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Marc Delehanty

Year of Call: 2011

"Marc doesn't take the easy option. His determination and tenacity is excellent and a real bonus in hard-fought commercial fraud litigation."

Chambers & Partners, 2024

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Practice Overview

Marc was called to the Bar in 2011 following First Class degrees in Mathematics and in Law. His practice covers a wide range of **Commercial** and **Civil Fraud** litigation. He has particular experience of obtaining and resisting injunctions (both led and as sole counsel) and of cases which are international in nature or have a cross-border element, including jurisdiction disputes. He is regularly instructed in cases involving gambling and has experience of disputes involving cryptocurrency.

Marc is currently instructed for the defendant companies in a US\$3billion+ commercial fraud claim, *PrivatBank v Kolomoisky, Bogolyubov, Teamtrend Ltd & others*, which is one of [The Lawyer's "Top 20 cases of 2022"](#).

Marc is ranked as a leading junior barrister by Chambers and Partners (2024 edition) for three different practice areas: Commercial Dispute Resolution, Civil Fraud and Gambling Disputes. He is described as ***“very bright, with an encyclopedic knowledge of the law”*** and as a barrister whose ***“determination and tenacity is excellent and a real bonus in hard-fought commercial fraud litigation”***.

In previous editions he has been described as ***“bright beyond his year of call and always seems to be a couple of steps ahead of the opposition”***, as ***“very thorough, very precise and he is great on his feet”***, and as a junior who ***“skilfully provides strategic and commercial input to augment his excellent technical advice”*** (2023 edition). He is regarded as ***“incredibly bright, very tactically astute”*** and a ***“well-prepared, understated advocate who is very measured”*** and it was noted that ***“judges respond well to his advocacy style”*** (2022 edition). He was acknowledged as having ***“a growing reputation for his handling of complex and high-value fraud disputes”***, as being a ***“very capable junior who takes good points”*** (2021 edition).

The Legal 500 directory (2024 edition) recommends Marc as one of the country's leading junior barristers for both Commercial Litigation and Civil Fraud law, in which he is described as ***“extremely thorough and his attention to detail is invaluable. Moreover, he has a good depth of knowledge of the law in this practice area, and he is strong on his legal analysis”*** (2024 edition). He received the following recommendations in previous editions: ***“extremely capable, bright and commercially minded”*** and ***“great to work with”*** (2023 edition); ***“a very good strategist and tactically astute. An impressive advocate and very good on his feet”***, ***“very approachable, courteous and personable. Also incredibly thorough and comprehensive on paper”***, (2022 edition); and ***“extremely bright, hardworking and knows his stuff”***, ***“strong on the law and produces good quality work, both on paper and on his feet”*** (2021 edition).

As a Mathematics graduate, Marc is highly numerate and confident in tackling very technical and complex evidence.

The following is a flavour of his work:

- ***PrivatBank v Kolomoisky, Bogolyubov, Teamtrend Ltd and others*** – junior counsel – representing corporate defendants in a US\$3billion+ claim for alleged misappropriation of monies from Ukraine's largest bank prior to its nationalisation. One of The Lawyer's "Top 20 cases of 2022".
- ***Invest Bank v El-Husseini and others*** [2024] KB 49 – junior counsel in the Supreme Court – representing the claimant UAE bank seeking to enforce Abu Dhabi court judgments and for relief under s.423, Insolvency Act 1986 to recover real estate, shares and cash transferred away by the judgment debtor and his companies.
- ***Gray v Hurley*** [2020] 1 CLC 43 – junior counsel in the Court of Appeal – represented a claimant in a jurisdiction dispute in relation to claims of resulting trusts, undue influence and unjust enrichment for recovery of high value real estate, shares and hypercars located abroad (including the Ferrari F1 that Michael Schumacher drove to the 2003 World Championship title).
- ***Condair v Price*** [2021] EWHC 2461 (QB) – as sole counsel in the High Court – secured urgent without notice

freezing injunction and extensive disclosure orders in support of 7-figure claim for embezzlement by a company's financial controller.

- **JSC BTA Bank v Ablyazov and Khrapunov** [2020] AC 727 – as junior counsel in the Supreme Court – represented the Second Defendant, challenging jurisdiction for \$500m+ claim for unlawful means conspiracy based on alleged breaches of freezing orders.

Areas of Expertise

Commercial Litigation

Invest Bank PSC v El-Husseini and others: as junior counsel in the Commercial Court, succeeded, on a preliminary issues trial which engaged expert evidence of UAE law, in establishing that final Abu Dhabi court judgments were enforceable in England at common law notwithstanding that local Abu Dhabi courts had recently refused to enforce them ([2024] 1 WLR 2132). Separately, succeeded in resisting applications for security for costs ([2022] EWHC 3008 (Comm)).

ME v TalkTalk (2022): as sole counsel in Commercial Court proceedings, acting for claimant in dispute over termination of long-running services contract and substantial claim in debt & damages.

