

# Andreas Gledhill KC

*“Andreas has encyclopedic knowledge of all things insolvency and restructuring.”*

– CHAMBERS & PARTNERS, 2024

Year of call: **1992**  
Appointed to silk: **2015**  
Degree: **MA (Cambridge)**



Andreas is a commercial litigator, with particular expertise in contentious company law, corporate insolvency and restructuring, banking and financial services and international arbitration. He was awarded Company/Insolvency Silk of the Year at the Chambers UK Bar Awards 2023

Andreas joined Blackstone Chambers in June 2010, having previously practised (for 17 years) from 3-4 South Square, Gray's Inn. He is a member of COMBAR and the Insolvency Lawyers Association.

Andreas is ranked as a leading silk in company law and restructuring/insolvency in the latest editions of both the leading legal directories (Chambers UK and Legal 500). Recent comments include:

- "An extremely polished, considered advocate. Anticipates and disarms any bombs from the bench well before their fuses are lit. Good with clients."- Legal 500, 2024
- "He has a brilliant legal mind."- Chambers & Partners, 2024

Previous comments include:

- "First class advocate. Speaks with outstanding structure and authority."- Legal 500, 2023
- "His advocacy is a model of precision and clarity", "Andreas has a lot of gravitas and he is good in court"- Chambers UK 2023

## EXPERIENCE

### Restructuring & Insolvency

Andreas has been involved in many of the high profile corporate collapses of the last 25 years, including: McDermott Group (for an ad hoc lender group); Arcadia Group (for US landlords); Toys 'R Us (for the special servicer); Monarch Airlines (for the CAA); Comet Group (for the administrators); MF Global (for the US officeholders); EMI (for the private equity house, Terra Firma); Lehman (for various counterparties); Kaupthing (for H.M. Treasury, the Financial Services Compensation Scheme, and counterparties); Heritable Bank (for the FSCS); Bear Stearns (for Bear Stearns); Enron (for the administrators); Farepak (for bank lenders); TXU (for the administrators); and MG Rover (for the administrators).

***“Andreas has a lot of gravitas and he is good in court.”***

– CHAMBERS AND PARTNERS, 2023

### Cases

#### **Re Comet Group Ltd. (in liquidation); Carton-Kelly v. Darty Holdings SAS**

[2022] EWHC 2873 (ChD); [2023] EWCA Civ 1135

Instructed by Jones Day for the liquidator of the collapsed retailer, Comet, in a £100m+ claim against Comet's former parent company, in what is believed to be the largest claim made under s.239 of the Insolvency Act 1986. The claim succeeded at trial, but was overturned on appeal. An application for permission to appeal to the Supreme Court is outstanding.

#### **Deposit Guarantee Fund for Individuals v. Bank Frick & Co AG**

[2022] EWHC 2221 (Ch)

Instructed by Greenberg Traurig on behalf of the respondent bank in respect of an IA86 s.423 claim brought by a Ukrainian office-holder, following a CBIR recognition order.

#### **Re Kattera, Inc. (in bankruptcy)**

(2021)

Instructed by Kirkland & Ellis in relation to English law aspects of the Texas chapter 11 proceedings in respect of this US construction company.

#### **Re Luckin Coffee, Inc. (in provisional liquidation)**

(2021)

Instructed by Loeb Smith on behalf of various US creditors with investment mis-selling claims in relation to the Cayman scheme of arrangement of this US listed company.

#### **Re Lendy Limited (in administration).**

[2021] EWHC 2285 (Ch).

Instructed on behalf of representative investors in relation to proprietary claims, and various other issues as to their treatment in the insolvency of this collapsed peer-to-peer lender.

### **Galapagos Bidco SARL v Kebekus & Ors**

[2021] EWHC 68 (Ch)

Instructed by Stewarts Law LLP in proceedings concerning a € 1.2 billion European debt restructuring, and associated jurisdiction challenge.

### **Re The Arcadia Group CVA**

(2019)

Instructed by Fried Frank LLP on behalf of US landlords in relation to a material irregularity/unfair prejudice challenge to the Arcadia Group CVA.

### **Debussy DTC plc v. Toys R Us Properties (UK) Ltd**

[2019] EWHC 1035

Instructed for the special servicer in this dispute over the disposal of the property portfolio of the insolvent toy retailer, Toys R Us.

