

# Andreas Gledhill QC

*“A persuasive advocate.”*

– CHAMBERS AND PARTNERS, 2021

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 (including investment treaty arbitration); and general commercial litigation. He was nominated for Company/Insolvency silk of the year in the Chambers UK Bar Awards 2016.

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 2020 and Legal 500 2019).

## EXPERIENCE

### Restructuring & Insolvency

Andreas has been involved in many of the high profile corporate collapses of the last 25 years, including: 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).

*“He has wide-ranging legal knowledge and a keen sense of the practicalities of his cases.”*

– CHAMBERS AND PARTNERS, 2021

## Cases

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

(2020-2021)

Instructed on behalf of representative investors in relation to a dispute about the treatment of their claims in the insolvency of this collapsed peer-to-peer lender. Due for trial in June 2021.

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

[2021] EWHC 68 (Ch)

Andreas acted for the First and Eighth Defendants in this challenge to the Court's jurisdiction to determine a company's claim for declarations that a recent financial restructuring had complied with the terms of an earlier intercreditor agreement. The restructuring concerned debts in the order of €1.2 billion owed by a group of companies manufacturing heat exchangers and cooling systems.

### **Re Comet Group Limited (in liquidation)**

[2020] EWHC 1707

Instructed by Jones Day on behalf of the conflict liquidator in respect of various litigation recoveries, arising out of the sale of the Comet group to OpCapita in 2012.

### **Re Arcadia Group**

(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.

The decision considered (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 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 (including litigation before the Takeover Panel) and company investigations, both instructed by, and against, the Government.

***“He works hard and gives straightforward advice that is highly commercial.”***

— CHAMBERS AND PARTNERS, 2021

## **Cases**

### **Re Compound Photonics Group Limited**

(2020-2021)

Instructed by Allen & Overy for the respondents (Roman Abramovich, and others) in this unfair prejudice petition. Trial over four weeks in November-December 2020, with judgment awaited, at the time of writing.

### **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 major 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.

## **Banking**

Andreas has substantial experience of banking and financial services litigation. 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.

***“Technically excellent, thorough and hardworking, he is a key member of the team.”***

– LEGAL 500, 2015

## **Cases**

### **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.

### **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.

## **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**

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

[2018] EWHC 143 (Comm)

Instructed on behalf of the claimant in a challenge to an award on jurisdiction made by an arbitrator.

### **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 is listed below and can be found, where relevant, under the foregoing specific headings.

***“Exceptional, modest and spot on; his elevation to silk was wholly deserved.”***

– LEGAL 500, 2015

## **Cases**

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

[2021] EWHC 68 (Ch)

Andreas acted for the First and Eighth Defendants in this challenge to the Court's jurisdiction to determine a company's claim for declarations that a recent financial restructuring had complied with the terms of an earlier intercreditor agreement. The restructuring concerned debts in the order of €1.2 billion owed by a group of companies manufacturing heat exchangers and cooling systems.

## **Financial Services**

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

***“Super-bright”***

– LEGAL 500, 2017

## **Cases**

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

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## **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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