



## Robert-Jan Temmink KC

Called: 1996

Silk: 2017

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Robert has a wide-ranging and international practice in commercial and chancery law. He is known for being a talented and intellectually-agile advocate equally at home in fraud and financial services cases as in aviation and shipping matters. He has a strong practice in construction, energy and infrastructure disputes and is often asked to advise and act in complex insolvency and cross-border actions.

Robert is called to the bar in the Eastern Caribbean and Trinidad & Tobago and has acted in cases in the BVI, Cayman and the Turks & Caicos islands. He is a registered advocate in the Abu Dhabi Global Market Court and was one of the first UK advocates registered to practice in the Dubai International Financial Centre Courts. He is also called to the bar in Northern Ireland and as a Foreign Legal Consultant in the State of New York.

Robert has been a Fellow of the Chartered Institute of Arbitrators since 2007 and has been appointed as an arbitrator in ICC, LCIA, LMAA and English arbitrations under the Arbitration Act. He is a registered arbitrator in the Hong Kong International Arbitration Centre, the Asia International Arbitration Centre, the Dubai International Arbitration Centre and has acted as Counsel in a wide variety of institutional arbitrations dealing with commercial cases in all of his core areas of practice.

Robert is an accredited mediator and has conducted numerous commercial mediations. He is a TECBAR-accredited mediator and adjudicator and has been appointed as an adjudicator in several large construction-related matters. He acted as Counsel in the Court of Appeal's decision concerning stays of adjudication and enforcement in the event of a party's insolvency.

### What the directories say

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- *"Robert is a fantastic advocate and leader on a case. He has brilliant strategic foresight, great judgement and is meticulous in his preparation and drafting; and both formidable and charming in his advocacy - where he is a particular leader in his cohort of experienced international silks. A real Rolls-Royce!"* (Legal 500 EMEA, 2024)
- *"Robert is just fantastic: his leadership of vast teams of legal, factual and quantum experts in massive cases is a wonder to behold, he instils total confidence amongst his wider teams and client, which is in part down to his total grasp of complex detail and then delivery of perfectly crafted arguments in written and oral form. His advocacy in the international arbitration arena - is masterful: he adapts to the situation he finds himself and then delivers for his client."* (Legal 500, 2024)
- *"Incredible work ethic, powerful submissions and killer cross-examinations - the ultimate advocate who also provides great strategic input."* (Legal 500, 2024)
- *"Robert is a first-class advocate - his use of the English language, the pace at which he speaks and his carefully chosen pauses combine for a hugely effective performance in court."* (Legal 500, 2024)
- *"Pragmatic, sensible and solution-oriented, Robert immediately wins the confidence of clients and is brilliant in*

court. The bench listens to him as he's incredibly persuasive - it's difficult to resist agreeing with what he says."(Chambers UK, 2024)

- "Robert immediately wins the confidence of the clients. In court he's brilliant and judges listen to him."(Chambers UK, 2024)
- "An excellent advocate and a good team player, who really understands the relationship between solicitor and barrister and delivers positive outcomes. A modern KC in every sense, he understands the changing landscape of the profession and is always alive to client needs."(Chambers UK, 2024)
- "Fierce intellect, tactical nous, and a wonderful advocate. Robert is very popular with clients because he listens, explains and then does. A great leader and team player on the bigger, high-pressure cases."(Legal 500, 2023)
- "A super advocate, a fantastic tactician and a real pleasure to work with. He represents the next generation of top KCs in London - incredibly bright but able to work collaboratively as part of much bigger teams. A real gem of a silk."(Legal 500, 2023)
- "A very impressive advocate, who is building a very strong reputation."(Chambers UK, 2023)
- "Quality. A really good leader."(Chambers UK, 2023)
- "He has a commanding presence in the courtroom and is a pleasure to work with."(Chambers UK, 2023)
- "A great leader who is a very dedicated and persuasive advocate."(Chambers UK, 2023)
- "He offers incisive and persuasive advice."(Chambers UK, 2023)
- "Robert is an excellent case leader, mixing strong judgment with personality and substantive ability - any he case he leads will be expertly handled indeed."(Legal 500, 2023)
- "So on the ball, he's a very bright guy. He comes across very well to the client."(Chambers UK, 2022)
- "A super advocate, a fantastic tactician and a real pleasure to work with. He represents the next generation of top silks in London - incredibly bright but able to work collaboratively as part of much bigger teams. A real gem of a silk."(Legal 500, 2022)
- "A true leader of cases - someone who is always well prepared, on top of all aspects of the case, and leads with decisiveness."(Legal 500, 2022)
- "A great advocate in every sense, he rolls up his sleeves and gets stuck in - he has a great presence in court, able to read the mood and is listened-to attentively."(Legal 500 EMEA, 2021)
- "Clever and inventive, he makes it difficult for the other side."(Chambers UK, 2021)
- "He is a reassuring presence, both in court and in conference. Able to quickly digest complex facts and law, he provides clear and practical advice to clients."(Chambers UK, 2021)
- "Has the great ability to be versatile and yet thoroughly expert across a broad spectrum of cases."(Legal 500, 2021)
- "A fantastic silk - he is popular with clients, works well as part of a wider team and when the pressure is on he really delivers."(Legal 500, 2021)
- "His delivery of complicated facts and law is exceptional, he's a real pleasure to work with and he's got a strong arbitration background."(Chambers UK, 2020)
- "He has the presence and stature to make judges stop and listen."(Chambers UK, 2020)
- "A formidable advocate with a great instinct of what to leave and what to pursue."(Legal 500, 2019)
- "Has a commanding presence and is a very capable and intelligent advocate."(Legal 500, 2019)
- "An excellent advocate who is charming, very agile and someone with a very creative mind." ... "He gives clear, well-argued advice on how to proceed, and his drafting is excellent." (Chambers UK, 2019)
- "...An extremely good advocate, who is very good at dealing with difficult situations and anxious clients. His written work is very strong and he brings clarity to cases..."(Chambers UK, 2018)

- "...He gets up to speed with cases quickly, is pleasant to work with, and is practical and focused..."(Chambers UK, 2018)
- "...Very technically adept, unflappable and likeable..."(Legal 500, 2017)
- "...Simply a great advocate...unflappable and likeable"(Legal 500, 2017)
- "Very strong on aviation."(Legal 500, 2017)
- "...Clearly an excellent lawyer – very responsive and very easy to deal with..."(Legal 500, 2016)
- "...both thorough and pragmatic. His cross-examinations are extremely effective."(Chambers UK, 2017)
- "...He spots new angles and exploits opponent weaknesses with devastating effect..."(Legal 500, 2016)
- "...Thorough and pragmatic..." (Legal 500, 2016)
- "... sources particularly praise him for his assured advocacy and strong courtroom presence. He has a very nice presentational style and judges listen to him. He is very tidy on the paperwork, very inclusive, and has a very modern way of working..."(Chambers UK, 2015)
- "...A very solicitor-friendly counsel who produces immaculate paperwork... He has a commanding presence, a forceful advocacy style, and brilliant preparation and analysis..." (Legal 500, 2015)
- "...He is responsive, willing to help and very good at seeing the wood for the trees in situations where there is a mass of information" "a multi-talented litigator with a flair for international arbitrations who is known for getting to the point quickly, presenting information clearly and powerfully" "he provides a measured approach and sound, well-rounded, commercial judgment" "he brings a good commercial approach, fine preparation and attention to detail." "He has a commanding presence, a forceful advocacy style, and brilliant preparation. A fierce advocate who provides highly user-friendly support while always maintaining a complete handle on the key facts and issues in a case; confident and pragmatic; having a great manner with clients; being clear and confident in his advice..."(Chambers UK and Legal 500)

