

Jeremy Goldring QC

QC 2013, Called to the Bar 1996

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Jeremy undertakes a wide range of commercial litigation and advisory work. He has extensive experience in a broad variety of banking and finance areas (including derivatives and securitisations), restructuring and insolvency and company law. He has appeared in many of the leading cases in those fields including *Lomas v Firth Rixson*, *Standard Chartered Bank v Ceylon Petroleum Corporation* and *Re Stanford International Bank*.

Jeremy regularly appears in the UK courts at all levels, appearing (for example) in the Supreme Court in *Eurosail*, the Court of Appeal in *Graiseley Properties v Barclays Bank*, the Financial List of the Chancery Division in *Hayfin v. Windermere VII* and the Commercial Court in *Tchenguiz v. Grant Thornton*. He has particular experience in capital market disputes.

Jeremy also has considerable experience of litigating and advising in offshore jurisdictions, particularly in Grand Cayman and the British Virgin Islands. For example, he recently appeared in the Cayman Islands Court of Appeal in *Conway v. Skandinaviska Enskilda Banken*, a case arising out of the collapse of a fund. He has extensive experience of petitions under s 238 of the Companies Law, including leading for the dissenters at two trials in the Grand Court in 2018.

Insolvency and Restructuring

Acting in relation to numerous significant restructurings, insolvencies and schemes of arrangement, and involved in many of the leading authorities, including:

- **Carillion** (2018)
- **Tchenguiz v. Kaupthing Bank** [2018] QB 695, acting for bank on conspiracy case concerning interpretation of the Credit Institutions (Reorganisation and Winding Up) Regulations
- **OW Bunkers** (2016-18)
- **Conway v. Skandinaviska Enskilda Banken** (2016), acting for liquidators of Weaving Fund in Cayman Islands Court of Appeal case on preferences
- **Re Hume Capital Securities** [2015] EWHC B25 (Ch), acting for administrators of an investment bank in relation to distribution plan under the Investment Bank Special Administration Regulations 2011
- **Tchenguiz v. Grant Thornton** [2015] EWHC 1864 (Comm), acting for bank on conspiracy case concerning interpretation of the Credit Institutions (Reorganisation and Winding Up) Regulations
- **Fondazione Enasarco v. Lehman Brothers Finance SA** [2014] EWHC 34 (Ch), acting for a defendant in jurisdiction dispute relating to Lugano Convention
- **National Asset Loan Management v. Cahillane** [2016] 1 WLR 45
- **Re Apcoa Parking Holdings** [2014] EWHC 3849 (Ch), case concerning schemes of arrangement over foreign companies

- **Price v. Davis** [2014] 1 WLR 2129, Court of Appeal decision on voluntary arrangements.
- **BNY Corporate Trustee Services v Eurosail-UK** [2013] 1 WLR 1408, Supreme Court decision on the meaning of insolvency
- **Lornamead Acquisitions v Kaupthing Bank** [2013] 1 BCLC 73, acting for bank on case concerning interpretation of the Credit Institutions (Reorganisation and Winding Up) Regulations
- **Re Stanford International Bank** [2011] 1 Ch 33 (CA), meaning of centre of main interests
- **McGrath v Riddell (HIH)** [2008] 1 WLR 852 (HL), cross-border insolvency
- **Re Parmalat Capital Finance** [2008] BCC 371 (PC), bond-holders rights to petition for winding up
- **Re Spectrum Plus** [2005] 2 AC 680 (HL), charges over book debts
- **Re Transnational Insurance (Clever v Delta American)** [2001] AC 328 (PC), cross-border insolvency

Other insolvency/restructuring/scheme cases include:

TORM; Townergate; Zodiac; Apcoa; Kaupthing, Landsbanki, Re F2G Realisations [2011] 1 BCLC 313; **La Seda de Barcelona, McCarthy & Stone; White Tower; Re Cheyne Finance** [2008] 1 BCLC 732 (Ch); **Re Sovereign Marine & General Insurance** [2006] BCC 774; **Re Ferrotech** [2005] 4 All ER 886; **Fourie v Le Roux** [2006] 2 BCLC 531; **Re Collins & Aikman Corporation Group** [2006] BCC 606; **Re Mytravel Group** [2005] 2 BCLC 123; **TXU, Flightline v Edwards** [2003] 1 WLR 1200; **Re HIH Casualty and General Insurance** [2002] 2 BCLC 228

Banking and Finance

Acting in a series of leading banking cases and appeals including:

- **Credit Suisse Asset Management v. Titan Europe** [2016] EWCA Civ 1293, acting for trustee in dispute about Class X Notes in a securitisation
- **Wall v. Royal Bank of Scotland**, acting for bank as defendant to a claim for damages alleged to arise out of its Global Restructuring Group
- **Tchenguiz v. Grant Thornton** [2016] EWHC 865 (Comm), acting for defendant in relation to alleged conspiracy and malicious prosecution claims
- **Hayfin Opal v. Windermere VII CMBS** [2016] EWHC 782 (Ch), acting for defendant issuer in dispute about Class X Notes in a securitisation
- **BNY Mellon v. Taberna Europe CDO 1 plc** [2016] EWHC 781 (Ch), acting for defendant issuer in dispute about alleged event of default in a securitisation
- **BNY Mellon v. LBG Capital No 1 plc** [2015] EWHC 1560 (Ch), acting for claimant trustee in case about redemption of Lloyds Bank enhanced capital notes
- **Deutsche Trustee Company v. Cheyne Capital** [2015] EWHC 2282 (Ch), acting for issuer in dispute about DECO 15 securitisation
- **Fondazione Enasarco v. Lehman Brothers Finance SA** [2015] EWHC 1307 (Ch), acting for a defendant in trial of ISDA close-out dispute
- **Graiseley Properties v Barclays Bank** [2013] EWCA Civ 1372, acting for bank in relation to

