



Oliver Jones

Year of Call: 2014

"...razor sharp, very strong technically, tactically astute and always has his eye on the wider commercial context."

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Practice Overview

Ollie practises across Chambers' core areas of commercial chancery work, with a particular emphasis on Civil Fraud, Commercial Litigation, and Private Client Trusts and Probate. He appears regularly in the High Court and County Court, both led and in his own right, and has a busy paper practice.

Ollie's recent work includes acting as part of a team of five barristers from Serle Court (led by Elizabeth Jones QC) in *Glenn and Kea v Watson and Ors* [2018] EWHC 2016 (Ch), in which Kea succeeded in establishing its entitlement to set aside agreements relating to a joint venture between Sir Owen Glenn and Mr Eric Watson on the basis of deceit, the rules against bribes and secret commissions, and breach of fiduciary duty. Ollie continues to be instructed as Kea seeks to enforce its judgment against Mr Watson's assets in the UK and internationally.

Ollie is also instructed in *Renova Industries Ltd & ors v Emmerson International Corporation & ors* in the BVI High Court (led by Philip Marshall QC), a dispute worth circa US\$1 billion between two prominent Russian businessmen and associated parties concerning a joint venture in relation to various power generation and distribution assets in Russia.

Before coming to the Bar, Ollie spent four years working as a management consultant in the financial services, energy, and public sectors.

Areas of Expertise

Civil Fraud

Sir Owen Glenn and Kea Investments Limited v Watson and Ors [2018] EWHC 2016 (Ch); [2018] EWHC 2483 (Ch): acting for Sir Owen Glenn KNZM ONZM and Kea Investments Limited. The trial of the action took place over twelve weeks in 2017 before Nugee J. and judgment was handed down on 31 July 2018. Kea succeeded in establishing its entitlement to set aside agreements relating to a joint venture between Sir Owen and Eric Watson on the basis of (i) fraudulent misrepresentations made on behalf of Mr Watson, (ii) the rules against bribes and secret commissions, and (iii) breach of Mr Watson's fiduciary duty to Kea. The court gave an important decision on equitable interest, awarding interest at 6.5% compounded annually. Litigation continues as Kea seeks to enforce its judgment against Mr Watson's assets in the UK and internationally, including in further related proceedings against alleged nominees of Mr Watson. Led by Elizabeth Jones QC; instructed by Farrer & Co.

Renova Industries Ltd & ors v Emmerson International Corporation & ors (BVI): acting for the Defendants and Claimants by way of Counterclaim and Ancillary Claim in a dispute worth circa US\$1 billion between two prominent Russian businessmen and associated parties concerning a joint venture in relation to various power generation and distribution assets in Russia. The proceedings involve contractual claims and claims for breach of trust and dishonest assistance, deceit, conspiracy to injure and other economic torts. Freezing and disclosure orders have been obtained, and the case has provided the first major decision in the BVI on disclosure to assist a decision whether to apply for a freezing order. Instructed by Walkers, led by Philip Marshall QC. Acted for the claimant firm of solicitors in proceedings against two employees who had defrauded the firm over a period of several years by the creation of false invoices for third party supplies and services (2018 -).

Entertainment One Limited v Monex and Anr (2019): acting for the Claimant in a claim to set aside a series of Forex contracts on the grounds of bribery of an agent. Led by Elizabeth Jones QC; instructed by Mayer Brown LLP.

Acted for the respondent to an application for a freezing injunction made after she had admitted defrauding her employer over several years.

Acted for a non-party applicant to obtain a variation to freezing injunctions obtained by various parties in the wake of the Timothy Sammons art fraud, so that she could obtain the release from storage of various valuable works of art which belonged to her.

Assisted Dan McCourt Fritz in obtaining freezing and disclosure orders on behalf of a victim of a "boiler room" diamond scam, and subsequently in drafting and pursuing the substantive claim.

