

Peter Head

"Peter is user-friendly, commercially astute, strategically excellent and provides great quality in written work."

– CHAMBERS & PARTNERS, 2024

Year of call: **2008**
Degree: **MA (Cantab); LLB (first class)**



Peter practises in commercial law, with a particular emphasis on commercial fraud. He has been involved in some of the largest commercial and civil fraud claims in recent years. He has particular expertise in fraud claims with an insolvency element, as well as insolvency and company law claims more generally. He is also an experienced practitioner in commercial arbitration.

Peter is ranked in Chambers UK, Chambers Global and Legal 500 for civil fraud, commercial litigation, and restructuring and insolvency. Recent comments include:

- "Very responsive, pragmatic and bright. Technically brilliant and commercially strategic."- Legal 500, 2024
- "Peter is user-friendly, commercially astute, strategically excellent and provides great quality in written work."- Chambers & Partners, 2024

Recent cases include:

- Skatteforvaltningen (the Danish Customs and Tax Administration) v Solo Capital Partners LLP (in Special Administration) and ors. Acting for one of the defendants in a claim concerning an alleged \$1.5bn fraud.
- Arcelormittal USA LLC v Ruia and others. Acting for one of the world's largest steel companies in a \$1.5bn conspiracy claim arising out of a Minnesota iron ore pellet agreement. Related proceedings in the Cayman Islands and US, and related insolvency proceedings in Mauritius. Applications for worldwide freezing orders, search orders and Norwich Pharmacal orders.
- Suppipat v Narongdej and others. Acting for the Claimant in a \$1-2bn fraud claim relating to the sale of a wind energy business in Thailand. Application for a worldwide freezing order and contempt proceedings.
- The Football Association Premier League Limited v PPLive Sports International Limited. Acting for the Premier League in a dispute arising out of its \$701m contract for broadcasting rights in China.
- Industrial and Commercial Bank of China v Ambani. Acting for an Indian businessman in relation to a claim under a personal guarantee for \$657m.
- AIG Financial Products Corp Inc v Gruber and others. Acting for AIG in a dispute with employees arising out of the US Government's \$85bn bailout of AIG in 2008.

- *Organic Grape Spirit Limit v Nueva IQT*. Acting for the appellant in a significant Court of Appeal decision in relation to the ordinary and proper course of business exception in a freezing order.
- *Barings (UK) Limited and others v Galapagos SA*. Acting for a Luxembourg company in a dispute arising out of a €1bn debt restructuring.

EXPERIENCE

Civil Fraud, Asset Recovery & Injunctive Relief

Peter has wide experience of high value commercial fraud claims, injunctive relief, and associated enforcement issues. Many of his cases have cross-border elements, and often involve related insolvency proceedings and related proceedings in other jurisdictions. He has wide experience of obtaining and resisting freezing orders, proprietary injunctions, Norwich Pharmacal/Bankers Trust orders, and search orders.

“He is a creative thinker and is great at getting on top of the detail and working with us to help bolster our thoughts and position.”

– CHAMBERS UK, 2023

Cases

Chowgule & Company Private Limited and another v Shirke and others

Commercial Court, 2023

Acting for one of the Defendants to an alleged \$130 million shipping fraud.

Skatteforvaltningen (the Danish Customs and Tax Administration) v Solo Capital Partners LLP (in Special Administration) and ors

Commercial Court, 2023

Acting for one of the defendants in this claim relating to an alleged US\$1.5bn fraud.

Goyal v BGF Investment Management Limited and others

[2023] EWHC 1180 (Comm)

Dispute arising out of the sale of a technology business with claims in deceit and unlawful means conspiracy.

Arcelormittal North America Holdings LLC v Ruia and others

[2022] EWHC 1378 (Comm)

Successful resistance of strike out and summary judgment application in proceedings alleging a \$1.5bn unlawful means conspiracy.

Morjaria and others v Mirza and others

Chancery Division, 2022

Joint venture dispute with related unfair prejudice and insolvency proceedings in Jersey.