claim arising out of alleged mis-selling / LIBOR

- **Torre Asset Funding v Royal Bank of Scotland** [2013] EWHC 2670 (Ch), acting for bank in trial arising out of alleged non-disclosure as facility agent
- **Standard Chartered Bank v Ceylon Petroleum Corporation** [2012] EWCA Civ 1049 ; [2011] EWHC 1785 (Comm), acting for bank in dispute about capacity of counterparty to enter into oil derivatives
- **Lomas v Firth Rixson** [2012] 2 Lloyd's Rep 548, acting for ISDA in Lehman test case on section 2(a)(iii) of the Master Agreement
- **Anthracite Rated Investments v Lehman Brothers Finance** [2011] 2 Lloyd's Rep 538, dispute about close-out of cash-settled put options
- **Lehman Brothers Commodity Services v Credit Agricole** [2012] 1 All ER (Comm) 254, dispute over set-off clause in ISDA Master Agreement
- **Raiffeisen Zentralbank v Royal Bank of Scotland** [2011] 1 Lloyds Rep 123, acting for defendant bank in dispute about alleged misrepresentations arising out of Enron transaction
- **OFT v Abbey National** [2010] 1 AC 696, acting for one of the banks in the overdraft charges test case
- **National Westminster Bank v Rabobank Nederland** [2007] 1 All ER (Comm) 975, [2007] EWHC 1056 (Comm) and [2008] 1 All ER (Comm) 243, acting for bank accused of misrepresentation/breach of duty owed to other syndicate member

Commercial Litigation and Arbitration

Acting in relation to numerous commercial disputes, including, in addition to the cases listed under Banking and Finance.

- **Maroudas v. Eversholt Investment Group**, dispute in Commercial Court about shareholder's rights in a private equity vehicle
- **Certain Limited Partners in Henderson PFI Secondary Fund II LLP v Henderson PFI Secondary Fund II LP** [2013] 2 WLR 1297, acting for general partner and manager in a claim by investors for alleged breaches of partnership agreement
- **Axa Corporate Solutions v National Westminster Bank** [2011] Lloyd's Rep IR 438, dispute about scope of public liability and products liability insurance contract

Company

Acting and advising in relation to numerous schemes of arrangement cases including *Biffa*, *DX*, *La Seda de Barcelona*, *McCarthy* and *Stone*.

Offshore

- **E-House (China) Holdings Limited v. Senrigan Master Fund** (2018), s 238 petition which settles in the course of trial

- ***E-Commerce (China) Dangdang v. Lei Chen and others*** (2018), trial of a s 238 petition. Judgment awaited
- ***Weaving (Conway v. Skandinaviska Enskilda Banken)*** (2016), acting for liquidators of in Cayman Islands Court of Appeal);
- ***China Shanshui Cement*** (2015)

Fletcher, Sphinx Funds, Primeo Funds, Peloton, Bancredit Cayman, Parmalat, Credicom Asia (12 week trial in the BVI); *Transworld Bank & Trust Co.*

Awards and Recommendations

Chambers & Partners	<p>Recommended in Banking & Finance, Company, Restructuring and Insolvency and Chancery Commercial</p> <p>Comments include:</p> <p><i>“An extremely impressive advocate, who has sound judgement and makes quick work of dissecting complex structured finance problems”</i></p> <p><i>“His tactical nous and acumen are impressive and he’s easy to deal with as well”</i></p> <p><i>“He provides good judgement and shows great attention to detail”</i></p> <p><i>“He is thoughtful, sensible and responsive”</i></p> <p><i>“He is a good advocate who is very personable”</i></p>
Legal 500	<p>Recommended in Banking & Finance, Insolvency and Offshore</p> <p>Comments include:</p> <p><i>“Very strong at crafting arguments and working in a team; has a strong grasp of the issues”</i></p> <p><i>“His practice includes China-related cases in the BVI”</i></p> <p><i>“On top of his game and highly impressive”</i></p> <p><i>“His advocacy is excellent”</i></p> <p><i>“His drafting is absolutely brilliant and he is extraordinarily effective”</i></p> <p><i>“Very clever in a most understated way; modest, thorough and impressive on his feet”</i></p> <p><i>“He is incredibly bright, thorough, hard-working and a really nice guy as well - not just fantastically good but a joy to work with”</i></p> <p><i>“He’s very bright and a good all-rounder”</i></p>

Career

2013 Appointed Queen’s Counsel

2000 Called to the Bar of the British Virgin Islands

1998 Called to the Bar of the Cayman Islands

1996 Called to the Bar of England and Wales

Publications

Contributor to ***Cross-Border Insolvency Fourth Edition*** (Sheldon, Bloomsbury, 2015)

Contributor to ***Gore-Browne on Companies***

Contributor to ***Professional Negligence and Liability*** (Simpson)

Contributor to ***Rowlatt on Principal and Surety*** (Moss and Marks, Sweet and Maxwell, 2011)

Education and Qualifications

Yale University, MA

Oxford University, BA, First Class Honour

Prizes and Scholarships

Major (Eastham) Scholar (Lincoln's Inn)

CPE Award-holder; Hardwicke Scholar; Mansfield Scholar

Henry Fellow (Yale University)

Domus Scholar (Pembroke College, Oxford University)