## Chancery Commercial

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Robert is recommended in Chambers & Partners UK Bar as a leading barrister for commercial dispute resolution: *"His delivery of complicated facts and law is exceptional, he's a real pleasure to work with and he's got a strong arbitration background."*(Chambers UK, 2020)

- Giving expert evidence on English law in Luxembourg about the construction and interpretation of a vendor loan agreement and associated matters (**Confidential Parties**)
- Giving expert evidence on English law on a point of construction in the commercial court in Limassol (**Confidential Parties**)
- The Russian Aviation Insurance Litigation – Robert is involved in the largest commercial case of 2023 and 2024, leading a team of juniors at Quadrant Chambers and acting as co-counsel with teams from other leading commercial sets in a series of claims by aircraft owners and lessors against insurers and re-insurers and operator and lessee policies arising out of the dispossession and re-registration of aircraft which were leased to Russian operators and which have now been lost following Russia's invasion of Ukraine (**Rise Aviation 1 (Ireland) Ltd v Lloyds Insurance Market & Others**)
- A claim concerning the construction, interpretation and execution of various shareholder and share sale agreements, principally concerning the provision of information due under the agreements and issues about declaration and payment of dividends (**Peter Lowe v (1) PAL 2020 Ltd (2) PAL Group Ltd**)
- Engaged as Counsel for the owners of various properties which a bank sought to repossess. The claim involved serious issues of fraud on the part of the bank, allegations which were supported by witness evidence from one of the bank's former managers. The case was particularly sensitive in circumstances where, in addition to fraud, there appeared to be mis-selling and a desire by the bank to increase lending to a particular community. The case settled before trial (**Confidential Parties**)
- Acting in Trinidad & Tobago for a former professor and pensioner in a claim for her entitlement to superannuation under the scheme of a university's rules which were applicable at the time the professor was contracted to the university but which were subsequently withdrawn. Involving questions about the status of the university's visitor and the Court's jurisdiction (**Boufoy-Bastick v The University of the West Indies**)
- Acting in the British Virgin Islands in a claim initially to freeze the assets of various people and entities it is

alleged conspired to defraud a Russian bank of substantial sums of money advanced to finance mining operations but which were recycled to private accounts and accounts of close family members and their corporate alter egos (*Alfa Bank v (1) Dimitri Ananyev (2) Alexey Ananyev & Others*)

- Giving expert evidence in a claim in Cyprus concerning a quasi-partnership in proceedings which are ancillary to significant arbitral proceedings (*Confidential Parties*)
- Acting for a businessman in a claim for forfeiture and payment of allegedly unpaid shares in a publicly-listed company involving issues under ss. 593, 594 and 606 of the Companies Act 2006 (*Zavarco PLC v Ranjeet Singh Sidhu*)
- Acting for a group of more than 100 claimants against Bank of Scotland in a claim for unfair treatment under the Consumer Credit Act arising out of shared appreciation mortgages (*Various SAM Borrowers v Bank of Scotland PLC & Others*)
- Defending a Gibraltar trust company and its director against claims of fraud, deceit and conspiracy joined as third parties in acrimonious divorce proceedings. Involving issues of proper particularisation of claims, worldwide freezing orders, and ship management (*Crowther v Steven Knight & Castle Trust and Management Services & Others*)
- Advising and representing a claimant in Trinidad & Tobago seeking payment of sums due from a scheme for the alleviation of superannuation hardship from her former employer involving issues (amongst other things) of the Court's jurisdiction (*Boufoy-Bastick v University of West Indies*)
- Acting for a partner in the dissolution of a property-owning partnership and dealing with a deceased partner's interest in property, and involving allegations of fraud on the part of several family members (*Bahia v Sidhu & Others*).
- Acting for a Hong Kong company in worldwide freezing proceedings in the BVI involving issues of trust law, fraud, transactions at an undervalue, and multiple jurisdictional issues (*Great Panorama International Ltd v Qin Hui and Others*)
- Acting for a minority shareholder in the BVI in proceedings involving numerous parties in a case involving allegations of acting in concert and fraud. The case involved issues of legal professional privilege which went to the Court of Appeal. Ultimately the case settled on confidential terms (*Tipp Investments PCC v Chagal Group Ltd and Others*)
- Advising and acting for a company subject to a claim by shareholders concerning the meaning, interpretation and effect of various agreements purportedly circumscribing the power to declare and pay dividends (*Kingswood Property Finance LLP & KPI (Nominees) Ltd v Trams Ltd & Others*)
- Advising and acting for a businessman in a claim for forfeiture and payment of allegedly unpaid shares in a publicly-listed company. Case involves issues of res judicata by merger and the doctrine of *Henderson v Henderson* (*Zavarco PLC v Tan Sri Nasir*)
- Acting for purchasers of properties formerly subject to affordable housing obligations in a claim alleging fraud and conspiracy against the property developer and various entities associated with the developer and/or the developer's associates (*Raja v McMillan & Others*)
- Acting for a partner in a substantial partnership dissolution claim involving issues of false accounting, deceit and valuation of partnership properties and company assets (*Bahia v Sidhu*)
- Acting for a national airline, now in liquidation, in issues involving insurance coverage and various claims arising whilst under cover (*Abdelgani v Thomas Cook Airlines Ltd (In liquidation)*)
- Acting for a bank in a claim for undue influence by a wife in the procurement of a joint loan over commercial property (*Octane Property Finance Limited v Psarros & Psarros*)
- Acting for a company in a claim against a former company director for alleged fraud and/or misappropriation of company assets (*Satyam Enterprises Ltd v John Burton & JVB Seven Properties Ltd*)
- Acting for a shareholder in a claim for fraudulent misrepresentation and/or unfair prejudice and/or fraud in a property transaction and share sale agreement conducted not at arms length by a co-director and shareholder (*Kang v Yousuf & Centre for Advanced Studies Ltd*)
- Acting for a company in fiercely contested proceedings arising out of a misuse of confidential information involving the applicability of the principle in *Henderson v Henderson* to split trials and the assessment of damages (*Personal Management Solutions v Brakes Bros Ltd & Anr*)
- Advising and acting in international proceedings for a company director in enforcing a guarantee for an substantial unpaid settlement arising out of the director's resignation from the international group of companies (confidential parties)
- Acting in a substantial Consumer Credit Act claim for damages and an account. Issues include whether a sole trader is a consumer for the purposes of the Act, and whether misrepresentation or deceit vitiate the applicability of the Act (*Loanline (UK) Ltd v McIntosh & Anr*)
- Applying successfully for an injunction to prevent the publication and presentation of a winding-up petition involving issues of the applicability and priority of an arbitration clause

