



serle court

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## Andrew Moran KC

Year of Silk: 2016 Year of Call: 1989

*"Extraordinarily smart and tactical; delightful to work with and hugely admired."*

*"He has a wonderful legal brain and is hugely enjoyable to work with."*

The Legal 500 & Chambers & Partners

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# Practice Overview

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## Areas of Expertise

### Commercial Litigation

*Shetty v. Al Rushaid Petroleum Investment Company and others* (Ch., 9 June 2011) Article 6(2) of Regulation 44/2001, jurisdiction over additional parties in a complex fraud case.

*Cook v. Norlands Limited* (P.C., 4 May 2000) doctrine of part performance; decrees of specific performance; claim for possession of property, Privy Council, appeal from Isle of Man Court of Appeal.

*International Credit and Investment Company (Overseas) Limited and another v. Sheikh Kamal Adham and others*: part of the litigation following the collapse of the Bank of Credit and Commerce International; dishonest assistance in a fraudulent breach of trust, involving proceedings in England, Liechtenstein, Luxembourg, the British Virgin Islands, the Cayman Islands, Panama, Argentina, Chile and Pakistan.

*Barlow Clowes International Ltd. and others v. International Trust Corp. (IOM) Ltd. and others* [1996-1998] M.L.R. 222 (first instance), 240 (first instance), 394 (Court of Appeal of the Isle of Man), [2006] 1 W.L.R. 1476 (Privy Council). The leading modern authority on the law relating to dishonest assistance in a breach of trust or fiduciary duty.

*Sagicor General Insurance (Cayman) Limited v. Crawford Adjusters (Cayman) Limited*. Proceedings in the Grand Court of the Cayman Islands involving claims of breaches of fiduciary duty, breaches of contract, fraud and conspiracy as against loss adjusters, project managers and construction companies.

*Intrigue Shipping Inc. v. H. Clarkson & Co. Limited and others*. A shipping fraud proceeding in the Commercial Court and involving sums between \$100 and 200m.

*Winterthur Swiss Insurance Co. and anr. v. The Accident Group and others and Various Lloyd's Syndicates and Europ Assist v. A.D. Firth & Co. and others*. Two groups of proceedings issued in 2005-2006 by Insurers against The Accident Group ("TAG") and certain named firms of solicitors seeking the recovery of damages for negligence (in the first group of proceedings) and the recovery of unlawful referral fees (in the second group of proceedings). The total number of potential solicitor firm defendants was approximately 700 in the first group of proceedings and 400 in the second group and the potential total claim was worth in excess of £100m.

*Ng Enterprises Limited v. Urban Council* [1997] A.C. 168, P.C.: one of the last appeals from the Hong Kong Court of Appeal to the Privy Council, judicial review.

*Glengate-KG Properties Limited v. Norwich Union Fire Insurance Society* [1995] 1 Lloyd's Rep. 278, Q.B.D. (Comm. Ct.) and [1996] 1 Lloyd's Rep. 614, C.A.: business interruption insurance.

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## Arbitration

### Insurance and Reinsurance

*Sagicor General Insurance (Cayman) Limited v. Crawford Adjusters (Cayman) Limited*. Proceedings in the Grand Court of the Cayman Islands involving claims of breaches of fiduciary duty, breaches of contract, fraud and conspiracy as

against loss adjusters, project managers and construction companies.

*Winterthur Swiss Insurance Co. and anr. v. The Accident Group and others and Various Lloyd's Syndicates and Europ Assist v. A.D. Firth & Co. and others.* Two groups of proceedings issued in 2005-2006 by Insurers against The Accident Group ("TAG") and certain named firms of solicitors seeking the recovery of damages for negligence (in the first group of proceedings) and the recovery of unlawful referral fees (in the second group of proceedings). The total number of potential solicitor firm defendants was approximately 700 in the first group of proceedings and 400 in the second group and the potential total claim was worth in excess of £100m.

*Glengate-KG Properties Limited v. Norwich Union Fire Insurance Society* [1995] 1 Lloyd's Rep. 278, Q.B.D. (Comm. Ct.) and [1996] 1 Lloyd's Rep. 614, C.A.: business interruption insurance.

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## Financial Services

*International Credit and Investment Company (Overseas) Limited and another v. Sheikh Kamal Adham and others:* part of the litigation following the collapse of the Bank of Credit and Commerce International; dishonest assistance in a fraudulent breach of trust, involving proceedings in England, Liechtenstein, Luxembourg, the British Virgin Islands, the Cayman Islands, Panama, Argentina, Chile and Pakistan.