Suppipat & ors v Narongdej & ors

[2021] EWHC 3259 (Comm)

US\$1-2 billion claim alleging a conspiracy to deprive a Thai entrepreneur of a majority interest in the leading renewable energy company in Thailand. The claim involved 17 defendants, parallel ICC arbitrations and ancillary proceedings in the BVI, Belize, Hong Kong and Singapore.

ArcelorMittal USA LLC v Ruia and others

[2020] EWHC 3349 (Comm)

Conspiracy proceedings for in excess of \$1.5 billion arising out of a North American mining contract. Related proceedings in the Cayman Islands, Mauritius and New York.

Organic Grape Spirit Limit v Nueva IQT

[2020] EWCA Civ 1999

Acting for the successful appellant in an appeal confirming that a freezing injunction is not intended to prevent a company from carrying on its business, even where the business can be described as risky or speculative.

Arcelormittal USA LLC v Ruia and others

[2020] EWHC 740 (Comm)

Acting for ArcelorMittal in this \$1.5bn conspiracy claim arising out of an iron ore contract in Minnesota. Related proceedings in the Cayman Islands.

EM Solar Limited

Queen's Bench Division, 2019

Claim for injunctive relief and Bankers' Trust relief in relation to a company trading in solar panels.

Reignwood Group v Ni

Commercial Court, 2017-2018

Acting for the Reignwood Group in this joint venture dispute governed (in part) by Chinese law. Related proceedings in Luxembourg and the US.

Guralp Systems Ltd and others v Guralp

Commercial Court, 2015-2018

Acted for the defendant in a claim relating to alleged bribery of a foreign public official. Parallel investigation by the Serious Fraud Office.

Property Professionals + Limited v Jackson

2015-2018

£20m + claim by liquidators arising out of an alleged unlawful return of capital, including claims in conspiracy and deceit.

Sabbagh v Khoury and ors

[2017] EWCA Civ 1120

Acted for the successful appellant in this US\$600 million claim relating to one of the world's largest private construction and infrastructure companies.

CWY International Construction Company Ltd v Bilson

Queen's Bench Division, 2017

Proceedings to recover monies fraudulently procured by a solicitor.

Commercial

Peter's commercial practice takes in a wide variety of disputes including claims for and against financial institutions, joint venture disputes, claims for and against commercial agents, professional negligence claims, company law claims, jurisdiction disputes, and a range of general commercial and contractual disputes. He is frequently instructed in very high value claims as part of a counsel team, and also has considerable advocacy experience as sole counsel.

“He is also excellent with clients and acutely aware of their fragility and need to guide them through the process of complex litigation.”

– LEGAL 500, 2023

Cases

Chowgule & Company Private Limited and another v Shirke and others

Commercial Court, 2023

Acting for one of the Defendants to an alleged \$130 million shipping fraud.

Goyal v BGF Investment Management Limited and others

[2023] EWHC 1180 (Comm)

Dispute arising out of the sale of a technology business with claims in deceit and unlawful means conspiracy.

Skatteforvaltningen (the Danish Customs and Tax Administration) v Solo Capital Partners LLP (in Special Administration) and ors

Commercial Court, 2023

Acting for one of the defendants in this claim relating to an alleged US\$1.5bn fraud.

Arcelormittal North America Holdings LLC v Ruia and others

[2022] EWHC 1378 (Comm)

Successful resistance of strike out and summary judgment application in proceedings alleging a \$1.5bn unlawful means conspiracy.

The Football Association Premier League Limited v PPLive Sports International Limited

[2022] EWHC 38 (Comm)

Dispute arising out of a \$701 million contract for broadcasting rights in Mainland China and Macau. Successfully obtained summary judgment for the Premier League for over \$200 million.

Barings (UK) Limited and others v Galapagos S.A.

[2022] EWHC 1633 (Ch)

Insolvency proceedings arising out of a €1bn debt restructuring

Morjaria and others v Mirza and others

Chancery Division, 2022

Joint venture dispute with related unfair prejudice and insolvency proceedings in Jersey.