- Acting in an appeal from an order striking out a claim for failure to comply with the Court's orders involving consideration of the Denton principles (*Amin t/a Amin Patel & Shah Accountants v Whitechapel Resources Ltd*)
- Acting for the victim of a purportedly fraudulent claim; successfully removing unwarranted charges and freezing orders against a property and obtaining a civil restraint order against a vexatious litigant (*Fagbolagun v Alade*)
- Applying successfully for an injunction to prevent the presentation of a winding-up petition on the basis of the construction of a compromise agreement between the parties (*In the matter of Rhinegold Publishing Ltd*)
- Acting in the Privy Council for a pensioner wrongfully denied his enhanced pension rights by the university which employed him involving issues of construction and interpretation of the meaning of "a year's service" in the context of university terms (*Boufoy-Bastick v University of the West Indies*)
- Advising and acting in a claim against directors of an insolvent company, piercing the corporate veil, involving issues of fraud, breach of fiduciary duty, unjust enrichment, worldwide freezing injunctions arising out of a substantial building project in Kiev (*Royalstone Ltd v Allen & Wells*)
- Acting for a tenant in a disputed lease surrender claim involving a substantial property and leasehold interest involving issues of acceptance and estoppel (*Padwick Properties Ltd v Punj Lloyd Ltd*)
- Advising and acting for a director in a claim by a liquidator for misfeasance and transactions at an undervalue involving issues under the Limitation Act, and the duties owed by a Liquidator where he has also been first a Supervisor and then an Administrator of the company in liquidation (*Hopehurst Ltd (In Liquidation) v Mukhtar Ali Babar*)
- Advising and acting for a director in a claim by a liquidator for misfeasance and fraud and further issues arising in respect of ceding control of appeals by the company in the Tax Tribunal (*Clear PLC (In Liquidation) v Imran Kara & Ors*)
- Acting for minority shareholders in a claim for unfair prejudice against a DIFC-registered and DFSA-regulated company, now in liquidation, and thereafter in derivative proceedings brought by the company against its former directors (*Wiederkehr & Wiederkehr v Diwan Capital Ltd (In Liquidation)*)
- Advising on the effect of corporate insolvency in the BVI in respect of a Chinese shipbuilding contract involving issues of construction and cross-border insolvency (*Yangzhou Dayang Shipping v Rosanna Shipping & Anr*)
- Acting in a claim arising out of an arbitration, the award of which rendered the losing party insolvent. Acting for a party accused of unlawful means conspiracy in relation to the arbitration, the award and the losing party's insolvency involving issues of privilege, conspiracy and cross border insolvency (*Westwood Shipping Lines Inc & Anr v Fhh Fonds Nr33 Ms "Kimberley" Gmb & NSC Schiffahrtsgesellschaft Mbh & Others*)
- Advising and acting for a director accused of misfeasance and transactions at an undervalue involving issues of limitation, corporate personality and valuation (*Defty & John Carne Lifestyle Ltd v Carne*)
- Advising and acting for a minority shareholder in an unfair prejudice petition involving issues of prejudice, valuation and the effect of administration on the s.994 claim (*Kelly v Timan Oil & Gas Ltd*)

## Commercial Dispute Resolution

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Robert is recommended in Chambers & Partners UK Bar as a leading barrister for commercial dispute resolution: "*He has the presence and stature to make judges stop and listen.*" (Chambers UK, 2020)

- Engaged as Counsel in a hotly-contested claim concerning a State's unlawful interference in a long-term concession contract concerning the sale of fishing quotas in the South Pacific. One of the questions concerns the validity of an arbitration agreement in an ostensibly-valid contract, questions of State Immunity before the English court, and numerous issues about authority of contracting parties, estoppel, fraud, the effect of local law and inconsistencies in the application of local law by the State (*Confidential Parties*)
- Acting in Trinidad & Tobago for a former professor and pensioner in a claim for her entitlement to superannuation under the scheme of a university's rules which were applicable at the time the professor was contracted to the university but which were subsequently withdrawn. Involving questions about the status of the university's visitor and the Court's jurisdiction (*Boufoy-Bastick v The University of the West Indies*)
- Acting in three separate construction claims concerning allegations of fraudulent misrepresentation on the part of a supplier of plant and equipment for huge Energy-from-Waste plants built in Yorkshire and Surrey. The actions in the TCC also deal with the meaning and effect of Defects, collateral warranties, and the requirement to notify sub-contractors of defects in various circumstances (*M+W Group v Outotec USA Inc & Others*)
- Acting in the British Virgin Islands in a claim initially to freeze the assets of various people and entities it is alleged conspired to defraud a Russian bank of substantial sums of money advanced to finance mining operations but which were recycled to private accounts and accounts of close family members and their corporate alter egos (*Alfa Bank v (1) Dimitri Ananyev (2) Alexey Ananyev & Others*)

