest assistance, unlawful means conspiracy and deceit.

Ennis v Apple Inc

Acting (with Robert O'Donoghue KC, Paul Stanley KC and Daniel Carall-Green) for Dr Sean Ennis, the proposed class representative, in collective proceedings against Apple before the Competition Appeal Tribunal. Dr Ennis is seeking to recover damages on behalf of UK-based app developers for payment of excessive and unfair prices in the form of Apple's commission on sales made via the AppStore.

Expertise

Banking & Finance

Notable Banking & Finance cases

Preparing a claim against a Lebanese bank associated with the failure to execute an international transfer instruction issued by a customer (during pupillage).

Assisting on an application for specific disclosure in a long-running dispute arising out of the sale of certain collateralised debt obligations (during pupillage).

Advising on potential liability which may accrue if the issuer of a crypto-currency engaged in a buy-back scheme with the aim of providing price support (during pupillage).

Civil Fraud

Notable Civil Fraud cases

Voltaire Capital Holdings Limited v Eric Watson & Others

Acting (with Jeffrey Chapman KC, Alex Barden and Rebecca Loveridge) for the claimants in a claim for more than \$100 million involving allegations of deceit, breach of fiduciary duty and unlawful means conspiracy.

Assisting on an application for an imaging order on unless terms in the context of a claim against the operators of a

tax optimisation scheme for misappropriation of funds (during pupillage).

Advising on an issue concerning the conflict of laws in the context of the defence of a claim in tort for the fraudulent procurement of certain loans (during pupillage).

Private Trustees S.A. v BGB Weston Limited

Acting (with Christopher Langley) on behalf of a defendant alleged to have conspired in the misappropriation of over €7 million of trust assets in a claim raising allegations of breach of fiduciary duty, dishonest assistance, unlawful means conspiracy and deceit.

Acting for the defendant in an ICC arbitration in respect to claims for approximately US\$1 billion founded upon allegations of fraud, misrepresentation and breach of contract associated with the sale of an insurance business (as a solicitor).

Commercial Crime

Notable Commercial Crime cases

Advising a foreign national under overseas investigation on potential routes for overseas authorities to obtain access to historic court documents (during pupillage).

Assisting on advice to a sanctioned individual on the procedure to challenge their designation and the prospects of success of such a challenge (during pupillage).

Advising a contractual counterparty of a sanctioned entity on its potential exposure under both the UK sanctions regime and the Proceeds of Crime Act 2002 and the preparation of a license application to the Office of Financial Sanction Implementation in connection therewith (during pupillage).

Advising a discretionary beneficiary under a trust on sanctions issues associated with the management of that trust in circumstances where the economic settlor, protector, and former discretionary beneficiary under trust structure was a sanctioned individual (during pupillage).

Commercial Disputes

Notable Commercial Disputes cases

Advising on the potential exposure of a chemicals manufacturer associated with a reaction caused by the mis-delivery of certain chemicals and the prospects of a potential onwards claim against the haulier (during pupillage).

Researching various issues for Ukraine in connection with the US\$3 billion claim by Law Debenture on behalf of Russia under loan notes issued in 2013 (during pupillage).

Assisting on a dispute concerning the proper construction of a call option, and the associated price determination mechanism, under a Distribution Agreement for luxury vehicles (during pupillage).

Advising a claimant on a dispute concerning the proper accounting treatment in respect to certain costs under an earn-out mechanism in an SPA concerning the sale of a business (as a solicitor).

Advising on the relevance of foreign law to the attribution of knowledge to a corporate entity in the context of arguments as to limitation (during pupillage).

Assisting in advice on proof of foreign law in the context of a Russian law dispute (during pupillage).

Company, Restructuring & Insolvency

Notable Company, Restructuring & Insolvency cases

Advising on the construction of s.234 of the Companies Act 2006 and the enforceability of certain indemnities in favour of an exiting director in light of this (during pupillage).

Assisting on an application to annul a Bankruptcy Order which had been improperly obtained in circumstances where the debtor's Centre of Main Interests was not in the United Kingdom (during pupillage).