Galapagos Bidco SARL v Kebekus & Ors

Chancery Division, 2022

Acting for a Luxembourg finance company in a dispute arising out of a €1bn debt restructuring.

Suppipat & ors v Narongdej & ors

[2021] EWHC 3259 (Comm)

US\$1-2 billion claim alleging a conspiracy to deprive a Thai entrepreneur of a majority interest in the leading renewable energy company in Thailand. The claim involved 17 defendants, parallel ICC arbitrations and ancillary proceedings in the BVI, Belize, Hong Kong and Singapore.

ArcelorMittal USA LLC v Ruia and others

[2020] EWHC 3349 (Comm)

Conspiracy proceedings for in excess of \$1.5 billion arising out of a North American mining contract. Related proceedings in the Cayman Islands, Mauritius and New York.

Organic Grape Spirit Limit v Nueva IQT

[2020] EWCA Civ 1999

Acting for the successful appellant in an appeal confirming that a freezing injunction is not intended to prevent a company from carrying on its business, even where the business can be described as risky or speculative.

Industrial and Commercial Bank of China v Ambani

[2020] EWHC 272 (Comm)

Proceedings under a personal guarantee for a sum of \$657 million.

Arcelormittal USA LLC v Ruia and others

[2020] EWHC 740 (Comm)

Acting for ArcelorMittal in this \$1.5bn conspiracy claim arising out of an iron ore contract in Minnesota. Related proceedings in the Cayman Islands.

AIG Financial Products Corp Inc v Gruber and others

[2020] EWCA Civ 31

Acting for the successful appellant (AIG Financial Products Corp) in proceedings brought by 23 former employees for deferred remuneration in excess of \$100 million.

W Nagel (a firm) v Pluczenik Diamond Company N.V. and others

[2019] EWHC 3126 (QB)

Proceedings under CPR 71.

Industrial and Commercial Bank of China v Ambani

[2019] EWHC 3436 (Comm)

\$657 million claim under a personal guarantee; summary judgment; conditional orders.

Gruber and another v AIG Management France, SA and another

[2019] EWHC 1676 (Comm)

Quantum proceedings following judgment on liability in a claim arising out of the \$85 billion bail-out of AIG by the US Federal Reserve in 2008.

Reignwood Group v Ni

Commercial Court, 2017-2018

Acting for the Reignwood Group in this joint venture dispute governed (in part) by Chinese law. Related proceedings in Luxembourg and the US.

Pluczenik Diamond Company N.V. v Nagel

[2018] EWCA Civ 2640

Appeal in relation to the applicability of the Commercial Agents Regulations and assessment of damages for loss of profits.

Re Idverde

Chancery Division, 2018

Dispute under a Share Purchase Agreement raising pensions/actuarial issues in relation to a defined benefit scheme.

Naibu v Daniel Stewart and another

Chancery Division, 2018

£195 million claim arising out of the listing on AIM of a Chinese shoe and leisurewear manufacturer.

Gruber and others v AIG Inc and others

[2018] EWHC 3030 (Comm)

Acted for various companies in the AIG Group in this \$100 million claim by former banker employees.

Guralp Systems Ltd and others v Guralp

Commercial Court, 2015-2018

Acted for the defendant in a claim relating to alleged bribery of a foreign public official. Parallel investigation by the Serious Fraud Office.

Fannigan Holdings Limited v Doherty

[2017] BPIR 980

Acting for the successful appellant in relation to a £2 million statutory demand. Issues as to the definition of a debt at common law and the meaning of a debt for a liquidated sum under the Insolvency Act 1986.

Nagel v Pluczenik Diamond Company N.V.

[2017] EWHC 1750 (Comm); [2017] EWHC 2104 (Comm)

Acting for a De Beers Sightholder in a claim under the Commercial Agents Regulations 1993 and at common law.

CWY International Construction Company Ltd v Bilson

Queen's Bench Division, 2017

Proceedings to recover monies fraudulently procured by a solicitor.