- The Russian Aviation Insurance Litigation – representing a significant aircraft owner in the largest commercial case of both 2023 and 2024, leading a team of juniors at Quadrant Chambers and acting as co-counsel with teams from other leading commercial sets in a series of claims by aircraft owners and lessors against insurers and re-insurers under operator and lessee policies arising out of the dispossession and re-registration of aircraft which were leased to Russian operators and which have now been lost following Russia's invasion of Ukraine ((1) *Rise Aviation 1 (Ireland) Ltd* (2) *Aercap* (3) *DAE & Others v the London Insurance Market & Others*)
- Advising in a leasing dispute and insurance/reinsurance claim arising out of lost aircraft following Russia's invasion of Ukraine (*Volga-Dnepr Airlines v VX Holdings*)
- Advising in a leasing dispute and insurance/reinsurance claim arising out of lost aircraft following Russia's invasion of Ukraine (*Airwork Holdings Ltd v Aviacompany & Others*)
- Giving expert evidence in a claim in Cyprus concerning a quasi-partnership in proceedings which are ancillary to significant arbitral proceedings (*Confidential Parties*)
- Acting for a businessman in a claim for forfeiture and payment of allegedly unpaid shares in a publicly-listed company involving issues under ss. 593, 594 and 606 of the Companies Act 2006 (*Zavarco PLC v Ranjeet Singh Sidhu*)
- Acting for a group of more than 100 claimants against Bank of Scotland in a claim for unfair treatment under the Consumer Credit Act arising out of shared appreciation mortgages (*Various SAM Borrowers v Bank of Scotland PLC & Others*)
- Defending a Gibraltar trust company and its director against claims of fraud, deceit and conspiracy joined as third parties in acrimonious divorce proceedings. Involving issues of proper particularisation of claims, worldwide freezing orders, and ship management (*Crowther v Steven Knight & Castle Trust and Management Services & Others*)
- Advising and representing a claimant in Trinidad & Tobago seeking payment of sums due from a scheme for the alleviation of superannuation hardship from her former employer involving issues (amongst other things) of the Court's jurisdiction (*Boufoy-Bastick v University of West Indies*)
- Acting for a partner in the dissolution of a property-owning partnership and dealing with a deceased partner's interest in property, and involving allegations of fraud on the part of several family members (*Bahia v Sidhu & Others*).
- Acting for a Hong Kong company in worldwide freezing proceedings in the BVI involving issues of trust law, fraud, transactions at an undervalue, and multiple jurisdictional issues (*Great Panorama International Ltd v Qin Hui and Others*)
- Advising and acting for a businessman in a claim for forfeiture and payment of allegedly unpaid shares in a publicly-listed company. Case involves issues of res judicata by merger and the doctrine of *Henderson v Henderson* (*Zavarco PLC v Tan Sri Nasir*)
- Acting for and advising a trust company and offshore company group in a dispute about the transfer of various vessels and sums due under bareboat charters. Involving (ill-defined) issues of fraud, conspiracy, and resulting trusts of various assets (*Confidential parties*)
- Advising a Turks & Caicos company responsible for administering and maintaining the top level IP domain for the island's authorities in a claim concerning contractual interpretation and breach of an agreement with the relevant government department (*Melrex (TCI) Ltd v Government of the Turks and Caicos Islands*)
- Acting for a partner in a substantial partnership dissolution claim involving issues of false accounting, deceit and valuation of partnership properties and company assets (*Bahia v Sidhu*)
- Acting for a minority shareholder in the BVI in proceedings involving numerous parties in a case involving allegations of acting in concert and fraud. The case involved issues of legal professional privilege which went to the Court of Appeal. Ultimately the case settled on confidential terms (*Tipp Investments PCC v Chagal Group Ltd and Others*)
- Acting for a national airline, now in liquidation, in issues involving insurance coverage and various claims arising whilst under cover (*Abdelgani v Thomas Cook Airlines Ltd (In liquidation)*)
- Advising and acting for a company subject to a claim by shareholders concerning the meaning, interpretation and effect of various agreements purportedly circumscribing the power to declare and pay dividends (*Kingswood Property Finance LLP & KPI (Nominees) Ltd v Trams Ltd & Others*)
- Acting for a bank obtaining a freezing injunction and other relief against two parties accused of multiple frauds involving huge sums, and wrongdoing in respect of various loan agreements (*Sberbank of Russia v Ivica Todoric & Ante Todoric*)
- Acting for a company in a claim against a former company director for alleged fraud and/or misappropriation of company assets (*Satyam Enterprises Ltd v John Burton & JVB Seven Properties Ltd*)
- Acting for a shareholder in a claim for fraudulent misrepresentation and/or unfair prejudice and/or fraud in a property transaction and share sale agreement conducted not at arms length by a co-director and shareholder

*(Kang v Yousuf & Centre for Advanced Studies Ltd)*

- Acting for a company in fiercely contested proceedings arising out of a misuse of confidential information involving the applicability of the principle in *Henderson v Henderson* to split trials and the assessment of damages (*Personal Management Solutions v Brakes Bros Ltd & Anr*)
- Acting in a substantial Consumer Credit Act claim for damages and an account. Issues include whether a sole trader is a consumer for the purposes of the Act, and whether misrepresentation or deceit vitiate the applicability of the Act (*Loanline (UK) Ltd v McIntosh & Anr*)
- Acting in a claim concerning the provision of statutory bills under the Solicitors Act 1976 involving issues of fraud, exaggeration and forgery ultimately leading the claim being entirely dismissed at trial. Also involving issues in the Court of Appeal about the threshold for striking out cases summarily (*Alpha Rocks Solicitors v Benjamin Alade*)
- Advising and acting in international proceedings for a company director in enforcing a guarantee for an substantial unpaid settlement arising out of the director's resignation from the international group of companies (confidential parties)
- Acting in an appeal from an order striking out a claim for failure to comply with the Court's orders involving consideration of the Denton principles (*Amin t/a Amin Patel & Shah Accountants v Whitechapel Resources Ltd*)
- Acting in the Privy Council for a pensioner wrongfully denied his enhanced pension rights by the university which employed him involving issues of construction and interpretation of the meaning of "a year's service" in the context of university terms (*Boufoy-Bastick v University of the West Indies*)
- Advising in a claim for damages arising out of the threat to remove IT and top-level domain rights from a service provider to the government of the Turks & Caicos Islands
- Acting for a Korean manufacturer in a disputed claim for an alleged breach of a sole distribution agreement involving issues relating to expert evidence on quantum, change of position and implied terms (*Moore Large & Co Ltd v Ssanyang Industry Co Ltd*)
- Acting in a claim arising out of an arbitration, the award of which rendered the losing party insolvent. Acting for a party accused of unlawful means conspiracy in relation to the arbitration, the award and the losing party's insolvency involving issues of privilege, conspiracy and cross border insolvency (*Westwood Shipping Lines Inc & Anr v Fhh Fonds Nr33 Ms "Kimberley" Gmb & NSC Schiffahrtsgesellschaft Mbh & Others*)
- Advising and acting for a company the victim of unlawful interference with its contracts, involving issues over the misuse of confidential information, IT, breach of database rights, employees duties and piercing the corporate veil (*Pintorex Ltd v Kay, Zandjani & Parax Ltd*)
- Advising and acting for a minority shareholder in an unfair prejudice petition involving issues of prejudice, valuation and the effect of administration on the s.994 claim (*Kelly v Timan Oil & Gas Ltd*)
- Acting at first instance and on appeal in a breach of trust case for an Iranian national, domiciled in the USA, disputing the UK Court's jurisdiction, involving issues of limitation, res judicata, issue estoppel and various equitable principles (*Ali Agha Mostakhdemin v Ramin Shamsian*)
- Acting for minority shareholders in a claim for unfair prejudice against a DIFC-registered and DFSA-regulated company, now in liquidation, and thereafter in derivative proceedings brought by the company against its former directors (*Wiederkehr & Wiederkehr v Diwan Capital Ltd (In Liquidation)*)
- Acting in the UK for a minority shareholder and former director, resident in the USA, in an unfair prejudice petition against the company and former co-directors and shareholders (*Gupta v Candeo Technologies Ltd & Others*)
- Acting in a dispute concerning breach of a compromise agreement in respect of a breach of a property investment deal concerning issues over the applicability of the Consumer Credit Act and summary judgment (*Fortitude Investments (Commercial) Ltd v Kenneth Jones & Ors*)
- Acting in a number of claims and appeals arising out of the application of the Late Payment of Commercial Debts (Interest) Act 1998, including the lead appeal judgment in Northern Ireland on the application of the Act (*Blue Autumn Ltd v Glenview Nursing Home Ltd*)
- Acting in a claim to recognise a judgment in the UK from the Kingdom of Saudi Arabia and in proceedings for breach of subsequent a settlement agreement in the United Kingdom

## Fraud

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Robert's particular experience in fraud stems from his work for the Serious Fraud Office, helping to develop their policy on legal professional privilege, and acting for the SFO in a number of investigations and the successful prosecution of a large multi-handed fraud in a 6 month trial. More recently, he has been involved in a large number of fraud cases arising out of his civil cases, often involving insolvency and cross-border and multi-jurisdictional issues



and giving rise to interim and final freezing orders.

