

# Andrew Hunter QC

*“His cross-examination of witnesses is a complete masterclass.”*

– CHAMBERS UK, 2016

Year of call: **1993**  
Appointed to silk: **2012**  
Degree: **BA (Oxon) in Law (First Class, Wronker Prize)**



The focus of Andrew’s practice is commercial litigation. He regularly appears as lead advocate in the English Courts, in international arbitrations (including ICC, LCIA, Bermuda Form and ad hoc), and in a variety of English and international tribunals. He also has a wealth of experience in specialist areas such as, banking/financial services, insurance and reinsurance, civil fraud, injunctive litigation and sport/media disputes.

Andrew is ranked in Chambers Global 2016 in Dispute Resolution. He also is recognised as a leading silk in the latest editions of both the leading legal directories, Chambers UK 2018 and Legal 500 2017, for his expertise in banking and finance, commercial litigation, financial services, civil fraud, insurance and reinsurance, international arbitration, media and entertainment and sport.

## EXPERIENCE

### Commercial

Andrew appears as leading counsel in a range of substantial and complex international commercial disputes in the English Courts both at first instance and appeal. Examples of his current and most recent commercial Court work include the following.

*“A very calm, efficient and patient cross-examiner, he has an analytical mind and the ability to look at a problem from a broader perspective.”*

– CHAMBERS UK, 2016

### Cases

#### **Libyan Investment Authority v Societe Generale and others**

(pending - trial 2017)

Leading Counsel for one of the individual Defendants in this ongoing US\$1 billion + claim by the Libyan Investment Company against the French Bank, Societe Generale and various individuals.

**Gruber and ors v AIG Management France SA and ors**

[2015] EWHC 2916 (Comm)

Leading Counsel for the Defendants, various companies in the AIG group in this £100 million claim by multiple former banker employees for sums under deferred compensation scheme. The claims against three of the defendants was struck or dismissed on jurisdictional grounds in November 2015; the case continues against the others.

**Sabbagh v Khoury and ors**

[2014] EWHC 3233 (Comm) (Carr J); CA pending, 2017

Leading Counsel for Wael Khoury, the first defendant in this US\$600 million claim arising out of a dispute between the shareholders of one of the world's largest private construction and infrastructure companies. The principal claim (for in excess of US\$500 million) was held to be unarguable and stayed following a five day jurisdictional hearing before Carr J.

**Standard Life and ors v Collins and others**

(Commercial Court, settled 2016)

Leading Counsel for one of the former directors of the sub-prime lender Cattles plc in this multi-million pound shareholder class action arising out of the collapse of the Cattles group in 2009.

## Arbitration

Andrew regularly acts in a wide variety of domestic and international commercial or investment arbitrations, and has extensive experience of anti-arbitration injunction applications and other arbitration applications in the Commercial Court. He co-wrote the Arbitration chapter in Lewis on Sports law, and is a member of Chartered Institute of Arbitrators. Current and recent work includes the following.

***“He is stunningly bright and a really good and brave advocate.”***

– CHAMBERS UK, 2016

## Cases

**[Energy Company] v [Insurance Company]**

(Bermuda Form London arbitration, ongoing)

Leading counsel for the Claimant oil company in this arbitration concerning liability insurance cover in respect of pollution following a massive oil spill from a pipeline in the US.

**Company A v Company B**

(LCIA arbitration, settled after preliminary issue hearing, 2015)

Counsel for the Claimant in this arbitration concerning a substantial investment in luxury hotel in Morocco.

**Fund X v Y and ors**

(ICC arbitration, November 2014)

Leading Counsel for the respondents in this ICC arbitration concerning an investment by a major investment bank in a Polish real estate company.

### **Agility for Public Warehousing Company KSC v Islamic Republic of Pakistan**

(ICSID Case No. ARB/11/8, ongoing)

Part of the Counsel team for the Respondent State in this ongoing ICSID arbitration concerning customs clearance services.

### **The Tennessee Valley Authority v Various Bermudan Insurers**

(Bermuda Form Arbitrations: 2013-2015)

Leading Counsel for the Claimant, a US public corporation in this US\$300 million series of Bermuda Form arbitrations in London following a major environmental disaster at a US power plant.

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

Andrew has many years' experience of civil fraud litigation, and has appeared in dozens of Freezing Order and Search Order applications as well as many civil fraud trials and heavy committal/contempt applications. He acts both for fraud claimants (e.g. banks or large corporations) and for fraud defendants and is currently instructed by a range of City firms. Current and recent work includes the following.

*“He's very quick, very clear and he doesn't waste any time, which judges certainly appreciate.”*

— CHAMBERS UK, 2016

## **Cases**

### **Libyan Investment Authority v Societe Generale and others**

(pending - trial 2017)

Leading Counsel for one of the individual Defendants in this ongoing US\$1 billion + claim by the Libyan Investment Company against the French Bank, Societe Generale and various individuals.

### **Nazarbayeva v Ishmuratov and ors**

(settled June 2016)

Leading Counsel for the Defendants in this substantial fraud claim brought by the daughter of Kazakhstan for more than US\$300 million.