Commercial Litigation

Renova Industries Ltd & ors v Emmerson International Corporation & ors (BVI): acting for the Defendants and Claimants by way of Counterclaim and Ancillary Claim in a dispute worth circa US\$1 billion between two prominent Russian businessmen and associated parties concerning a joint venture in relation to various power generation and distribution assets in Russia. The proceedings involve contractual claims and claims for breach of trust and dishonest assistance, deceit, conspiracy to injure and other economic torts. Freezing and disclosure orders have been obtained, and the case has provided the first major decision in the BVI on disclosure to assist a decision whether to apply for a freezing order. Instructed by Walkers, led by Philip Marshall QC.

Sir Owen Glenn and Kea Investments Limited v Watson and Ors [2018] EWHC 2016 (Ch); [2018] EWHC 2483 (Ch): acting for Sir Owen Glenn KNZM ONZM and Kea Investments Limited. The trial of the action took place over twelve weeks in 2017 before Nugee J. and judgment was handed down on 31 July 2018. Kea succeeded in establishing its entitlement to set aside agreements relating to a joint venture between Sir Owen and Eric Watson on the basis of (i) fraudulent misrepresentations made on behalf of Mr Watson, (ii) the rules against bribes and secret commissions, and (iii) breach of Mr Watson's fiduciary duty to Kea. The court gave an important decision on equitable interest, awarding interest at 6.5% compounded annually. Litigation continues as Kea seeks to enforce its judgment against Mr Watson's assets in the UK and internationally, including in further related proceedings against alleged nominees of Mr Watson. Led by Elizabeth Jones QC; instructed by Farrer & Co.

Entertainment One Limited v Monex and Anr (2019): acting for the Claimant in a claim to set aside a series of Forex contracts on the grounds of bribery of an agent. Led by Elizabeth Jones QC; instructed by Mayer Brown LLP.

Bowes v Panareti [2018]: appeared with Professor Jonathan Harris QC (Hons) on an application in the Commercial Court relating to a jurisdiction dispute concerning alleged misselling of properties in Cyprus. The application also dealt with an issue as to the appropriate costs order in circumstances where the Appellants had withdrawn their appeal as a result of certain amendments made by the Respondents to their Particulars of Claim which had rendered the a number of the Grounds of Appeal redundant. Instructed by Gateley PLC.

Instructed for Air Tanzania and the Government of Tanzania in the Commercial Court in defending claims for USD 30 million under the lease of an Airbus A320 and a guarantee on the grounds that they were executed without authority and in breach of Tanzanian procurement law. Led by Rupert Reed QC; instructed by Shakespeare Martineau (2018)

Hussein v Her Highness Princess Nouf Bint Khalid bin Abdullah al Saud [2018]: Acted for the former head of the family office of the late Prince Fahd bin Salman of Saudi Arabia in claiming unpaid remuneration, expenses and commission owed on various Knightsbridge property developments pursued for the benefit of the family. The claim settled following mediation in January 2019. Led by Rupert Reed QC; instructed by Cooke Young & Keidan) (2017 - 2018).

Instructed for the Claimants in bringing claims for breach of confidence and breach of contract concerning an online-payments system business. The instruction involved preparing an inter partes injunction application (undertakings were obtained on the day of the hearing), issuing proceedings, and attending the mediation. The claim settled following mediation. Led by Hugh Norbury QC; instructed by Boodle Hatfield LLP.

Acted for two of six defendants in *Principal Investors Global LLC v various defendants* to claims alleged to be worth over £50 million, arising out of the sale of the fund of hedge funds business *Liongate Limited*. The proceedings were settled. Led by John Machell QC; instructed by Farrer & Co and Clifford Chance (2015 – 2018).

Advised the former director of the fund of hedge funds business *Liongate Limited* in relation to claims for his costs of legal proceedings under his D&O insurance policy. Instructed by Solomon Harris (2018 - 2019).

Advised a European commodity futures trader on the merits of bringing a claim for breach of contract against their London-based broker.