Credico Marketing v Lambert and others (2021): as junior counsel in High Court (Queen's Bench) proceedings, acting for a 'face-to-face' marketing company in its claims against rival companies and their directors for the torts of procuring breach of contract, misrepresentation, and causing loss by unlawful means.

[Importer & Reseller] v [Luxury New York Fashion Accessories Brand] (2021): as sole counsel in mediation, acting for defendant in a dispute following termination of a long-term agency relationship. Engaged issues of novation / assignment, business valuation and availability of compensation under the Commercial Agents Regulations.

Hussein family v Ahmed family [2021] EWHC 2213 (Ch): as sole counsel in the High Court (Chancery), succeeded for defendants in applications for strike-out, reverse summary judgment and stay of various claims for misrepresentation and unjust enrichment in connection with the sale of restaurant businesses in London.

[Professional Property Lessors] v [International Property Services Provider] (2020) : as sole counsel in High Court (Chancery) proceedings, acted for defendant in claim arising from termination of a services contract. Engaged issues of contractual interpretation, effective notice of termination, renunciation / repudiation and illegality of performance. Also involved procedural issues concerning effective service out of the jurisdiction, alternative service and default judgment.

Allergy Therapeutics (UK) Ltd v Inflamm Research Inc (2018): as junior counsel in the Commercial Court, acted for a Canadian medical trial services provider defending a claim for breach of contract and misrepresentation concerning its conduct of a trial of a new allergy treatment drug and counterclaiming for unpaid fees. This case involved complex factual and scientific evidence, relating to drug trial processes and statistical analyses of medical data.

Civil Fraud

PrivatBank v Kolomoisky, Bogolyubov, Teamtrend Ltd and others: as junior counsel, representing corporate defendants in a US\$3billion+ claim for alleged misappropriation of monies from Ukraine's largest bank prior to its nationalisation. Claims heard over a 13-week trial in 2023; judgment awaited. One of [The Lawyer's "Top 20 cases of](#)

[2022](#)".

Invest Bank PSC v El-Husseini and others (2021-24): as junior counsel in the Commercial Court, Court of Appeal and Supreme Court, representing a claimant UAE bank seeking to enforce Abu Dhabi court judgments in England and bringing claims under Section 423 of the Insolvency Act 1986 to challenge transfers of properties and other assets to the judgment debtor's family members.

Condair v Price [2021] EWHC 2461 (QB) : as sole counsel in the High Court (Queen's Bench), secured ex parte freezing injunction and extensive disclosure orders in support of 7-figure claim for embezzlement by a company's financial controller (engaging issues of proprietary relief, unjust enrichment, constructive trust, deceit, breach of fiduciary duty and breach of contract).

Hussein family v Ahmed family [2021] EWHC 2213 (Ch): as sole counsel in High Court (Chancery), succeeded for the defendants in applications for strike-out, summary judgment and stay of various claims of fraudulent misrepresentation and unjust enrichment in connection with the sale of restaurant businesses in London.

Gray v Hurley [2019] EWCA Civ 2222: as junior counsel in the Court of Appeal, representing a claimant in a jurisdiction challenge and anti-suit injunction application in relation to claims of resulting trusts, undue influence and unjust enrichment for recovery of high value real estate, shares and hypercars located abroad (including the Ferrari F1 that Michael Schumacher drove to the 2003 World Championship title).

F v Persons Unknown (2019): as sole counsel in the High Court, secured urgent ex parte freezing injunction for victim of a sophisticated fraud, where the true identity of the fraudster was unknown and had transferred misappropriated funds into Bitcoin.

JSC BTA Bank v Ablyazov and Khrapunov [2020] AC 727: as junior counsel in the Supreme Court, represented the Second Defendant, challenging jurisdiction for a claim of over US\$500m+ for unlawful means conspiracy based on alleged breaches of freezing orders.

International and Offshore

Invest Bank PSC v El-Husseini and others: as junior counsel in the Commercial Court, succeeded, on a preliminary issues trial which engaged expert evidence of UAE law, in establishing that final Abu Dhabi court judgments were enforceable in England at common law notwithstanding that local Abu Dhabi courts had recently refused to enforce them ([2024] 1 WLR 2132). Separately, succeeded in resisting applications for security for costs which had been pursued on the basis of difficulties in enforcing English costs orders in the UAE ([2022] EWHC 3008 (Comm)).

PrivatBank v Kolomoisky, Bogolyubov, Teamtrend Ltd and others [2020] Ch 783: as junior counsel in the Court of Appeal, representing corporate defendants incorporated in the BVI in challenging the English Court's jurisdiction for a US\$3billion+ claim for alleged misappropriation of monies from Ukraine's largest bank prior to its nationalisation.

JSC BTA Bank v Ablyazov and Khrapunov [2020] AC 727: as junior counsel in the UK Supreme Court, represented the Second Defendant resident in Switzerland, in dispute concerning jurisdiction for unlawful means conspiracy.

