

William Willson

Called to the Bar 2006

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William divides his practice between domestic/cross-border insolvency and restructuring (contentious and advisory), banking and finance, commercial fraud/asset recovery, and general commercial/commercial chancery work.

William is an experienced trial lawyer (both led and unled), including appearing in the Lehman subordinated debt litigation (a dispute in relation to \$8 billion of financial instruments), HSBC's successful defence of a \$2 billion professional negligence claim and numerous claims by/against officeholders (most recently defending an \$850 million claim by the administrators of NMC which was withdrawn shortly before trial). He has extensive experience of interim/urgent applications (including freezing orders, disclosure orders, anti-suit relief and passport orders).

He frequently acts/appears in relation to restructuring plans/schemes of arrangement under the Companies Act 2006 (recent instructions include *McDermott*; *Aggregate*; *Thames Water*, *Petrofac*, *Southern Water*; and acting for HMRC in *Great Annual Savings*; *Enzen*; and *OutsideClinic*). He also has considerable experience of special administrations (including the Investment Bank Regulations; and Payment and Electronic Money Regulations).

Much of William's work has an international dimension, and he has particular experience of cases with a CIS/Middle East nexus. He has been called to the Bars of the Cayman Islands, the British Virgin Islands and Gibraltar, appearing (both as sole/junior Counsel) in the Court of Appeal of the Cayman Islands, the Court of Appeal of the Eastern Caribbean Supreme Court and the Privy Council. He also appears and advises on cases in the UAE (the DIFC and ADGM), the Channel Islands and Hong Kong.

William is ranked in the legal directories in 6 areas: (1) Restructuring/Insolvency (2) Banking & Finance (3) Commercial Fraud (4) Commercial Litigation (5) Company and (6) Offshore. He has been described as: *"A tenacious, gifted and hard-working lawyer"*; *"Strategically excellent, pragmatic and commercial"*; *"Very good in court..... extremely diligent and credible"*; *"Easy to work with, very commercial and his skeleton arguments are always excellent. He is very clever and very persuasive"*; *"Very intelligent and responsive with a great feel for the courtroom and the way the judge is thinking"*; *"he has an ability to cut through the noise and get to the crux of the issue"*; *"Astute, commercial, very clever and excellent drafting. Gets across the issues very quickly so great on urgent matters"*; *"a star junior barrister and very responsive - great to work with"*; *"William is bright, technically good and stands out as an advocate. He is strong and very persuasive in front of the court, and he has the respect of the Bench"*.

Insolvency and Restructuring

William has been instructed in most major insolvencies in recent years, including, in the last 18 months: Lehman Brothers (for LBHI, the US parent of the Lehman Group); Madoff (for HSBC); Arcadia (for the landlords on the CVA challenge); Virgin (for the Australian administrators); Debenhams (for the Noteholders); Pizza Express (for the landlords); British Steel; Thomas Cook; and Carillion.

He has a broad experience of all aspects of domestic/cross-border insolvency and restructuring, including office-holder claims, schemes of arrangement, CVAs, recognition applications and directors' disqualification.

Reported cases include:

- **Re Derev** [2021] EWHC 392 (Ch) (CBIR, freezing injunctions)
- **Derev v Protasov** [2020] EWHC 2884 (Ch) (freezing injunctions, passport orders)
- **Re LB Intermediate Holdings** [2020] EWHC 1681 (Ch) (subordinated debt, discounting, release, guarantees)
- **Colt Technology v SSG** [2020] EWHC 1417 (Ch) (disputed debts, winding up petitions, illegality)
- **Re Rozhkov** [2019] EWHC 1519 (Ch), CBIR application
- **Re Agrokor d.d.**

[2017] EWHC 2791 (Ch), CBIR application

[2018] EWHC 348 (Ch), application to vary stay

[2019] EWHC 445 (Ch), scheme of arrangement, convening hearing

[2019] EWHC 2269 (Ch), scheme of arrangement, sanction hearing

- **Re LBHI2** [2018] EWHC 2017 (Ch), joinder
- **Wentworth v Lomas** [2017] EWHC 3158 (Ch), proofs of debt, preliminary issues
- **Maud v Aabar** [2016] BPIR 1486, abuse of process, bankruptcy petition
- **Maud v Aabar & Or** [2016] EWHC 1319 (Ch), stay of execution
- **Re DTEK Plc** [2016] EWHC 1083 (Ch), scheme of arrangement, restructuring debts of Ukrainian energy company
- **Maud v Aabar** [2016] BPIR 803, adjournment of bankruptcy petition
- **Aabar v Maud** [2016] BPIR 227, adjournment of bankruptcy petition
- **Aabar v Maud** [2016] BPIR 1, adjournment of bankruptcy petition
- **Maud v Libyan Investment Authority** [2015] EWHC 2093 (Ch), bankruptcy, administration of justice
- **Maud v Aabar Block S.A.R.L & Edgeworth Capital (Luxembourg) S.A.R.L.** [2015] EWHC 1626 (Ch), application to set aside statutory demand
- **Re UK Coal Operations Ltd** [2014] 1 BCLC 471, coal industry, creditors' meetings
- **JTC Bank of Moscow & Or v Vladimir Kekhman & Ors** [2014] BPIR 959, acting for Russian bank in 5-day trial of application to annul/rescind a bankruptcy order
- **Ford & Ford v Alexander** [2012] BPIR 528, human rights, section 335A of IA86
- **Re Eurodis** [2012] BCC 57, conflict of laws

