Alexander Milner has a broad practice covering both commercial litigation and international arbitration. Described in directories as “brilliant in every respect” and “a Rolls-Royce choice for all cases”, he is recommended as a leading junior in the fields of commercial dispute resolution, international arbitration, aviation, and banking and finance. He was also named ‘Barrister of the Week’ by The Lawyer in January 2021.

A Russian speaker, he has appeared in many of the largest disputes to emerge from Russia and other ex-Soviet states, including Berezovsky v Abramovich, BTA Bank v Ablyazov, Mezhprombank v Pugachev and Bank St Petersburg v Arkhangelsky (where the trial judge praised his “very effective” cross-examination). He has also participated in numerous major arbitrations, including claims between Gazprom and Naftogaz of Ukraine where the sums in dispute exceeded $100 billion.

His cases often involve the law of Russia and other post-Soviet countries, and he has extensive experience of conflicts of law and jurisdictional disputes. He frequently makes and defends applications for injunctive relief.

His aviation practice includes all types of leasing, financing and regulatory matters, including those relating to airport slots.

Alexander sits as an arbitrator and has been appointed to numerous tribunals in London and Moscow and is a Member of the List of Arbitrators of the Hong Kong International Arbitration Centre, the Panel of Arbitrators of the Korean Commercial Arbitration Board in Seoul and the Panel of Arbitrators of the Asian International Arbitration Center in Kuala Lumpur. To see Alexander’s arbitrator-specific profile, please click here.

His recent highlights include:

- **Federal Republic of Nigeria v Process & Industrial Developments Ltd.** Acting for a creditor seeking to enforce an arbitral award against Nigeria worth more than $10 billion, and defending allegations of fraud and bribery (led by Andrew Mitchell QC).
- **PJSC Tatneft v Bogolyubov [2021] EWHC 411 (Comm).** Acted for a Ukrainian oligarch defending a $300 million fraud claim brought by a Russian oil company under Russian law. Following a 12-week, fully remote trial, all the claims against the Defendants were dismissed.
- **Motorola Solutions Inc v Hytera Communications Corp [2021] 2 WLR 679.** Acted for Hytera, a large Chinese radio manufacturer, in its successful appeal to the Court of Appeal against a $345 million freezing order granted in support of proceedings in the USA alleging theft of trade secrets (led by Charles Béar QC). The Court of Appeal definitively restated the law relating to the ‘unambiguous impropriety’ exception to without prejudice privilege.
- **Yukos Finance BV v Lynch [2019] EWHC 2621 (Comm):** Acted for the CEO of a Russian investment bank in his successful defence of claims brought under Russian law in respect of an alleged dishonest conspiracy to “rig” an auction of assets owned by Yukos Oil Company (led by Andrew Mitchell QC).
- **NJSC Naftogaz v PJSC Gazprom [2019] 2 Lloyd’s Rep 20:** Instructed by Naftogaz of Ukraine in two SCC arbitrations against Russia’s Gazprom where the total sums in dispute exceeded $100 billion. Subsequently acted in proceedings in England to enforce the resulting award in favour of Naftogaz, including applications for freezing relief and for a stay of enforcement under s.103(5) of the Arbitration Act.

**AREAS OF EXPERTISE**

- Aviation
- Banking & Finance
- Commercial dispute resolution
- Competition
- Construction and Engineering
- Energy & natural resources
- Financial services
• **Fraud: civil**
• **Insurance and reinsurance**
• **International arbitration**
• **Offshore**
• **Professional negligence**

**RECOMMENDATIONS**

“Absolutely excellent courtroom skills and very convincing before the judge. He has a strong understanding of the client’s commercial needs and is very good at looking at the bigger picture.”

*Chambers & Partners*

“the best senior junior around for Russian work”

*Chambers & Partners*

“He has a stellar reputation and is a very experienced, clever senior junior”

*Chambers & Partners*

“He works extremely efficiently, his advice is always spot on and he gets right into the detail of cases. Exceptionally bright, he’s a very good tactician and a smooth operator in court.”

*Chambers & Partners*

“Absolutely outstanding, incredibly bright, and a great person to have on your team.”

*Legal 500*

“Well ahead of the pack in terms of the standard of his advocacy.”

*Legal 500*

“Fantastically clever and is perhaps the most experienced practitioner in Russia and CIS-related matters.”

*Legal 500*

“One of the most experienced and capable senior juniors of his generation”

*Legal 500*

Alexander is ranked in the legal directories for:

**Chambers & Partners**

• Aviation
• Banking & Finance
• Commercial Dispute Resolution
• Dispute Resolution: Commercial – UK (Global guide)

**Legal 500**

• Aviation
• Banking and Finance (including Consumer Credit)
• International Arbitration: Counsel
• Commercial Litigation

Alexander was named ‘Barrister of the Week’ in *The Lawyer* in January 2021 (see [here](#)).