Assisted Matthew Morrison, led by Philip Marshall QC, in a six-day trial in the Chancery Division before Mr Justice Sales, acting for a Russian businessman and his offshore company in a claim for over £100m under a loan agreement and guarantee (*Avonwick Holdings Ltd v Webinvest Ltd* [2014] EWHC 3661 (Ch)).

Assisted Dan McCourt Fritz, led by Lance Ashworth QC, in an appeal to the Court of Appeal on behalf of the director of a company who at first instance had been committed to prison for eight months for contempt of court in respect of his company's breach of the terms of a freezing order. The appeal concerned inter alia the proper interpretation of the "ordinary and proper course of business" exception to freezing orders (*Michael Wilson and Partners Ltd v Emmott* [2015] EWCA 1028).

Company

Instructed in relation to a dispute between corporate shareholders in a property joint venture vehicle (instructed by Farrer & Co, led by Richard Walford).

Assisted Matthew Morrison, led by Hugh Norbury QC, in advising the liquidators of a company on the merits of bringing claims against the former directors for breach of duties and/or negligence in connection with the improper issue of loan notes in the company to potential investors in the United States.

Assisted Matthew Morrison in bringing an unfair prejudice petition in a dispute between the three shareholders in a pharmacy business, and in defending a cross-claim for breach of director's duties.

Insolvency

Re Arrinera Automotive Holdings Limited [2016]: argued successfully for the dismissal of the petition against the company, on the basis that the alleged debt was disputed genuinely and on substantial grounds.

Advised on various matters relating to the bankruptcy of Mr Shlosberg in the aftermath of the *Avonwick v Webinvest* litigation.

Acting for the respondents to a liquidator's application under s.238 Insolvency Act 1986 in relation to payments totalling c. £500,000 which they received in relation to certain 'concierge lifestyle services'.

Professional Negligence

Assisted Dominic Dowley QC in advising a solicitor concerning allegations of breach of fiduciary duty arising out of the solicitor's conduct of the sale of a residential property in Bermuda.

Assisted Giles Richardson, led by Philip Jones QC, in a class action against the promoters of an investment scheme and the firm of property valuers which valued the underlying assets in the scheme.

Assisted Giles Richardson in proceedings against Isle of Man property valuers in connection with the negligent valuation of residential property.

Assisted Dan McCourt Fritz in bringing proceedings against a firm of solicitors for the negligent drafting of an LLP Members Agreement in connection with a firm's conversion from traditional partnership to LLP status.

Private Client Trusts and Probate

Sir Owen Glenn and Kea Investments Limited v Watson and Ors [2018] EWHC 2016 (Ch); [2018] EWHC 2483 (Ch): acting for the Claimants in this large-scale piece of litigation, the trial of which took place over twelve weeks in 2017. The first claimant was the settlor of two Nevis trusts and the second claimant was a company held under the trusts. Issues arose as to (i) whether it was possible for the first defendant to owe fiduciary duties to the first claimant notwithstanding that the first claimant had put forward the second claimant company to enter into the relevant transactions and was not a beneficiary of the trusts which held that company, (ii) whether a transfer of the second claimant from one trust to another, allegedly for US tax reasons, had been in breach of trust, and (iii) whether the first claimant had a legitimate expectation of consultation in relation to the affairs of the second claimant. Currently instructed in relation to steps being taken by Kea to enforce its judgment debt, including in further related proceedings against alleged nominees of Mr Watson.

Re the Estate of Lord Jacobs (2017 -): acting for the administrators of this substantial Estate in several sets of

proceedings in the High Court. Led by Richard Wilson QC; instructed by Burges Salmon LLP.

A v Z (2017 - 2018): advised and represented the adult beneficiaries of a large private trust settled by a successful retail entrepreneur in relation to an application brought under the Variation of Trusts Act 1958 under which it was proposed, among other things, that a transitional serial interest be created in favour of the life tenant's spouse. Instructed by Cripps LLP.