- ***Peter Hoffman v Parallel Media Llc*** [2011] EWHC 3171 (Ch), contested administration application
- ***Seven Arts Pictures v Parallel Media Llc*** [2011] EWHC 2035 (Comm), application to restrain advertisement of winding up petition
- ***Re Gatnom Capital & Finance*** [2010] EWHC 3353 (Ch), application to set aside CVA, sham Russian law contracts
- ***Re Metrocab & Frazer Nash Technology*** [2010] 2 BCLC 603, applications to rescind winding up orders
- ***Lacontha Foundation v GBI Investments*** [2010] 2 BCLC 624, disputed winding up petition
- ***Perpetual Trustee Co v BNY Corporate Trustee Services*** [2010] BPIR 228, application to send letter of request

Banking and Finance

Reported cases include:

- ***Harbinger Capital Partners v (1) Andrew Caldwell (2) HM Treasury*** [2013] EWCA Civ 492, [2011] UKUT 408 (TCC), nationalisation/compensation, human rights
- ***Harbinger Capital Partners v (1) Andrew Caldwell (2) HM Treasury*** [2011] UKUT 408 (TCC), nationalisation/compensation, human rights
- ***Re Lehman Brothers International (Europe)*** [2011] EWCA Civ 1544; [2010] EWHC 2914 (Ch), “RASCALS” trial, beneficial ownership of securities; [2010] EWHC 3044 (Ch), costs
- ***Re Lehman Brothers International (Europe)*** [2010] EWHC 2914 (Ch), “RASCALS” trial, beneficial ownership of securities
- ***Re Lehman Brothers International (Europe)*** [2010] EWHC 3044 (Ch), “RASCALS” costs

Commercial Litigation and Arbitration

Commercial cases and arbitrations include:

- ***Global Asset Co v Aabar & Or*** [2016] EWHC 298 (Comm), striking out, economic torts, specific performance
- ***(1) Edgeworth Capital Luxembourg S.A.R.L (2) Aabar Block S.A.R.L. v Glenn Maud*** [2015] EWHC 2364 (Comm), guarantee claims, Spanish law
- ***Edgeworth Capital v Maud*** [2015] EWHC 2364 (Comm), summary judgment, guarantees
- ***(1) Edgeworth Capital Luxembourg S.A.R.L. (2) Aabar Block S.A.R.L. v Ramblas Investments B.V.*** [2015] EWHC 150, construction of finance documents, penalty clauses, [2016] EWCA Civ 412
- ***Parallel Media LLC v Chamberlain*** [2014] EWHC 214 (QB), breach of contract/misrepresentation
- ***Stevenson v Singh*** [2012] EWHC 2880 (QB), dishonest assistance
- Acting for a ship builder in LCIA arbitration proceedings
- Acting for a licensor in arbitration proceedings relating to sports broadcasting rights
- ***Oil Expo International v Buesaco*** (2012), documentary credits/\$200 million claim in

relation to joint venture

- **ALDI v Styburski** (2010), fraud/forgery/conversion
- Acting for a ship builder in LCIA arbitration proceedings
- Acting for a licensor in arbitration proceedings relating to sports broadcasting rights
- **Schwarzschild v Harrods** [2008] EWHC 521 (QB), summary judgment/conversion

Company

Cases include:

- **Allfiled v Dear & Ors** [2015] EWHC 1300 (Ch); [2016] FSR 11, America Cyanamid, breach of fiduciary duty, interim injunctions
- **Jackson v Dear** (26 March 2013, Royal Court of Guernsey), application to strike out derivative proceedings, injunction to restrain company from participating in derivative proceedings
- **McKillen v Sir Frederick Barclay** [2012] EWHC 2343 (Ch), unfair prejudice, conspiracy
- **McKillen v Sir Frederick Barclay** [2012] EWHC 1158 (Ch), confidentiality, human rights
- **McKillen v Sir Frederick Barclay** [2012] EWCA Civ 864, [2012] EWHC 129 (Ch), preliminary issue, construction of novation agreement
- **Russell v Mason** (2009), application for permission to continue derivative proceedings