**OTHER NOTABLE CASES**

**Commercial Dispute Resolution**

• **Federal Republic of Nigeria v Process & Industrial Developments Ltd.** Acting for a creditor seeking to enforce an arbitral award against Nigeria worth more than $10 billion, and defending allegations of fraud and bribery (led by Andrew Mitchell QC).

• **Motorola Solutions Inc v Hytera Communications Corp [2021] 2 WLR 679.** Acted for Hytera, a large Chinese radio manufacturer, in its successful appeal to the Court of Appeal against a $345 million freezing order granted in support of proceedings in the USA alleging theft of trade secrets (led by Charles Béar QC). The Court of Appeal definitively restated the law relating to the ‘unambiguous impropriety’ exception to without prejudice privilege.
Alexander also acts as arbitrator – please see here for his arbitrator specific profile.

- Republic of Tatarstan v Ukraine: Instructed by Ukraine in a $400 million investor-state arbitration concerning the alleged expropriation of shares in an oil refinery.
- Kazakhstan Kagazy plc v Zhunus [2019] EWHC 2630 (Comm): Acted for the respondent to a £14 million non-party costs application, following a $300 million judgment handed down against the principal defendants.
- Bank St Petersburg v Arkhangelisky [2018] EWHC 1077 (Ch): Acted for a Russian businessman in proceedings involving an alleged fraud by a Russian bank. Obtained a rare anti-enforcement injunction in the Court of Appeal ([2014] 1 WLR 4360), restraining the enforcement of Russian judgments said to have been obtained by fraud, and appeared at the trial to cross-examine the Claimant’s experts and make submissions.
- Fundo Soberano de Angola v Dos Santos [2018] EWHC 2199 (Comm): Claim by the Angolan sovereign wealth fund against its former chairman and others to recover $3 billion of assets alleged to have been fraudulently misappropriated.
- Eastern European Engineering Ltd v Vijay Construction (Proprietary) Ltd [2016] EWHC 1450 (Comm): Application under s.103 of the Arbitration Act 1996 for security for a $20 million award said to have been procured by intimidation/blackmail.
- Berezovsky v Abramovich [2012] EWHC 2463 (Comm): Acted for Boris Berezovsky in his well publicised $5 billion claim against Roman Abramovich in relation to the ownership of Russian oil and aluminium assets.

International Arbitration (as counsel)

- Republic of Tatarstan v Ukraine: Instructed by Ukraine in a $400 million investor-state arbitration concerning the alleged expropriation of shares in an oil refinery.
- NJSC Naftogaz v PJSC Gazprom [2019] 2 Lloyd’s Rep 20: Instructed by Naftogaz of Ukraine in proceedings to enforce a $2.5 billion arbitration award, including applications for freezing relief and for a stay under s.103(5) of the Arbitration Act.
- Eastern European Engineering Ltd v Vijay Construction (Proprietary) Ltd [2016] EWHC 1450 (Comm): Application under s.103 of the Arbitration Act 1996 for security for a $20 million award said to have been procured by intimidation/blackmail.
- Stemcor UK Ltd v Global Steel Holdings Ltd [2015] 1 Lloyd’s Rep 580: Obtained a stay of proceedings to recover $150 million from two guarantors pending an arbitration between the creditor and the principal debtor.
- Acting in a $500 million LCIA arbitration concerning an alleged fraud against a Russian bank.
- Acting as sole counsel for a Russian airline in an LCIA claim concerning an alleged $200 million fraud.
- Acting in an LCIA arbitration between two prominent Russian individuals relating to the ownership and disposal of extremely valuable industrial and real estate assets.
- Acting as sole counsel in a $100 million LCIA arbitration brought by a Russian bank to enforce an option agreement.
- Acting in an LCIA arbitration arising out of the sale of a Russian supermarket chain.
- Acting in an LCIA claim brought by a steel trader to recover a debt of $200 million from an industrial enterprise in Eastern Europe.
- Acting for a well-known “oligarch” in LCIA proceedings to recover a loan of $100 million.
- Acting in an LCIA arbitration relating to the ownership of shares in a Russian technology company estimated to be worth more than $3 billion.
- Acting in an LCIA arbitration concerning the alleged fraudulent disposal of a Russian joint venture asset.
- Acting as sole counsel for a Russian manufacturer in an ICC arbitration in Geneva to recover over £5 million from a joint venture partner.
- Acting in a €300 million ICC arbitration between joint venture partners relating to the construction of a telecoms network.

Aviation & Travel

- AerSale 25362 Ltd v Med-View Airline plc [2018] EWHC 3912 (Comm): Acting for aircraft lessors in Commercial Court proceedings against a Nigerian lessor to recover sums due under two leases of Boeing 737s.
- R (Monarch Airlines Ltd) v Airport Coordination Ltd [2017] EWCA Civ 1892: Judicial review proceedings brought by the administrators of an insolvent airline concerning its right to be allocated valuable slots at Gatwick and Luton airports in order to sell the slots to raise

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money for its creditors.