Examples of such recent cases between include:

- Acting in three separate construction claims concerning allegations of fraudulent misrepresentation on the part of a supplier of plant and equipment for huge Energy-from-Waste plants built in Yorkshire and Surrey. The actions in the TCC also deal with the meaning and effect of Defects, collateral warranties, and the requirement to notify sub-contractors of defects in various circumstances (*M+W Group v Outotec USA Inc & Others*)
- Acting in the British Virgin Islands in a claim initially to freeze the assets of various people and entities it is alleged conspired to defraud a Russian bank of substantial sums of money advanced to finance mining operations but which were recycled to private accounts and accounts of close family members and their corporate alter egos (*Alfa Bank v (1) Dimitri Ananyev (2) Alexey Ananyev & Others*)
- Acting for a partner in the dissolution of a property-owning partnership and dealing with a deceased partner's interest in property, and involving allegations of fraud on the part of several family members (*Bahia v Sidhu & Others*)
- Defending a Gibraltar trust company and its director against claims of fraud, deceit and conspiracy joined as third parties in acrimonious divorce proceedings. Involving issues of proper particularisation of claims, worldwide freezing orders, and ship management (*Crowther v Steven Knight & Castle Trust and Management Services & Others*)
- Acting for a Hong Kong company in worldwide freezing proceedings in the BVI involving issues of trust law, fraud, transactions at an undervalue, and multiple jurisdictional issues (*Great Panorama International Ltd v Qin Hui and Others*)
- Acting for a company in a claim against a former company director for alleged fraud and/or misappropriation of company assets (*Satyam Enterprises Ltd v John Burton & JVB Seven Properties Ltd*)
- Acting for purchasers of properties formerly subject to affordable housing obligations in a claim alleging fraud and conspiracy against the property developer and various entities associated with the developer and/or the developer's associates (*Raja v McMillan & Others*)
- Acting for a bank obtaining a freezing injunction and other relief against two parties accused of multiple frauds involving huge sums, and wrongdoing in respect of various loan agreements (*Sberbank of Russia v Ivica Todoric & Ante Todoric*)
- Acting for a partner in a substantial partnership dissolution claim involving issues of false accounting, deceit and valuation of partnership properties and company assets (*Bahia v Sidhu*)
- Acting for a shareholder in a claim for fraudulent misrepresentation and/or unfair prejudice and/or fraud in a property transaction and share sale agreement conducted not at arms length by a co-director and shareholder (*Kang v Yousuf & Centre for Advanced Studies Ltd*)
- Acting for the Defendant director in a freezing injunction application in a case brought by the liquidator involving allegations of misfeasance, diversion of company funds, transactions at an undervalue, money had and received (*Faya Ltd (In Liquidation) v Dr Omer Shakar Butt*)
- Acting for the Claimant company in a claim in the UK involving issues of restitution, fraud, and misfeasance arising out of a construction project in the Ukraine. Case involves close cooperation with the UK Liquidator to secure the return of monies paid over to the Company (*Royalstone Ltd v (1) Allen (2) Wells*)
- Acting for the three Defendants, based in the UK and in Dubai. Involved dealing with a worldwide freezing injunction, and defending a civil claim for missing trader fraud, misfeasance, restitution, transactions at an undervalue (*Clear PLC (In Liquidation) v (1) Imran Kara (2) Cascade International FZE (3) Umer Kara*)
- Acting for the Defendant in a claim by his former solicitors for breach of contract. Applying on behalf of the Defendant to strike out the claim as an abuse of process on the grounds that the claim was grossly exaggerated and fraudulent. Involving consideration of the threshold for striking out in the Court of Appeal and ultimately at trial succeeding in striking out the claim on the basis of deliberate manufacture and exaggeration of the solicitor's bill of costs (*Alpha Rocks Solicitors v Benjamin Alade*)
- Acting for the Claimant in a claim for restitution and fraud against a trading partner. Obtaining an out of hours freezing injunction which the Court made permanent on the return date (*SVS Securities PLC v Sourcing for Value Ltd*)
- Acting for the Defendant in a claim brought by the company's liquidator in a claim for misfeasance, transactions at an undervalue, fraud and restitution. Issues involve quantification of the company's assets, the nature and extent of legal advice given for transfers from one corporate entity to another, and issues of limitation and the legal definition of misfeasance (*Ian Mark Defty (Acting as Liquidator) v John Carne*)
- Acting for the Fourth Defendant in a claim for fraud, conspiracy, procuring a breach of contract and perjury arising out of the liquidation of a company following an arbitration ((1) *Westwood Shipping Lines Inc* (2) *Weyerhaeuser NR Company v (1) FHH Fonds Nr 33 MS "Kimberley" GMBH & Others*)



## Banking

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Robert is recommended as a leading barrister for commercial dispute resolution: "*clearly an excellent lawyer*" "*his cross-examinations are extremely effective*" (Chambers and Partners)

- Engaged as Counsel for the owners of various properties which a bank sought to repossess. The claim involved serious issues of fraud on the part of the bank, allegations which were supported by witness evidence from one of the bank's former managers. The case was particularly sensitive in circumstances where, in addition to fraud, there appeared to be mis-selling and a desire by the bank to increase lending to a particular community. The case settled before trial (*Confidential Parties*)
- Acting for a group of more than 100 claimants against Bank of Scotland in a claim for unfair treatment under the Consumer Credit Act arising out of shared appreciation mortgages (*Various SAM Borrowers v Bank of Scotland PLC & Others*)
- Acting for a Russian bank in proceedings in the BVI to recover funds advanced in respect of a mining operation which was ultimately owned and controlled by the UBOs of another bank. The funds were dissipated offshore and actions commenced to recover assets from some of the parties who benefitted (*Alfa Bank v Ananyev & Kipford Ventures & Others*)
- Advising and acting in a claim on behalf of more than 100 borrowers bringing an action against two High Street banks for relief under the Consumer Credit Act arising out of the sale by the banks of Shared Appreciation Mortgages
- Advising and acting in a claim against NatWest and the RBS and the LPA receivers appointed by the bank in respect of mis-selling of loan products and admitted mis-selling of interest rate hedging products
- Acting for a borrower in a dispute against a bank's refusal to permit a sale of an asset pursuant to a compromise agreement which stated that consent to sell was "not to be unreasonably refused" (*Crowther & Crowther v Arbuthnot Latham and Co Ltd*)
- Acting for a bank obtaining a freezing injunction and other relief against two parties accused of multiple frauds involving huge sums, and wrongdoing in respect of various loan agreements
- Acting for a bank in a claim for undue influence by a wife in the procurement of a joint loan over commercial property (*Octane Property Finance Limited v Psarros & Psarros*)
- Advising and acting in associated proceedings of a substantial claim by multiple claimants for mis-selling of mortgage products
- Advising and acting in a mis-selling swaps claim and mis-selling of mortgage products and in further proceedings against receivers for negligence in the realisation of charged assets
- Advising in a claim against NatWest and the RBS GRG for damages arising from the wrongful placement of a company into the bank's special measures department
- Advising in Canada in a claim against a large Canadian bank for losses sustained in a repossession action
- Advising a hedge fund in an LCIA arbitration over a variety of matters arising in the Middle East
- Acting in the matter of an ICC arbitration involving Italian, UK and US companies for damages arising out of a variety of contractual arrangements in the sum of US\$350m
- Advising in an LCIA arbitration involving issues of Shari'ah law, foreign exchange transactions and forum conveniens
- Acting in the Commercial Court in multi-million pound proceedings for a director of a hedge fund, joined to the proceedings as a Third Party, in a claim brought by the fund against its bankers for breach of mandate, breach of contract and negligence, and in related proceedings against the fund's former legal advisers for negligence
- Joint author of chapter on Dispute Resolution in the context of Financial Services Regulation in the 2010 LexisNexis Special Report
- Acting in a claim against a commercial institution for recovery of sums due under bridging finance, involving a variety of regulatory and statutory issues and a trust claim arising out of an alleged settlement
- Advising in a substantial professional negligence action against a claimant's former solicitors and barrister in a financial services matter