Offshore

Cases include:

- Acting for the directors of two groups of insolvent companies in Jersey/Cayman Islands in forthcoming proceedings for breach of fiduciary duty/wrongful trading (Jersey)
- Acting for founder of the Abraaj group of companies in provisional liquidation/liquidation proceedings (Cayman Islands)
- Acting and appearing for the successful defendant/respondent, HSBC, in the Grand Court of the Cayman Islands and the Cayman Islands Court of Appeal in a \$2 billion professional negligence claim in 4-month trial and on appeal (Cayman Islands)
- 2016 (2) CILR 353
- 2016 (2) CILR 386
- 2016 (2) CILR 402
- 2017 (2) CILR 99
- 2017 (2) CILR 334
- 2019 (2) CILR 334
- Acting and appearing in the Court of Appeal of the Eastern Caribbean Supreme Court (BVI)
- Acting for defendant director in breach of fiduciary duty proceedings (Guernsey)
- Acting for liquidator in claw-back proceedings (Jersey)
- Acting for a Californian film company in claw-back proceedings (California)
- Acting for a respondent insurance company in proceedings brought by the BVI FSC (BVI)
- Acting for a large UK company in proceedings for tortious interference (Oregon)

- Acting for the liquidator of Hill Insurance Company Limited (Gibraltar)
- Acting for the liquidator of Lemma Europe Insurance Company (Gibraltar)

Professional Negligence

- **Primeo v HSBC** (Grand Court of the Cayman Islands), acting for HSBC in 4-month trial of \$2 billion professional negligence claim arising out of Madoff fraud
- **Anderson v North Staffordshire NHS Trust** (QB) (2013), clinical negligence, preliminary issue
- **Forman v Osmond & Osmond** (QB) (2011), solicitors' negligence

Trusts and Property

- Acting for the wife in litigation relating to the determination of beneficial interests of a substantial London property in the context of a Russian divorce (2013)
- Acting for clients in proceedings before HMRC's Land adjudicator (2013)
- Advising Lloyds of London in relation to their "Hardship Scheme" in the context of discretionary trusts

Awards and Recommendations

Legal Week Star of the Bar 2012

"An outstanding junior with qualities far beyond expectations for his call..."

"Very bright and committed"

"Pragmatic...and good fun too"

Chambers & Partners

"A tenacious, gifted and hard-working lawyer"

"Strategically excellent, pragmatic and commercial".

Career

2017	Called to the Bar of the British Virgin Islands
2014	Called to the Bar of the Cayman Islands for specific cases
2013	Called to the Bar of Gibraltar for specific cases

2006 Called to Bar of England and Wales
2006 Visiting Tutor in Law, City University
2005 Postgraduate Diploma in Law, City University (Distinction)
2001-2004 Journalist/Documentary Producer

After leaving university William travelled in Central Asia, working for the ***Times of Central Asia*** and gaining a certificate in Russian language at the Slavonic University, Bishkek, Kyrgyzstan.

He spent the next three years working in documentaries/current affairs television, focusing on terrorism, the intelligence services and the former Soviet Union.

His credits include ***Avenging Terror*** (C4), where he set up and wrote the first major western documentary interview with President Putin of Russia; ***Spy Secrets*** (C5), in which he was the first person to conduct broadcast interviews with former directors of MI5, MI6, the CIA and the KGB; and ***The Government Inspector*** (C4), which won three BAFTAs.

Memberships

Professional

Chancery Bar Association
Commercial Bar Association
Insolvency Lawyers Association
INSOL International

Personal

Marylebone Cricket Club
Quo Vadis
The Horatian Society

Publications

Contributor to ***Company Directors: Duties, Liabilities and Remedies*** (OUP, 2009; 2013; 2017)
Contributor to ***Moss, Fletcher & Isaacs on the EU Regulation on Insolvency Proceedings*** (OUP, 2016)
Contributor to ***Lexis Nexis PSL Notes*** (Insolvency/Restructuring) (2012)
Contributor to ***Rowlatt on Principal and Surety*** (OUP, 2011)
Contributor to ***Totty & Moss on Insolvency***
Contributor to ***International Corporate Rescue***
Contributor to ***Insolvency Intelligence***

Education and Qualifications

Oxford University, MA Classics, First Class

Prizes and Scholarships

Sweet & Maxwell Prize for Company Law (ICSL)

Levitt Scholarship (Lincoln's Inn)

Lord Mansfield Scholarship (Lincoln's Inn)

Hardwicke Scholarship (Lincoln's Inn)

Coombes Scholarship (Oxford University)

Mary Somerville Prize (Oxford University)

Interests

Travel, Cricket and Film/Theatre Production