Jackson v Gowar (2018): acted for the capital beneficiary in a dispute between one of two income beneficiaries and the outgoing trustee in relation to the trustees' use of income to meet capital expenses, in circumstances where the trust's only asset was a valuable freehold interest in commercial land. The case settled following an FDR hearing in the Chancery Division before Roth J.

Re Al-Kariemy [2018] EWHC: represented one of three beneficiaries and administrators of his deceased father's UK estate in successfully applying for and obtainign an order for the removal of his siblings as administrators. Both sibilings were resident in Saudi Arabia, and the action also involved an interlocutory application for service out of the jurisdiction by alternative method.

Inchbald v Inchbald [2016] EWHC 3215 (Ch); [2017] EWHC 616 (Ch): represented the first defendant in a high-profile probate dispute involving a want of knowledge and approval challenge to the last wills of the famous designer, Michael Inchbald. Led by Richard Wilson QC; instructed by Farrer & Co.

Acted for the sole beneficiaries of the deceased's estate defending claims brought by their step-mother and her two children under the Inheritance (Provision for Family and Dependants) Act 1975.

Assisted Dakis Hagen who was acting as junior counsel, instructed by Withers LLP in a three week trial before Mr Justice Blair (sitting in the Family Division). The case concerned whether various UK properties were held pursuant to nominee arrangements, and raised inter alia issues concerning the proper law of sham and the applicability of the *Jones v Kernott* "common intention" constructive trust in the context of non-cohabittees.

Assisted Giles Richardson in bringing proceedings against Nevis trustees seeking orders that the trustees vest the trust assets in new trustees, resign from all directorships held as a result of their being trustees, deliver up all documents and papers belonging to the trust, and provide an account in common form.

Assisted Giles Richardson acting for the claimant's estate in a claim for breach of trust and breach of fiduciary duty against the defendant arising out of a property investment venture between the claimant and the defendant in the United States.

Assisted Thomas Braithwaite in advising an Isle of Man corporate trustee in connection with an application made against it in England, under section 342(1)(d) Insolvency Act 1986, by the trustee in bankruptcy of the trust's settlor.

Private International Law

Koza Ltd v Akcil and Ors (2018): advised Tasarruf Mevduati Sigorta Fonu, a Turkish public body which has supervisory responsibility for companies in Turkey, as a proposed intervenor in the appeal to the Surpeme Court in this Appeal concerning the scope of Article 24(2) of Regulation (EU) No 1215/2012. Led by Professor Jonathan Harris QC (Hons); instructed by Stewarts Law.

Bowes v Panareti [2018]: appeared with Professor Jonarthan Harris QC (Hons) on an application in the Commercial Court relating to a jurisdiction dispute concerning alleged misselling of properties in Cyprus. Instructed by Gateley PLC.

Scholarships and Prizes

Hubert Greenland Scholarship, Lincoln's Inn
Lord Denning Scholarship, Lincoln's Inn
Lord Brougham Scholarship, Lincoln's Inn
Hardwicke Entrance Award, Lincoln's Inn
Buchanan Prize, Lincoln's Inn
Best Student Prize, Kaplan Law School

In the Press

Sir Owen Glenn KNZM ONZM and Kea Investments Limited v Eric Watson, Novatrust Limited and others [2018] EWHC 2016 (Ch), The Barrister, 5 October

Glenn v Watson Trust Dispute, STEP Journal, 2nd August 2018

Property Investor Gets OK To Drop £129m Deal in Fraud Case, Law 360, 1st August 2018

Education & Qualifications

Kaplan Law School: BPTC (Outstanding; first in the year).

Kaplan Law School: Graduate Diploma in Law (Distinction; third in the year).

University of Leeds: BA (Hons), International History and Politics (First Class; first in the year).

Appointments

?Admitted to Bar in the British Virgin Islands in 2019