Insolvency

Invest Bank v El-Husseini and others [2024] KB 49 – junior counsel in the Supreme Court – representing the claimant UAE bank seeking to enforce Abu Dhabi court judgments and for relief under s.423, Insolvency Act 1986 to recover

real estate, shares and cash transferred away by the judgment debtor and his companies.

Notable Cases

In addition to the cases listed in the tabs above, Marc has extensive experience of gambling related disputes, including:

Condair v [various gambling operators] (2022-24): as sole counsel, representing company whose ex-employee stole money from it and gambled 6-figure sums at various operators. Company seeks recovery of the money from the operators, alleging breaches of gambling licences (anti-money laundering and social responsibility code provisions) in permitting the ex-employee to gamble with them.

[Individual] v [Online gambling operator] (2021-24): as sole counsel, representing claimant who alleges a gambling addiction and seeks recovery of 6-figure sums gambled online over a period of a few weeks.

[Individual] v [Offshore gambling website] (2020): as sole counsel, advising individual gambler in dispute with offshore company in respect of disputed 'win' on online casino game.

[SME company] v [various bookmakers] (2017): as sole counsel, advising company whose ex-employee gambled 6-figure sums of the company's misappropriated cash at high street bookmakers. Case concerned breach of gambling licences in allowing the ex-employee to gamble notwithstanding problem gambling and source of money concerns.

[High Net Worth Middle Eastern businessman] v [London casinos] (2017): as junior counsel, led by Clive Freedman QC, advising 'high roller' in respect of potential claim for recovery of 7-figure sums gambled, on the basis of gambling addiction.

Ritz Hotel Casino v Al Geabury [2015] EWHC 2294 (QB) (2015; led by Clive Freedman QC). Successfully represented the casino at a six day High Court trial in a claim for unpaid roulette losses against a 'high roller' which raised detailed evidential issues about alleged gambling addiction and legal issues concerning the regulation of casinos and their obligations towards their patrons. In finding for the Ritz, Mrs Justice Simler relied upon documentary evidence which had been "painstakingly analysed by Mr Delehanty" (see judgment at para. 16). The defendant's compliance with his disclosure obligations was scrutinised across a number of hotly contested pre-trial High Court hearings at which Marc, as sole counsel, secured orders for specific disclosure. The case was extensively reported in: [The Mirror](#), [The Guardian](#), [The Express](#), [The Mail](#) and [The Evening Standard](#).

Recommendations

Chambers & Partners UK Bar 2024

- Fraud: Civil, Band 3
- Commercial Dispute Resolution, Band 4
- Gambling Disputes, Band 1

Chambers & Partners Global 2024 Dispute Resolution: Commercial, Band 4

Legal 500 2024

- Fraud: Civil, Band 2

- Commercial Litigation, Band 3

Who's Who Legal Asset Recovery, England – 'WWL Recommended'

Quotes

"very bright, with an encyclopedic knowledge of the law" (Chambers & Partners 2024)

"Marc doesn't take the easy option. His determination and tenacity is excellent and a real bonus in hard-fought commercial fraud litigation." (Chambers & Partners 2024)

"Marc is extremely thorough and his attention to detail is invaluable. Moreover, he has a good depth of knowledge of the law in this practice area, and he is strong on his legal analysis." (Legal 500 2024)

"Marc skilfully provides strategic and commercial input to augment his excellent technical advice." (Chambers & Partners UK Bar, 2023)

"Marc is bright beyond his year of call and always seems to be a couple of steps ahead of the opposition." (Chambers & Partners UK Bar, 2023)

"A well-prepared, understated advocate who is very measured - judges respond well to his advocacy style." (Chambers & Partners)

"He's incredibly bright, very tactically astute and his written documents are of really high quality." (Chambers & Partners)

"He conducts a forensic analysis of a case and breaks things down very well." (Chambers & Partners)

"A very good strategist and tactically astute. An impressive advocate and very good on his feet." (Legal 500)

"Very approachable, courteous and personable. Also incredibly thorough and comprehensive on paper." (Legal 500)

"very capable junior who takes good points" (Chambers & Partners)

"strong on the law and produces good quality work, both on paper and on his feet" (Legal 500)

"very good at cutting through complex and detailed factual circumstances to find the best practical route though a problem" (Legal 500)

Scholarships and Prizes

Phoenicia Scholarship from the Bar European Group.

Hardwicke Entrance Award and Eastham Scholarship from Lincoln's Inn.

The de Montmorency prize in law from Peterhouse, University of Cambridge.

Cambridge European Trust Bursary – awarded for an 'outstanding academic record'.

Education & Qualifications

BA (Mod.) in Mathematics at Trinity College, Dublin
(2005) – First Class

MA in Legal Studies at University of Bristol
(2008) – Distinction

Master of Law (LLM) at Peterhouse, Cambridge
(2009) – First Class

Bar Professional Training Course
(2011; Advocacy Scholar)

Memberships

Commercial Bar Association

Chancery Bar Association

London Irish Lawyers Association (LILA)