- **National Air Services v CreditTrade LLP** [2016] EWHC 2144 (Comm): Acting for a lessor in Commercial Court proceedings against a Ukrainian airline following the termination of two leases of Embraer 95 aircraft.
- **Sheikh Kaki v National Air Services** [2015] EWCA Civ 731: Claim for breach of a contract for the sale of an interest in a Gulfstream aircraft.
- **Virgin Atlantic Airways v K.I. Holdings** [2014] EWHC 1671 (Comm): Acting for one of the defendants to a £40 million claim arising out of the supply of aircraft seats by a fraudulent manufacturer.
- **Aerotransleasing v Polet Airlines** [2014] EWHC 1318 (Comm): Obtained and successfully defended an injunction under s.25 of the Civil Jurisdiction and Judgments Act 1982 in support of Russian proceedings, preventing the removal of a Russian-registered AN-124-100 aircraft from the jurisdiction.
- **ACG Acquisition XX v Olympic Airlines** [2010] 1 CLC 581: Acting for Olympic Airlines in a dispute over a lease of a defective Boeing 737 aircraft: successfully resisted lessor’s application for summary judgment.
- **Rooney v CSEournemouth Ltd** [2010] EWCA Civ 1364: Acting for the defendant maintenance organisation in a contractual dispute arising out of an accident to a Cessna Citation aircraft.
- **Natixis v IIsa Airways**: Acting as sole counsel for a lender in Commercial Court proceedings arising out of the termination of a number of lease agreements. Involved issues of jurisdiction and the effect of an insolvency opened in another Member State on English proceedings.
- **G.E. Capital v Fell**: Acting as sole counsel for a lender in Commercial Court proceedings to enforce a European Enforcement Order against an aircraft temporarily located in the UK. Obtained an emergency out-of-hours injunction restraining the aircraft from leaving the jurisdiction, and successfully resisted an application to set the injunction aside on the ground of material non-disclosure.
- **Acting for a lessor in an LCIA arbitration against an Asian airline alleging fraud in connection with the leasing of two Airbus 319 aircraft.**
- **Acting for a national airline in an LCIA arbitration against a lessor relating to the early termination of six Airbus aircraft.**
- **Acting for a Russian airline in an LCIA arbitration relating to the leasing of a number of Boeing 737 aircraft.**
- **Acting for a Portuguese airline in Commercial Court proceedings brought by an Italian airline in connection with a wet lease of a Boeing 767 aircraft.**
- **Acting for the Light Aircraft Association in High Court proceedings arising out of a fatal gyroplane accident.**
- **Alexander has substantial experience of claims against airlines and aircraft operators under the Montreal Convention 1999, Regulations EC 261/2004 and 1107/2006, and at common law, and of advising on aviation insurance, leasing/financing and regulatory matters.**

**Civil Fraud**

- **PJSC Tatneft v Bogolyubov** [2021] EWHC 411 (Comm). Acted for a Ukrainian oligarch in his successful defence of a $300 million fraud claim brought by a Russian oil company under Russian law.
- **Republic of Nigeria v Process & Industrial Developments Ltd**: Acting for a creditor defending a claim by Nigeria to set aside an arbitration award worth $10 billion on the grounds of fraud and bribery.
- **PJSC National Bank Trust v. Mints**: Acting for two of the Defendants to a $600 million claim brought by two Russian banks in respect of alleged frauds involving the substitution of loans with worthless bonds.
- **NRC Holding Ltd v Danilitskiy** [2017] EWHC 1431 (Ch): Enforcing a judgment against the beneficial interest in a London property owned through an offshore structure, and obtaining injunctive relief in support of a €120 million fraud claim brought in Cyprus.
- **Tajik Aluminium Plant v Ermatov**: Acted for seven of the defendants and the Part 20 claimant in a $500 million fraud claim concerning the operations of an aluminium smelting plant in Tajikistan.
- **JSC Mezhdunarodny Promyshlenniy Bank v Pugachev** (see above under Commercial Dispute Resolution).
- **Fundo Soberano de Angola v Dos Santos** (see above under Commercial Dispute Resolution).
- **Bank St Petersburg v Arkhangelsky** (see above under Commercial Dispute Resolution).
- Numerous international arbitrations involving claims based on fraud (see above under International Commercial Arbitration).