## International Arbitration

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Robert is recommended in Chambers & Partners UK Bar as a leading barrister for commercial dispute resolution: "*a multi-talented litigator with a flair for international arbitrations*" (Chambers UK Directory)

- Acting in an arbitration in Cairo in a dispute concerning a build and development contract between a company and a development corporation concerning a significant infrastructure, travel and tourism development

*(Confidential Parties)*

- Acting in an LCIA arbitration concerning the expropriation of a bauxite mining licence by the government of a west-African state involving issues of bribery and corruption and technical details surrounding the definition of commencing operations *(Confidential Parties)*
- Acting in an LCIA arbitration seated in London and Auckland concerning allegations of unlawful expropriation by a Pacific nation state of fishing quotas *(Confidential Parties)*
- Acting in proceedings in the Commercial Court arising out of an arbitration agreement where jurisdiction between various states in the US and the Court in England was in issue in a case involving third party funding agreements and allegations of fraud. Case settled on confidential terms *(Bloomfield Investments LLC v (1) William Quay Hays (2) Grow Land and Water LLC & Others)*
- Sitting as sole arbitrator in an ICC arbitration with its seat in London between companies based in China and eastern Europe concerning supply and installation of gas turbines
- Acting in an ICC arbitration with its seat in Geneva between a Middle Eastern telecoms entrepreneur and a sovereign state concerning licensing and other issues arising out of a large infrastructure project
- Sitting as sole arbitrator in an ICC arbitration with its seat in London between companies based in Hong Kong and Saudi Arabia concerning a significant IT dispute
- Sitting as sole arbitrator in an LCIA arbitration with its seat in London in a contractual dispute
- Acting for engineers in an LCIA arbitration for sums owed by the owners of two engines repaired and warranted for a south-American hydro-electric plant
- Acting in an LCIA arbitration in a substantial shareholder dispute and disputed share sale agreement involving parties in CIS states
- Advising and acting in an ICC arbitration with its seat in Vienna between companies based in Serbia, Montenegro and Albania involving issues arising out of an infrastructure project, and issues concerning the enforceability of a DAB decision in a FIDIC silver book contract
- Acting in an application under the Arbitration Act for determination of an alleged failure by the arbitral tribunal to deal with all of the issues in the case under s.68 of the Arbitration Act *(Numitora Holdings v Coral Group Finance & Others)*
- Advising and acting in an LMAA arbitration over a bill of lading dispute involving issues of anti-suit injunctions, damages and detention and multi-jurisdictional questions of applicable law
- Advising and acting in an LCIA arbitration with its seat in London concerning issues of breach of contract, conspiracy, fraud and breach of a distribution agreement
- Advising and acting in an LCIA arbitration in a dispute between an airline and its software supplier concerning issues of use of data, contractual construction and assessment of loss
- Advising and acting in an ICC arbitration involving Italian, UK and US companies for damages arising out of a variety of contractual disputes in the sum of US\$350m
- Advising and acting in an application under the Arbitration Act for determination of various issues arising out of an arbitral panel's correction of its award in an ICC arbitration and the meaning of "clerical error" under s.69 of the Act *(CNH Global NV v PGN Logistics Ltd)*

## Aviation & Travel

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Robert is recommended in Chambers & Partners UK Bar as a leading barrister for commercial dispute resolution: *"he brings a good commercial approach and sound, well-rounded, commercial judgment" "provides highly user-friendly support while always maintaining a complete handle on the key facts and issues in a case"* (Chambers UK Directory)

- The Russian Aviation Insurance Litigation – representing a significant aircraft owner in the largest commercial case of both 2023 and 2024, leading a team of juniors at Quadrant Chambers and acting as co-counsel with teams from other leading commercial sets in a series of claims by aircraft owners and lessors against insurers and re-insurers under operator and lessee policies arising out of the dispossession and re-registration of aircraft which were leased to Russian operators and which have now been lost following Russia's invasion of Ukraine ((1) *Rise Aviation 1 (Ireland) Ltd* (2) *Aercap* (3) *DAE & Others v the London Insurance Market & Others*)
- Advising in a leasing dispute and insurance/reinsurance claim arising out of lost aircraft following Russia's invasion of Ukraine *(Volga-Dnepr Airlines v VX Holdings)*
- Advising in a leasing dispute and insurance/reinsurance claim arising out of lost aircraft following Russia's invasion of Ukraine *(Airwork Holdings Ltd v Aviacompany & Others)*
- Advising in proceedings arising out of the sanctions regime (2022/328) in respect of claims over aircraft leased to, or situated in, Russia. Involving issues of insurance, termination of leases and events of default *(Confidential)*

### *Parties)*

- Acting for a national airline, now in liquidation, in issues involving insurance coverage and various claims arising whilst under cover (*Abdelgani v Thomas Cook Airlines Ltd (In liquidation)*)
- Acting in a dispute over wet lease agreements for two commercial parties (*UAB Avion Express v Arubaanse Luchtvaart Maatschappij NV*)
- Acting in a successful claim against an airline for breach of an aircraft leasing agreement involving issues of jurisdiction, arbitration clauses, determination of fair market value, default judgment and service in Saudi Arabia (*Dubai Financial Group LLC v National Private Air Transport Services Company (National Air Services) Limited*)
- Acting in a claim arising out of corrosion damage caused to an aircraft whilst in the care of a maintenance company involving complex expert evidence on corrosion and quantum (*Corporate Oil & Gas Limited v Marshall Aviation Services Limited*)
- Advising an association of airfield operators on contractual and statutory and EU issues arising out of proposed Border Force UK changed working practices (*BBGA v UK Border Force*)
- Advising in a claim to arrest three aircraft leased by a commercial airline following an event of default in the aircraft leasing agreements (*Confidential parties*)
- Advising in a claim arising out of an aircraft finance and purchasing agreement involving issues concerning brokerage commission and management fees (*Confidential parties*)
- Advising a national airport authority in a wide variety of contractual claims arising out of their airside and also landside arrangements with a number of different commercial and governmental organisations (*Confidential parties*)
- Advising in aircraft maintenance disputes and regulatory matters (*Confidential parties*)
- Advising in respect of a common law and contractual lien exercisable by a maintenance party over aircraft in respect of which debts had accrued (*Confidential parties*)
- Acting in a claim arising out of an aircraft finance, purchasing and re-purchasing agreement (*Confidential parties*)
- Acting in a claim against an airline operator and fractional ownership provider for breach of contract and fraud. Jurisdictional issues including claims in the DIFC, LCIA and the commercial court in London (*Confidential parties*)