*Sagicor General Insurance (Cayman) Limited v. Crawford Adjusters (Cayman) Limited.* Proceedings in the Grand Court of the Cayman Islands involving claims of breaches of fiduciary duty, breaches of contract, fraud and conspiracy as against loss adjusters, project managers and construction companies.

*Winterthur Swiss Insurance Co. and anr. v. The Accident Group and others and Various Lloyd's Syndicates and Europ Assist v. A.D. Firth & Co. and others.* Two groups of proceedings issued in 2005-2006 by Insurers against The Accident Group ("TAG") and certain named firms of solicitors seeking the recovery of damages for negligence (in the first group of proceedings) and the recovery of unlawful referral fees (in the second group of proceedings). The total number of potential solicitor firm defendants was approximately 700 in the first group of proceedings and 400 in the second group and the potential total claim was worth in excess of £100m.

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## Regulatory and Disciplinary

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### Civil Fraud

*Shetty v. Al Rushaid Petroleum Investment Company and others* (Ch., 9 June 2011) Article 6(2) of Regulation 44/2001, jurisdiction over additional parties in a complex fraud case.

*Sagicor General Insurance (Cayman) Limited v. Crawford Adjusters (Cayman) Limited.* Proceedings in the Grand Court of the Cayman Islands involving claims of breaches of fiduciary duty, breaches of contract, fraud and conspiracy as against loss adjusters, project managers and construction companies.

*Intrigue Shipping Inc. v. H. Clarkson & Co. Limited and others.* A shipping fraud proceeding in the Commercial Court and involving sums between \$100 and 200m.

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## Professional Negligence

*Winterthur Swiss Insurance Co. and anr. v. The Accident Group and others and Various Lloyd's Syndicates and Europ Assist v. A.D. Firth & Co. and others.* Two groups of proceedings issued in 2005-2006 by Insurers against The Accident Group ("TAG") and certain named firms of solicitors seeking the recovery of damages for negligence (in the first group of proceedings) and the recovery of unlawful referral fees (in the second group of proceedings). The total number of potential solicitor firm defendants was approximately 700 in the first group of proceedings and 400 in the second group and the potential total claim was worth in excess of £100m.

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## Administrative and Public Law

*Ng Enterprises Limited v. Urban Council* [1997] A.C. 168, P.C.: one of the last appeals from the Hong Kong Court of Appeal to the Privy Council, judicial review.

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## Private Client Trusts and Probate

*Barlow Clowes International Ltd. and others v. International Trust Corp. (IOM) Ltd. and others* [1996-1998] M.L.R. 222 (first instance), 240 (first instance), 394 (Court of Appeal of the Isle of Man), [2006] 1 W.L.R. 1476 (Privy Council). The leading modern authority on the law relating to dishonest assistance in a breach of trust or fiduciary duty.

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## Recommendations

Commercial Litigation (The Legal 500)  
Fraud: Civil (The Legal 500)

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## Quotes

"A very good advocate, who will always fight his corner" (*The Legal 500 2017*)

"He has a wonderful legal brain and is hugely enjoyable to work with." (*Chambers & Partners 2015*)

"Very hands-on and user-friendly. He will go the extra mile." (*Chambers & Partners 2015*)

"Extraordinarily smart and tactical; delightful to work with and hugely admired." (*Legal 500 2014*)

"A highly skilled and effective commercial litigator" (*Chambers & Partners 2014*)

"Has a notable civil fraud practice, and is often engaged to advise on offshore proceedings" (*Chambers & Partners 2014*)

"highly skilled" (*The Legal 500 2013*)

"Andrew Moran is 'top of his field'." (*The Legal 500 2011*)

"a highly respected advocate with a steadfast approach to mammoth fraud cases" (*Chambers & Partners 2010*)

"gives a great international perspective" (*The Legal 500 2010*)

"Another member of chambers who was deeply involved in the massive Fiona Trust matter is senior junior Andrew Moran. He is well respected by the market" (*Chambers & Partners 2010*)

## **Other**

Licensed and Admitted *ad hoc* as Advocate in the Isle of Man.

Sitting as an Examiner appointed by the High Court in contested proceedings abroad for the taking of evidence in those proceedings.

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## **Education & Qualifications**

University College, London - LLB (First Class)

New College, Oxford - BCL

## **Memberships**

Commercial Bar Association and the Commercial Fraud Lawyers Association

AfricaArb

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