Competition

Notable Competition cases

Ennis v Apple Inc

Acting (with Robert O'Donoghue KC, Paul Stanley KC and Daniel Carall-Green) for Dr Sean Ennis, the proposed class representative, in collective proceedings against Apple before the Competition Appeal Tribunal. Dr Ennis is seeking to recover damages on behalf of UK-based app developers for payment of excessive and unfair prices in the form of Apple's commission on sales made via the AppStore.

Acting for a truck manufacturer in defending a number of follow-on damages claims arising out of a decision of the European Commission concerning anti-competitive behaviour in the truck industry (as a solicitor).

Assisting on an application for a collective proceedings order in connection with a claim against a major technology company for abuse of its dominant position (during pupillage).

Financial Services

Notable Financial Services cases

Assisting on a hearing before the Regulatory Decisions Committee of the Financial Conduct Authority to determine the appropriate penalty for breach of regulatory requirements associated with AML systems and controls (during pupillage).

Assisting on the preparation of a claim by an appointed representative, under s.39 of FSMA 2000, against its principal for breach of contract and the provision of negligent regulatory references (during pupillage).

Insurance

Notable Insurance cases

Assisting in an arbitration, under the auspices of the LCIA Arbitration Rules, against an insurer under a political risk insurance policy (during pupillage).

Assisting on the defence of a claim against an insurer under a warranty and indemnity insurance policy which centred on whether litigation was reasonably in prospect as at exchange and/or completion (during pupillage).

International Arbitration

Notable International Arbitration cases

A v B

Assisting Stephen Moriarty KC and Niamh Cleary on the two-week hearing of an LCIA arbitration concerning questions of professional negligence.

Assisting on the defence of an LCIA Arbitration by a limited liability partnership which concerned the propriety of steps taken to remove a member thereof following accusations of sexual misconduct (during pupillage).

Acting for a consortium of private equity investors in an ICC arbitration, under which they sought specific performance of a put option contained in a shareholders' agreement which was valued at approximately US\$1.7 billion (as a solicitor).

Acting for a hospitality company in a SIAC arbitration seeking an anti-suit injunction to restrain its contractual counterparty from breach of the arbitration agreement contained in a suite of contracts associated with the development and management of a luxury hotel (as a solicitor).

Representing a satellite operator in an arbitration under the UNCITRAL Rules concerning the breach of a satellite sharing agreement, which raised issues of admissibility of the dispute to arbitration and foreign law illegality (as a solicitor).

Acting for an automotive distributor in a JCAA arbitration concerning the alleged breach of a long-term distribution agreement (as a solicitor).

Offshore

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AIML & Ors v KPMG & Ors [2021] DIFC CFI-041-2021

Assisting Anneliese Day KC and Daniel Edmonds in resisting a challenge to the jurisdiction of the DIFC Courts. The underlying case concerns a claim of negligence against the former auditors of what was the largest private equity group in the Middle East prior to its collapse as an alleged Ponzi scheme.

Advising on a conflict of laws issue in the context of a claim before the Courts of the Abu Dhabi Global Market (during pupillage).

Assisting on a challenge to the constitutionality of a piece of legislation which enabled a foreign government to expropriate a yacht in which our client had an interest under a discretionary trust (during pupillage).

Professional Discipline

Notable Professional Discipline cases

Research on compulsion/duress when assessing an allegation of professional misconduct (during pupillage).

Professional Negligence

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Assisting Stephen Moriarty KC and Niamh Cleary on the two-week hearing of an LCIA arbitration concerning questions of professional negligence.

Assisting Waksman J in the 12-week trial of *Eurasion Natural Resources Company v Dechert LLP & Ors* [2022] EWHC 1138 (Comm), a case which concerned claims of professional negligence, breach of fiduciary duty, breach of contract, procuring breach of contract and misfeasance in a public office, connected with a solicitor's decision to leak confidential and privileged information of their client to the Serious Fraud Office (as a judicial assistant).

Education

- BA Hons in Politics Psychology and Sociology, Selwyn College, University of Cambridge (First Class)
- Graduate Diploma in Law, BPP University (Distinction)
- Legal Practice Course, BPP University (Distinction)

Appointments, Memberships and Prizes

- Polity Prize for Sociology, University of Cambridge (2013)
- Scholarship, Selwyn College (2012 and 2013)
- Qualified as a Solicitor in England and Wales (2017)