**Banking & Finance**

- **PJSC National Bank Trust v. Mints**: Acting for two of the Defendants to a $600 million claim brought by two Russian banks in respect of alleged frauds involving the substitution of loans with worthless bonds.
- **Deutsche Bank AG v Unitech Global Ltd** [2019] EWHC 969 (Comm): Acted for a syndicate of lenders in proceedings to recover a $300 million debt from an Indian property development group (led by Richard Handyside QC).
- **Smeaton v Equifax plc** [2013] 2 All ER 959: Acting for the defendant credit reference agency in this leading Court of Appeal case on the scope of the duties imposed on CRAs under the Data Protection Act 1998.
Calle Marketing Ltd v Aldbourne Investment Management Ltd: Acted as sole counsel for Russian investors in High Court proceedings against a London-based investment advisory firm for negligence and breach of contract in relation to investments in structured products.

LIC Telecommunications v VTB Capital plc (see above under Commercial Dispute Resolution).

Ukrsibbank v Polyakov (see above under Commercial Dispute Resolution).

A v B: Acted for an investment bank in an arbitration arising out of the underwriting of a failed IPO.

Acting for major banks in numerous High Court cases defending claims by customers alleging breach of contract, breach of duty, fraud and conspiracy, and in claims involving mortgages, guarantees, mistaken payments, credit agreements etc.

Representing both claimants and defendant banks in High Court proceedings alleging mis-selling of interest rate hedging products.

Acting for two investors in proceedings against an asset manager under the Financial Services and Markets Act 2000 for failing to procure the return of a series of investments in structured products.

Standard Bank plc v EFAD Real Estate (see above under Civil Fraud).

JSC Mezhunarodnyi Promyshlennyi Bank v Pugachev (see above under Commercial Dispute Resolution).

Bank St Petersburg v Arkhangelsky (see above under Commercial Dispute Resolution).

**Competition**

Instructed on behalf of two groups of banks in ICSID arbitrations against an EU Member State raising defences based on the CJEU’s Achmea judgment.

Gave written and oral expert evidence on EU competition law issues in two ICC arbitrations between major European airlines and a global distribution system operator.

Advising a major financial services company on issues relating to the revisions to the EU Payment Services Directive and regulation of multilateral interchange fees.

Providing legal opinions in connection with proceedings between the EU Commission and a pharmaceutical company regarding the circumstances in which patent settlement agreements infringe the EU competition rules.

Providing written expert evidence in Lithuanian proceedings on the application of Article 101 TFEU to agreements between a number of banks and a provider of cash handling services.

Providing a legal opinion in connection with an action against the EU Commission regarding the lawfulness of a dawn raid.

Advising manufacturers of electronic cigarettes as to the legality of the proposed revisions to the Tobacco Products Directive.

Advising leading European airlines on the interpretation and application of the EU slots regulation.

Advising major drinks and clothing manufacturers on the interpretation of EU regulations concerning the labelling of spirit drinks and textiles.

Advising two non-European investment funds as to whether their shares constituted eligible investments for the purposes of a UCITS scheme within the meaning of Commission Directive 2007/16/EC (the Eligible Assets Directive).

Advising a number of law firms as to the compatibility of the rules of an EU Member State’s Bar Association with the EC Treaty.

Advising a Czech bank as to whether a restructuring plan adopted by the Czech state constituted aid applicable after accession requiring review by the Commission under Article 108 TFEU.

Assisted Sir Francis Jacobs QC in preparing numerous expert reports and opinions on behalf of companies and national governments, in connection with proceedings before arbitral tribunals, national courts and regulators, the EU Commission and courts, and the International Court of Justice.

**APPOINTMENTS, MEMBERSHIPS AND PRIZES**

Member of the List of Arbitrators of the Hong Kong International Arbitration Centre

Member of the Panel of Arbitrators of the Asian International Arbitration Center, Kuala Lumpur

Member of the Panel of Arbitrators of the Korean Commercial Arbitration Board, Seoul

Listed arbitrator at the Russian Arbitration Center, Moscow

Executive Committee member, Russian and CIS Arbitration Network

Member of the Chartered Institute of Arbitrators

Lord Mansfield Scholarship, Lord Bowen Scholarship, City University Scholarship, Hardwicke Scholarship, Shelford Scholarship, and Buchanan Prize (Lincoln’s Inn)

**PUBLICATIONS**


‘Advantages and disadvantages of arbitrating Russian and CIS disputes in western Europe’, Transnational Dispute Management Vol. 9, issue 3 (April 2012)

‘Regulation EC 261/2004 and “extraordinary circumstances”’, Air and Space Law 34, no.3 (2009); 215-220
 Contributor to the Civil Procedure Reports (Sweet & Maxwell)

EDUCATION

- BA Modern and Medieval Languages, King’s College, Cambridge (First class honours with distinction, first in university)
- CPE, City University (Distinction).
- BVC, Inns of Court School of Law (Outstanding)

LANGUAGES

- Fluent Russian and French
- Good working knowledge of Italian

LINKEDIN

Alexander’s LinkedIn profile can be found here.

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