Sabbagh v Khoury and ors

[2017] EWCA Civ 1120

Acted for the successful appellant in this US\$600 million claim relating to one of the world's largest private construction and infrastructure companies.

Agents' Mutual Limited v Moginie James Limited

[2016] EWHC 3384 (Ch)

Commercial and competition law claims relating to an online property portal.

Orb a.r.l. v Ruhan and others

Commercial Court, 2016

Multi-party litigation arising out of an alleged property joint venture.

Antigua Power Company Limited v The Attorney General of Antigua and Barbuda and others

2015, High Court of Antigua

Proceedings relating to the Antigua electricity supply.

Rosserlane Consultants Ltd v Credit Suisse International

[2015] EWHC 384 (Ch)

Dispute arising out of the sale of the largest onshore oil and gas field in Azerbaijan.

FBME Bank Ltd v Elwes

[2012] EWHC 2209 (QB)

Acted for a Cypriot bank in a claim under personal guarantees.

Restructuring & Insolvency

Peter acts for office-holders, creditors and debtors across the range of corporate and personal insolvency disputes, both UK and offshore. He is frequently instructed in insolvency cases with a fraud element.

“Peter delivers clear, commercial and strategic advice.”

– CHAMBERS UK, 2023

Cases

Morjaria and others v Mirza and others

Chancery Division, 2022

Joint venture dispute with related unfair prejudice and insolvency proceedings in Jersey.

Barings (UK) Limited and others v Galapagos S.A.

[2022] EWHC 1633 (Ch)

Insolvency proceedings arising out of a €1bn debt restructuring

Galapagos Bidco SARL v Kebekus & Ors

Chancery Division, 2022

Acting for a Luxembourg finance company in a dispute arising out of a €1bn debt restructuring.

AIG Financial Products Corp Inc v Gruber and others

[2020] EWCA Civ 31

Acting for the successful appellant (AIG Financial Products Corp) in proceedings brought by 23 former employees for deferred remuneration in excess of \$100 million.

ArcelorMittal USA LLC v Ruia and others

[2020] EWHC 3349 (Comm)

Conspiracy proceedings for in excess of \$1.5 billion arising out of a North American mining contract. Related proceedings in the Cayman Islands, Mauritius and New York.

Gruber and others v AIG Inc and others

[2018] EWHC 3030 (Comm)

Acted for various companies in the AIG Group in this \$100 million claim by former banker employees.

Doherty v Fannigan Holdings Limited

[2018] EWCA Civ 1615

Court of Appeal decision in relation to whether a claim for a sum due under a Share Purchase Agreement was a liquidated debt.

Property Professionals + Limited v Jackson

2015-2018

£20m + claim by liquidators arising out of an alleged unlawful return of capital, including claims in conspiracy and deceit.

Fannigan Holdings Limited v Doherty

[2017] BPIR 980

Acting for the successful appellant in relation to a £2 million statutory demand. Issues as to the definition of a debt at common law and the meaning of a debt for a liquidated sum under the Insolvency Act 1986.

S&A Foods

2017

Misfeasance claim against a former director.

Re London Scottish Group

2016

£70 million challenge to rejection of proofs. Issues as to the valuation of contingent liabilities.

Re Aussie Group Limited

2016

Acting for the joint liquidators of a removal services company. Misfeasance claim; freezing injunction; limited cross-undertaking for office-holders.

PIP Breast Plant litigation

2016

Acted for the administrators of a provider of cosmetic surgery alleged to have produced defective breast implants.

Wedding TV Limited v Grabiec

[2015] EWHC 1548 (Ch)

Setting aside of statutory demand on the basis of "other grounds"; application of the Ex p. James principle to statutory demand served by a company through its voluntary liquidators.

Misfeasance claim

2013-2015

Misfeasance claim against a former director.

Michael Jackson concert

2012-2013

Acting for the administrators of the LLP incorporated to stage the Michael Jackson Forever concert at the Millennium Stadium in Cardiff.