## Energy

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- Acting in three separate construction claims concerning allegations of fraudulent misrepresentation on the part of a supplier of plant and equipment for huge Energy-from-Waste plants built in Yorkshire and Surrey. The actions in the TCC also deal with the meaning and effect of Defects, collateral warranties, and the requirement to notify sub-contractors of defects in various circumstances (*M+W Group v Outotec USA Inc & Others*)
- Acting for engineers in an LCIA arbitration for sums owed by the owners of two engines repaired and warranted for a south-American hydro-electric plant
- Acting in the Commercial Court for a state-owned oil and gas company disputing the UK Court's jurisdiction in a dispute over oil and gas supplied by ship-to-ship transfer in international waters (*Trafigura PTE Ltd v EMARAT*)
- Acting for an Estonian Company in obtaining a freezing injunction against a Dubai FZE in respect of EUAs (carbon credits) wrongly-transferred to the UK Registry and subsequently obtaining relief against the Environment Agency in respect of the transfer of the credits to the intended UK recipient (*NTC Global (OU) & Anr v Astra Trading FZE & The Environment Agency*)
- Acting for a renewables supplier in a claim against a former joint venture partner in a claim concerning solar panel arrays, planning issues, efficiency of arrays and feed-in tariffs (*AEE Renewables LLP v Hazel Capital LLP*)
- Acting in a claim against an oil company and a concern in Saudi Arabia for breaches of contract arising out of a seismic and geophysical operation in Saudi Arabia (*Taylor v China National Petroleum Corporation & Abdul Aziz Al-Mandil*)
- Advising and acting for a minority shareholder in an unfair prejudice petition involving issues of prejudice, valuation, mining licences and the effect of administration on a s.994 Companies Act claim (*Kelly v Timan Oil & Gas Ltd*)
- Acting in Turks & Caicos Islands in a claim by a public utility provider against another utility provider involving issues of contractual and statutory interpretation and the TCI Electricity Ordinance (*Fortis TCI Ltd v Cable & Wireless (TCI) Ltd*)
- Acting in an appeal against an oil and gas firm to set aside a judgment in default arising out of a brokerage agreement and commission agreement concerning the use and conversion of tankers for oil storage (*Cooper Mechanical Oilfield Services Ltd v Pauwels*)

## Construction

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- Acting in three separate construction claims concerning allegations of fraudulent misrepresentation on the part of a supplier of plant and equipment for huge Energy-from-Waste plants built in Yorkshire and Surrey. The actions in the TCC also deal with the meaning and effect of Defects, collateral warranties, and the requirement to notify sub-contractors of defects in various circumstances (*M+W Group v Outotec USA Inc & Others*)
- Acting in an LCIA arbitration concerning the expropriation of a bauxite mining licence by the government of a west-African state involving issues of bribery and corruption and technical details surrounding the definition of commencing operations (*Confidential Parties*)
- Acting for a State in strenuously-contested arbitration proceedings arising out of a huge telecoms infrastructure project involving issues of fraud, estoppel, and applicability of telecoms regulations (*Confidential Parties*)
- Acting in a claim by an employer in a JCT Design & Build Contract alleging repudiatory breach by the Contractor and for relief arising out of various interim adjudications (Primus Build Ltd (*In Company Voluntary Arrangement*) v Cannon Corporate Services Ltd)
- Acting in the Court of Appeal for an employer resisting summary judgment in respect of an interim adjudication on grounds that a supervening CVA incorporating the set off provisions in the Insolvency Rules 2016 trump s.108 of the Housing Grants, Construction and Regeneration Act 1996 such that the adjudicator has no jurisdiction to act and the Court accordingly has no power to order summary judgment in respect of any adjudication sum (*Primus Build Ltd (In Company Voluntary Arrangement) v Cannon Corporate Services Ltd*)
- Advising and acting in an ICC arbitration with its seat in Vienna between companies based in Serbia, Montenegro and Albania involving issues arising out of an infrastructure project, and issues concerning the enforceability of a DAB decision in a FIDIC silver book contract (*confidential parties*)
- Advising and acting in international proceedings by a contractor against a joint venture partner for unpaid fees arising out of a lease and sale agreement for heavy plant (*Ruttle Plant Holdings Ltd v El Dali and El-Mazmoun National Company Ltd (Sudan)*)
- Acting in a dispute concerning roof loading capacities involving issues of foreseeability of loss, liability for economic loss, co-terminous duties in contract and tort (*Homebase Ltd v National Polytunnels Ltd*)
- Acting in a building dispute between a homeowner and builder involving issues of structural design, negligence, assumption of personal responsibility and guarantees (*Stewart & Anr v Longridge Contracts Ltd & Regan*)
- Appearing in numerous cases in the TCC arising out of the foot & mouth disease clean-up operations resulting in numerous reported judgments at first instance and on appeal concerning confidentiality and privilege in mediations, the Late Payment of Commercial Debts (Interest) Act, the Housing Grants, Construction and Regeneration Act, assignment of causes of action, the principles in *Henderson v Henderson*, contractual interpretation and account valuation (*Ruttle Plant Hire Ltd v Secretary of State for Environment, Food & Rural Affairs and associated actions*)

## Insurance

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- The Russian Aviation Insurance Litigation – Robert is involved in the largest commercial case of 2023 and 2024, leading a team of juniors at Quadrant Chambers and acting as co-counsel with teams from other leading commercial sets in a series of claims by aircraft owners and lessors against insurers and re-insurers and operator and lessee policies arising out of the dispossession and re-registration of aircraft which were leased to Russian operators and which have now been lost following Russia's invasion of Ukraine (*Rise Aviation 1 (Ireland) Ltd v Lloyds Insurance Market & Others*)
- Advising in a leasing dispute and insurance/reinsurance claim arising out of lost aircraft following Russia's invasion of Ukraine (*Volga-Dnepr Airlines v VX Holdings*)
- Advising in a leasing dispute and insurance/reinsurance claim arising out of lost aircraft following Russia's invasion of Ukraine (*Airwork Holdings Ltd v Aviacompany & Others*)
- Advising in proceedings arising out of the sanctions regime (2022/328) in respect of claims over aircraft leased to, or situated in, Russia. Involving issues of coverage, unilateral variation of terms, termination of leases and events of default (*Confidential Parties*)
- Advising in proceedings against a negligent pensions adviser involving issues concerning the FCA's requirement for IFA's to hold adequate indemnity insurance and the interaction of claims-made policies with insolvency (*Reeve v Royal Sun Alliance*)
- Acting for a Promoter and Administrator of a tax-saving scheme against a class action for professional negligence and economic loss arising out of an investigation into the scheme by HM Customs & Revenue (*Brierley & Ors v Zokora (No.2) (In Liquidation) & Ors*)