### **Novoship (UK) Ltd v Mikhaylyuk and ors**

[2015] EWHC 992 (Comm), CA pending

Counsel for one of the Defendants in this successful application for declarations as to the terms of an agreement and for discharge of a US\$100m Freezing Order.

### **Slocom v Sibir Energy and ors**

[2014] EWCA Civ 831

Leading Counsel for the Claimant oil company, Sibir, in this complex dispute regarding a disputed €40 million, allegations of fraud and forgery and the validity of security over a €100 million property in France.

## Financial Services

Andrew's experience in this sector stretches back to his secondment as enforcement counsel at the SFA in 1999. Since then he has regularly acted in numerous financial regulatory disputes both as prosecuting counsel (for the FCA and predecessors) and as defence counsel. He also acts both for and against banks and financial institutions in a variety of banking and financial matters including the ongoing Libor/Euribor investigations; foreign exchange trading; and shareholder actions against banks and others. Current and recent work includes the following.

***“He's an excellent cross-examiner. He's just very, very effective with any type of witness be they expert or not.”***

– CHAMBERS UK, 2016

## Cases

### **Bittar v Financial Conduct Authority**

[2015] UKUT 602, ongoing

Counsel for a former Euribor trader in this significant ongoing disciplinary case in relation to alleged fixing of Euribor interest rates, including a successful application before the Upper Tribunal in November 2015 for third party rights to challenge an FCA Notice against a major bank.

### **Standard Life and ors v Collins and others**

(Commercial Court, settled 2016)

Leading Counsel for one of the former directors of the sub-prime lender Cattles plc in this multi-million pound shareholder class action arising out of the collapse of the Cattles group in 2009.

### **Carrimjee v Financial Conduct Authority**

Upper Tribunal, 2014

Counsel for the Applicant in this successful reference to the Upper Tribunal concerning alleged price-fixing of LSE listed equities.

## Insurance & Reinsurance

Andrew has a long pedigree in insurance and reinsurance acting for policy holders, as well as insurers and brokers, and going back to well known cases such as Jones v Environcom Ltd [2012] Lloyd's Rep IR 277 (CA); Bonner & ors v Cox & ors [2005] Lloyds Rep IR, 569; the Beursgracht [2002] 1 Lloyd's Rep 574 (CA); [2002] 2 Lloyd's Rep 602 and [2001] 2 Lloyd's Rep 608; and Kingscroft and others v Nissan [1999] Lloyds R&IR 603.

***“Fantastic brain and unflappable manner.”***

– CHAMBERS UK, 2016

## Cases

### **[Energy Company] v [Insurance Company]**

(Bermuda Form London arbitration, ongoing)

Leading counsel for the Claimant oil company in this arbitration concerning liability insurance cover in respect of pollution following a massive oil spill from a pipeline in the US.

### **[Pharmaceutical Company] v [Insurance Company]**

(Bermuda Form London arbitration, ongoing)

Leading Counsel for the Claimant pharmaceutical company in this arbitration concerning liability insurance cover in respect of exposure to large scale US litigation arising out of the manufacture of PCPs.

### **The Tennessee Valley Authority v Various Bermudan Insurers**

(Bermuda Form Arbitrations: 2013-2015)

Leading Counsel for the Claimant, a US public corporation in this US\$300 million series of Bermuda Form arbitrations in London following a major environmental disaster at a US power plant.

## **Sport**

Andrew has been ranked as a leading counsel in sports law for many years. In the sports sector, he has acted in a wide variety of commercial and disciplinary cases, including many high profile matters such as the "Bloodgate" and "Spygate" affairs in Rugby Union and Formula One and the recent FIFA corruption allegations.

***"Extremely intelligent and able to strike up a good rapport with the judge, which makes a real difference."***

— LEGAL 500, 2015

## **Cases**

### **UB Racing v Lotus**

(2016)

Leading Counsel for the defendant sports car manufacturer in this dispute over a contract to sponsor a rally team.

### **Bedene v ITF**

(2015)

Leading Counsel advising the Davis Cup Committee on this dispute regarding player eligibility.

### **Mohamed Bin Hammam v FIFA**

(Court of Arbitration for Sport/various)

Leading Counsel for the Defendant, a former FIFA Vice President, in this dispute with FIFA arising out of accusations of serious breaches of FIFA's Code of Ethics.

## **Media & Entertainment**

Andrew has acted in a large number of music, video and film cases, both for artists and for record, publishing, and other media companies. Current and recent work includes the following.

***"His cross-examination of witnesses is a complete masterclass."***

— CHAMBERS UK, 2016

## Cases

### **Charles Saatchi & Saatchi Online Inc**

(2015)

Leading Counsel for the Claimant business man and art gallery owner in this dispute with a US based licensee.

### **Bill Straw & Blix Street Records v Jennings & ors**

(Warren J, [2013] EWHC 3290)

Leading Counsel for the Claimant record label, in this successful £2 million royalty claim and copyright counterclaim concerning the late American singer/songwriter Eva Cassidy. After a 2 week trial, Warren J granted judgment for the Claimant and dismissed all counterclaims.

## ACHIEVEMENTS

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### Education

BA (Oxon) in Law (First Class, Wronker Prize), BCL (Bachelor of Civil Law)