

# Andrew Hunter QC

*“He’s brilliant to work with and clients absolutely love him.”*

– CHAMBERS AND PARTNERS, 2021

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 2020 for Dispute Resolution and International Arbitration. In the latest editions of the leading legal directories, Chambers & Partners 2020 and Legal 500 2020, he is recognised for Banking & Finance, Commercial Litigation, Dispute Resolution: Commercial, Financial Services Regulation, International Arbitration, Media & 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.

*“He is extraordinarily bright, hard-working and rolls up his sleeves to fix the problem.”*

– CHAMBERS AND PARTNERS, 2021

### Cases

#### **Gruber and others v AIG Inc and others**

[2020] EWCA Civ 31, [2015] EWHC 2916 (Comm)

Acted for various companies in the AIG group in this £100 million claim by multiple former banker employees for sums under deferred compensation scheme. The Court of Appeal recently allowed AIG’s appeal and dismissed all claims.

### **The Channel Tunnel Group Ltd, France-manche SA (Together T/A “EUROTUNNEL”) and the Secretary of State for Transport**

Acted for the Channel Tunnel Group in their judicial review challenge to the Secretary of State for Transport’s decision to procure ferry capacity in the event of a ‘no deal’ Brexit.

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

[2017] EWHC 2631 (Comm)

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.

### **Sabbagh v Khoury and ors**

[2017] EWCA Civil 20

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, but reversed on appeal. The Court of Appeal important guidance on anchor defendants claims and remitted the claim to the Commercial Court.

### **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.

***“A devastating cross-examiner who collaborates with instructing solicitors as equals and has a fantastic work ethic.”***

– LEGAL 500, 2021

## **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**

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

### **Fund X v Y and ors**

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

### **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.

***“A very effective advocate, insightful, clever and respected by the bench, he stands out even among the leading civil fraud silks.”***

– LEGAL 500, 2021

## **Cases**

### **Privatbank v Kolomoisky and ors**

[2019] EWCA Civ 1708

The Court of Appeal has given judgment, unanimously allowing the appeal of the Ukrainian bank, Privatbank, against the judgment of Fancourt J dated 4 December 2018 [2018] EWHC 3308 (Ch).

The case concerns an alleged scheme perpetrated by the defendants to misappropriate c. US\$2 billion from the Bank. The Bank alleged that the scheme was orchestrated by Ds 1 and 2, Ukrainian “oligarchs” domiciled in Switzerland, with the assistance of English and BVI companies through which the Bank alleged that misappropriated monies were laundered. The Bank sued Ds 1 and 2 and the BVI companies in England, using the English companies as “anchor defendants”. It sought, and was granted by Nugee J, a Worldwide Freezing Order in the amount of US\$2.6 billion.

### **Katara Hospitality v Guez & Ors**

[2018] EWHC. 3063 (Comm)

Leading Counsel for the successful Defendants in this Euro65million claim brought by the Qatari sovereign wealth fund. Arising out of the purchase of the “Buddha Bar” chain. Moulder J. gave judgment dismissing the claim in November 2016.

### **Skat v Solo Capital Partners LLP**

Acting for one of the individual defendants in this massive fraud claim brought by the Danish tax authority.

### **Alpha Co Ltd v Scott**

Leading Counsel for the Claimant, a Japanese company in trial dispute over enforcement of Japanese judgment involving allegations of sham and fraud.

### **Sabbagh v Khoury and ors**

[2017] EWCA Civil 20

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, but reversed on appeal. The Court of Appeal important guidance on anchor defendants claims and remitted the claim to the Commercial Court.

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

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### **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.

***“Tremendously assured, with a detailed knowledge of the area and an incisive intelligence.”***

– CHAMBERS AND PARTNERS, 2021

## Cases

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

[2015] UKUT 602, ongoing

Leading 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.

### **Re: Enterprise Insurance Company Limited**

Advising the Gibraltar Financial Services Commission in relation to regulatory matters arising out of the collapse of the Enterprise Insurance Group (ongoing).

### **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.

## 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.

***“He has an excellent reputation.”***

– CHAMBERS AND PARTNERS, 2021

## 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.

***“He is smart and user-friendly.”***

– CHAMBERS AND PARTNERS, 2021

## **Cases**

### **Wasps Rugby Club - various**

Acting for Wasps Rugby Club in various disciplinary hearings before the RFU Disciplinary Tribunal (including on behalf of Nathan Hughes and Sam Jones).

### **Chelsea FC v FA**

Acting for Chelsea FC before the Appeal Board over the mass confrontation during and after the fixture against Spurs at the end of the 2015-16 season.

### **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.

***“Calm, forensic, hugely knowledgeable, highly liked by clients and great to work with.”***

– LEGAL 500, 2021

## **Cases**

### **Duchess of York v Mazher Mahmood & News Group Newspapers**

Acting for Sarah Ferguson, the Duchess of York, in claims arising from 'sting' in which Duchess allegedly offered access to Prince Andrew in return for cash. Raises interesting and novel questions in respect of deceit and conspiracy in field of privacy, confidentiality and data protection.

### **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**

### **Education**

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

VAT registration number: 447008068

Barristers regulated by the Bar Standards Board