### **Re Cambridge Analytica Ltd**

[2019] EWHC 954 (Ch)

Instructed for creditors seeking to remove the liquidators of the collapsed Cambridge Analytica group.

### **In re Harlequin Property SVG Ltd (in bankruptcy); Glasgow v. ELS**

[2018] 1 W.L.R. 1564

Instructed by Jones Day for the foreign bankruptcy trustee, in a dispute concerning (among other things) the scope of the rule in ex parte James, and the rights of litigation funders to liens over claim proceeds.

### **Re Monarch Airlines Limited (in administration)**

(2017)

Instructed by Reed Smith LLP on behalf of the Civil Aviation Authority in relation to the insolvency of Monarch Airlines.

### **Nordic Trustee ASA v OGX Petróleo e Gás S.A. (em recuperação judicial)**

[2016] EWHC 25; [2016] Bus. L.R. 121

Instructed by Akin Gump LLP for the applicant in an application to discharge an UNCITRAL recognition order in respect of Brazil's largest corporate insolvency.

**MF Global UK Ltd v MF Global, Inc**

(2012-2013)

Instructed by Slaughter and May for the SIPC trustee of MF Global, Inc., on a range of disputes arising out of the collapse of this investment bank. The first issue, litigated in November 2012, concerned the construction of the standard-form Global Master Repurchase Agreement (see [2013] 1 W.L.R. 903).

**Company**

Andreas has considerable expertise in company law, with a strong litigation focus. His work covers unfair prejudice petitions and more general shareholder disputes, derivative claims, warranty claims under share sale agreements, proceedings against directors for breach of duty, and takeover litigation. He also has experience of regulatory proceedings and company investigations, both instructed by, and against, the Government.

*“Very elegant and eloquent, he's beautiful to watch in court especially when handling really challenging cases.”*

– CHAMBERS AND PARTNERS, 2023

**Cases****Re Compound Photonics Group Limited**

[2022] EWCA Civ 1371.

Instructed by Allen & Overy for the successful appellants in these proceedings under CA06 s.994. This case is now the leading appellate authority on the scope of the express duty of good faith.

**A v. B**

(2021-2022)

Instructed by White & Case in relation to an arbitration between the parties to a share sale agreement, concerning the subsidiary of a FTSE listed company.

**Everest Alliance Ltd v. Maslovskiy**

[2020] EWHC 3160 (Ch)

Instructed by White & Case in relation to proceedings concerning the convening of a general meeting, in the context of a dispute between the shareholders in the listed company, Petropavlovsk plc.

**UTB LLC v. Sheffield United Limited**

(2019) EWHC 2322 (Ch)

Instructed by Jones Day for the successful claimant (a member of the Saudi Royal family) in a shareholder dispute (lasting two months, at trial) concerning ownership of the Premiership football club, Sheffield United.

### **Haven Insurance Ltd v. EUI Limited**

[2018] EWHC 143 (Comm)

Representing the claimant insurers in an arbitration, and then on appeal to the Commercial Court and the Court of Appeal, in proceedings concerning the construction of the articles of association of the Motor Insurers Bureau.

### **Re Craymer East Limited**

(2016-2017)

Advising and representing the respondents in this unfair prejudice petition, concerning rights to the proceeds of the stage musical and film Mamma Mia!

### **Allers v Anno 11 GmbH**

[2016] EWHC 388 (Ch)

Instructed by Charles Russell Speechlys for the defendants in a dispute concerning the interpretation of mandatory buy-out provisions.

### **Eclairs Group Ltd v JKC Oil & Gas plc**

[2015] UKSC 71; [2015] Bus. L.R. 1395

Instructed by Locke Lord (UK) LLP for the claimants in their successful appeal to the Supreme Court concerning restriction notices served on them by the defendant company pursuant to s.793 of the Companies Act 2006.

### **UC Rusal plc v Corbiere Holdings Ltd**

(2011-2012)

Instructed by Mishcon de Reya in a substantial offshore dispute between two minority shareholders in the Russian nickel mining giant, OJSC Norilsk Nickel.

## **Arbitration**

Andreas has significant experience of high-value international commercial arbitration under various rules (including UNCITRAL and ICSID) in the spheres of public procurement, oil and gas, insurance, telecommunications, IT and construction.