Re O'Mahoney

2012

COMI/bankruptcy tourism.

Industrial and Commercial Bank of China v Ambani

[2020] EWHC 272 (Comm)

Proceedings under a personal guarantee for a sum of \$657 million.

Arcelormittal USA LLC v Ruia and others

[2020] EWHC 740 (Comm)

Acting for ArcelorMittal in this \$1.5bn conspiracy claim arising out of an iron ore contract in Minnesota. Related proceedings in the Cayman Islands.

Arbitration

Peter has extensive experience of arbitrations under LCIA, SIAC, ICC, SCMA and UNCITRAL rules, and related Court applications.

Cases

Confidential

LCIA, 2023

Dispute in relation to an oil and gas joint venture in Yemen

Confidential

LCIA, 2022

Dispute relating to a litigation funding agreement. With Lord Pannick QC.

Confidential

SCMA, 2020

A \$10 million dispute arising out of a steel contract.

Confidential

SIAC, 2020

Delhi-seated arbitration concerning pre-emption rights.

Dispute relating to share subscription agreements

ICC, 2019

\$1bn dispute relating to share subscription agreements. Led by Michael Bloch QC.

Dispute relating to pre-emption rights

LCIA, 2019-2020

€100m dispute between shareholders of a mining company in Sub-Saharan Africa, and a claim against its director and shareholder under a guarantee.

Investment dispute

LCIA, 2015

An LCIA arbitration arising out of the breakdown in the relationship between a Cayman based carried interest partner for certain special opportunity funds and a U.S. based placement agency.

Costa Rican dispute

LCIA, 2015

A dispute in relation to a Costa Rican joint venture.

Oil and gas dispute

UNCITRAL rules, 2013-2014

A \$400 million oil and gas dispute against an African state. Led by Joe Smouha Q.C.

Madoff claim

ICC, 2012

A claim by investors arising out of the Madoff fraud. Led by Alan Gourgey Q.C.

Claim to set aside enforcement of arbitration award

Commercial Court, 2012

A claim seeking to set aside enforcement of a Slovakian arbitration award.

Sport

Peter has experience of claims involving football clubs, registered intermediaries, and sponsors.

Cases

The Football Association Premier League Limited v PPLive Sports International Limited

[2022] EWHC 38 (Comm)

Dispute arising out of a \$701 million contract for broadcasting rights in Mainland China and Macau. Successfully obtained summary judgment for the Premier League for over \$200 million.

Ten10 Football Limited v Niedzwiecki and others

Queen's Bench Division, 2017

Claim arising out of a team move of football agents. Resisting injunctive relief; issues relating to scope of Rule K of the FA Rules.

Enterprise Insurance Company plc (in liquidation) v Leeds United Football Club Limited

2017

Acting for Leeds United Football Club in this claim arising out of an abortive shirt sponsorship arrangement.

ACHIEVEMENTS

Education

MA (Cantab); LLB (first class)

Prizes & Scholarships

- Buchanan Prize, Lincoln's Inn
- Eastham Scholarship, Lincoln's Inn
- Lincoln's Inn Mooting Competition, winner
- Mansfield Scholarship, Lincoln's Inn
- Hardwicke Entrance Award, Lincoln's Inn

Memberships

- COMBAR
- Chancery Bar Association

- Commercial Fraud Lawyers Association
- LCIA

Selected earlier reported cases

Civil Fraud, Asset Recovery & Injunctive Relief

- JSC BTA Bank v Ablyazov and others
- Jenington and others v Assaubayev and others
- Cadogan Petroleum plc v Tolley and others
- Royal Westminster Investments SA v Nilon Limited

Restructuring & Insolvency

- Official Receiver v Negus

Arbitration

- A dispute relating to a satellite supply contract
- A claim by a telecommunications operator arising out of a construction contract in Kuwait
- A claim by an Indian real estate management company with connected proceedings in Singapore, Mauritius and India

VAT registration number: 447008068

Barristers regulated by the Bar Standards Board