- Advising in the Alstom SA Securities Litigation in the USA, primarily on issues of insurance law and on the layers of professional indemnity and D&O insurance
- Acting in the Commercial Court for a number of insureds against their insurers for breach of contract in failing to indemnify the insureds in respect of legal fees, costs and expenses covered by the employers' liability clauses of the policy. Involving issues of construction, unfair contract terms, implied terms and estoppel (*Ruttle Contracting Ltd & Ors v AXA Insurance PLC*)
- Advising on the relationship between umbrella policies and various issues arising for a broker under FSMA, the Electronic Communications Act and the EU Directive on Electronic Signatures (*Creation Consumer Finance v Allied Fort Insurance Services Ltd*)
- Advising on coverage in circumstances where a broker had failed to pass on a premium to a reinsurer (*Gelios v Hannover Re*)
- Advising on coverage in respect of a claim made under a group indemnification policy involving issues of jurisdiction and construction (*Credo Capital PLC v Zurich Global Corporate Ltd*)

## Shipping

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### Dry Shipping, Commodities & Transport

- Acting in an LMAA arbitration for the disponent owners of a vessel suing for wrongful breach of a BIMCO Time Charterparty by charterers. Involving issues as to the construction of the payment clause in the BIMCO charter and in associated proceedings on appeal in the Commercial Court
- Acting for and advising a trust company and offshore company group in a dispute about the transfer of various vessels and sums due under bareboat charters. Involving (ill-defined) issues of fraud, conspiracy, and resulting trusts of various assets (*Confidential parties*)
- Acting in the commercial court for an anti-suit injunction in respect of Jordanian proceedings concerning a cargo dispute (*In the matter of the MV "Sur"*)
- Advising on the effect of corporate insolvency in the BVI in respect of a Chinese shipbuilding contract involving issues of construction and cross-border insolvency (*Yangzhou Dayang Shipping v Rosanna Shipping & Anr*)
- Advising on unlawful termination of a contract between two maritime information suppliers and numerous contracting parties, involving issues of IT, construction, legitimate expectations, assessment of loss, termination clauses.
- Advising and acting for a Japanese shipping company in a contractual claim involving jurisdictional issues, the proper service of process and civil procedure rules on judgment (*Classic Maritime Ltd v Asahi Shipping*)
- Acting in a bunkers case against a fuel supplier involving issues of fraud, worldwide freezing orders and restitution (*Chimbusco Europe BV v Compass Marine Fuels Ltd & Ors*)
- Advising and acting in numerous cargo claims, charterparty actions and issues surrounding letters of credit and bills of lading

## Alternative Dispute Resolution

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Please see the separate menu for Robert's international arbitration practice.

Robert is an ADR-group accredited mediator and a registered mediator for TECBAR (the Technology & Construction Bar Association) and the Kuala Lumpur Regional Centre for Arbitration.

Robert has acted as mediator in a large number of commercial disputes across the range of his practice areas, for example, he has recently acted as mediator:

- Engaged as Counsel in a hotly-contested claim concerning a State's unlawful interference in a long-term concession contract concerning the sale of fishing quotas in the South Pacific. One of the questions concerns the validity of an arbitration agreement in an ostensibly-valid contract, questions of State Immunity, and numerous issues about authority of contracting parties, estoppel, fraud, the effect of local law and inconsistencies in the application of local law by the State (*Confidential Parties*)
- Engaged as Counsel for the owners of various properties which a bank sought to repossess. The claim involved serious issues of fraud on the part of the bank, allegations which were supported by witness evidence from one of the bank's former managers. The case was particularly sensitive in circumstances where, in addition to fraud, there appeared to be mis-selling and a desire by the bank to increase lending to a particular community (*Confidential Parties*)
- Sitting as sole arbitrator in an ICC arbitration with its seat in London between companies based in China and



eastern Europe concerning supply and installation of gas turbines

- Acting in an ICC arbitration with its seat in Geneva between a Middle Eastern telecoms entrepreneur and a sovereign state concerning licensing and other issues arising out of a large infrastructure project
- in a maritime arbitration concerning issues of non-payment in respect of a BIMCO time charterparty and contractual interpretation
- in a maritime lien dispute involving issues of contractual interpretation and non-performance
- in a matrimonial dispute concerning loans and valuations of property
- in a professional negligence claim against former legal advisors
- in a software and licensing dispute
- in a dispute between professionals involved in The Shard building project
- in a dispute between a school and neighbours over various planning issues
- in a dispute between a PLC scrap-metal concern and a trade creditor
- in a dispute between the head-lessor, lessee, mortgagor and other banking parties in a tri-partite claim
- in a trustee action between various parties to a family trust
- in a claim between a bank and borrower over various contractual and statutory issues
- in a claim between a bank and a customer involving issues of professional negligence and fraud
- Robert has also acted, as Counsel, in many mediations, primarily in commercial and chancery banking matters.

## Professional Negligence

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Robert has acted in a wide variety of negligence matters against actuaries, receivers, investment advisers, lawyers, accountants and commercial property valuers. Examples include:

- Acting for a large group of claimants against their former legal advisers for negligence in failing to advise about the availability of ATE insurance or third party funding and thereafter for advising discontinuance of a meritorious claim against the defendants
- Acting for a leading financial institution in a large number of cases involving negligence on the part of the institution's valuers of commercial and residential property
- Acting for a Promoter and Administrator of a tax-saving scheme in a class action brought by members of a Limited Liability Partnership for professional negligence
- Acting for a Patient in the pursuit of her former legal advisers for damages arising out of lost interest caused by the legal advisers' negligence in failing adequately to progress her claim
- Advising in a substantial professional negligence action against a claimant's former solicitors and barrister in a financial services matter

## Academic

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M.A., Trinity College, Cambridge  
Diplock Scholar, Middle Temple

## Ranking

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## Publications

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LexisNexis Special Report: Financial Services Litigation (contributing author), published 2009  
LexisNexis: Lissack & Horlick on Bribery (contributing author), published 2011  
Wiley Finance: Investing in Emerging Markets (contributing author), published 2013

## Appointments

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Fellow of the Chartered Institute of Arbitrators

Master of the Bench at Middle Temple

Registered Arbitrator at:  
Hong Kong International Arbitration Centre  
Asian International Arbitration Centre  
Dubai International Arbitration Centre  
International Chamber of Commerce (ICC)  
London Court of International Arbitration  
TECBAR

Registered Practitioner at:  
Abu Dhabi Global Market  
Dubai international Financial Centre Courts

Called to the Bar at:  
Eastern Caribbean Supreme Court  
Northern Ireland  
State of Bar of New York (solely as Foreign Legal Consultant)  
Trinidad & Tobago

Accredited Mediator/Adjudicator by:  
TECBAR  
ADR Group

Board Member of:  
Temple Music Trust  
King's Singers Foundation & King's Singers Global Foundation  
St Paul's Cathedral School  
Member of the Court of the Merchant Taylors' Livery Company

## Memberships

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Chancery Bar Association  
Commercial Bar Association  
Technology & Construction Bar Association  
Professional Negligence Bar Association  
LMAA Supporting Member

## Languages

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Working knowledge of:  
French  
Italian  
Russian  
Spanish

## Interests

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Education, sailing, singing, wine, cars & travel