## **Cases**

### **X v. Y**

(2020-current)

Instructed by Mishcon de Reya in relation to a dispute arising out of a renewable energy supply contract. Phase 1 award in January 2023, with proceedings ongoing.

### **A v. B**

(2021-2022)

Instructed by White & Case in relation to an arbitration between the parties to a share sale agreement, concerning the subsidiary of a FTSE listed company.

### **Haven Insurance Ltd v. EUI Limited**

[2018] EWHC 143 (Comm)

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### **Re a telecoms arbitration**

(2016-2017)

Instructed by Charles Russell Speechlys LLP for the claimants in a telecoms arbitration, concerning co-location facilities.

### **X v Islamic Republic of Pakistan**

(2015)

Successfully defended a US\$600m claim against the Government of Pakistan in the International Centre for the Settlement of Investment Disputes.

### **Re an oil & gas arbitration**

(2012-2015)

Instructed by King & Spalding on behalf of a major oil and gas multinational in relation to a range of disputes between it and a foreign government as to their respective contractual rights.

### **In the Matter of an Indian Arbitration**

(2010 - 2011)

Acted for the claimant, one of India's largest companies, in what was reputedly the largest ever Indian domestic arbitration. The claim was for significantly over US\$500m under a material damage and business interruption insurance policy. The claim, which arose out of cyclone damage to an oil refinery, was arbitrated in Mumbai and the substantive hearing lasted over 3 months.

## **Commercial**

All of Andreas' commercial work can be found under the subject-specific headings above.

## Financial Services & Banking

Andreas has significant experience of banking and financial services litigation, with particular strength in claims concerning investment mis-selling, and litigation concerning the rules of the Financial Services Compensation Scheme.

His cases have included disputes and advisory work in relation to bond and facility defaults, investment mis-selling, mergers and acquisitions, derivative transactions, close-out netting, company charges, custody agreements, invoice discounting, and forum issues.

## Cases

### **Liberty France Industries Pte. Ltd. v. Lightship Capital II LLC**

(2021-current)

Instructed by Jones Day for the secured creditors of Liberty France, in a dispute concerning the enforcement of a Luxembourg share pledge.

### **Debussy DTC plc v. Toys R Us Properties (UK) Ltd**

[2019] EWHC 1035

Instructed for the special servicer in this dispute over the disposal of the property portfolio of the insolvent toy retailer, Toys R Us.

### **Re Connaught Income Fund Series 1 (in liquidation)**

[2015] 1 BCLC 241

Instructed by King & Wood Mallesons LLP for the liquidators of an unregulated collective investment scheme in relation to a £100m mis-selling claim.

### **MF Global UK Ltd v MF Global, Inc**

(2012-2013)

Instructed by Slaughter and May for the SIPC trustee of MF Global, Inc., on a range of disputes arising out of the collapse of this investment bank. The first issue, litigated in November 2012, concerned the construction of the standard-form Global Master Repurchase Agreement (see [2013] 1 W.L.R. 903).

### **R (Emptage) v Financial Services Compensation Scheme**

[2013] EWCA Civ 729

Instructed by SNR Denton on behalf of the respondent in this judicial review concerning the basis on which compensation is payable in respect of failed property investments funded by mortgage borrowing.

### **Credit Suisse Securities Ltd v Kaupthing Singer & Friedlander Ltd**

(2010-2012)

Instructed by Allen & Overy for Credit Suisse, in a £25m claim arising out of a substantial share transaction shortly prior to the administration of Kaupthing.

## **Civil Fraud, Asset Recovery & Injunctive Relief**

As part of his broader commercial practice, Andreas regularly handles claims concerning fraud and asset recovery, often with a cross-border dimension.

### **Cases**

#### **Copley Motorcars v Bonhams 1793 Ltd**

(2013-2016)

Instructed by Mishcon de Reya on behalf of the claimants in a claim for fraudulent misrepresentation, arising out of the sale at auction of a 1954 racing Ferrari for £9.6m.

## **ACHIEVEMENTS**

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### **Education**

MA (Cambridge)

### **Publications**

Andreas was formerly a contributor to the loose-leaf works, Gore-Browne on Companies, and Muir Hunter on Personal Insolvency.

VAT registration number: 447008068

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