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Philip Marshall KC

Year of Silk: 2003 Year of Call: 1987

Classified as one of "the Stars at the Bar"

Chambers & Partners

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Practice Overview

“*One of the Bar’s most successful silks*”, Philip Marshall KC is a senior commercial and chancery silk who specialises in complex commercial disputes and commercial fraud, particularly international fraud. He continues to be involved in a number of high profile matters and is “*selected for very sophisticated cases*”.

In 2009 he was authorised to sit as Deputy High Court Judge (Chancery and Queen’s Bench Division) and regularly acts and advises in several overseas jurisdictions including the British Virgin Islands, Bermuda and Hong Kong. He is called to the Bar of the British Virgin Islands.

Philip is classified in Chambers & Partners as one of “the Stars at the Bar” and is recommended in 8 different practice areas. He is a Legal Commentator for television and was The Times ‘Lawyer of the week’ for work on a major fraud case. Philip was awarded ‘Chancery Silk of the Year’ at the Chambers Bar Awards 2020.

Areas of Expertise

Civil Fraud

Berkeley Square Holdings v Lancer Property Asset Management – Philip acted for the claimant property companies, owned by the President of the UAE, in a claim for fraudulent property management and bribery valued at some £32M.

The Public Institution for Social Security v Al - Rajaan – In a fraud claim for over \$800 million arising out of alleged bribery in respect of banking and investments of the state pension fund of Kuwait, which raises important issues on jurisdiction, Philip acts for Mr Amouzegar, one of the defendants.

Constantin Medien v Ecclestone: Media company claiming £87.5million in damages from Ecclestone and three others.

Aeroflot v Berezovsky: Claim for fraud in relation to financing of Russian airline.

JSC BTA Bank v Ablyzov: International fraud claim for in excess of \$1billion. Issues in respect of freezing relief, receivership, committal and jurisdiction.

Arkhangelsky v Bank of St. Petersburg (acting for bank in relation to fraud proceedings in BVI involving ancillary proceedings in France and Bulgaria).

Lexi Holdings v Luqman: International fraud claim for £155m. Involved applications for freezing and search orders as well as two committal hearings. Reported decisions on director’s fiduciary obligations and interaction between civil orders and restraint orders.

AWG v Morrison: Multi-million pound Fraud claim against directors regarding profit forecast following take over of Morrison by AWG. Acted for former Chief Executive of Morrison.

Zakharov v White: International fraud claim; established principles for issue of bench warrants in civil proceedings.

Rabobank v National Westminster Bank: Fraud, misrepresentation and unlawful interference claims arising out of banking syndicate in respect of losses exceeding £200m.

Fiona Maritime v Privalov (major fraud claim arising out of sales of part of the old Sovcomflot fleet - complete applications for freezing relief and search orders).

Dubai International Capital v Lewis (claim for fraud arising from management buy-out).

Canada Trust Co v Stolzenberg International fraud action for recovery of over \$250m, issues on jurisdiction under Brussels/ Lugano Conventions, operation of worldwide Mareva orders.

Berry Trade v Moussavi International fraud action; including search and freezing order and committal applications. Trial involving issues of private international law and foreign law.

Bishopsgate Investment Management v Maxwell International insolvency investigation, privilege against self-incrimination.

Cala Cristal v Al-Borno International fraud action; operation of worldwide Mareva orders, conflict of laws, law of agency.

Goose v Wilson Sandford fraud/professional negligence action, joint venture, constructive trust claims.

Renewable Power Light v Lewis (claim for fraudulent misrepresentation and misapplication of funds by a director).

Golfrate v Aziz (claim for misappropriation of company funds and fraudulent misrepresentation).

Re Trans Ocean Manufacturing (2006) BCC 451 and [2005] EWHC 2403 (major fraudulent trading claim giving rise to jurisdiction dispute - acted for the defendant).

Company

Re Lehman Bros - Acting for administrators of Lehman Brothers Limited in relation to intercompany financing issues and subordinated debt claim. Total claims of \$10 billion.

Emmerson v Renova: Acting for counter claimants in £1billion claim arising out of joint venture between Russian parties in the BVI.

Hobart v Naggar (claim relating to de facto/shadow directorship of financial services company.)

Hicks v Broughton (high profile claim in the High Court concerning the sale of Liverpool Football Club involving important questions on company procedure, specifically board meetings and the question of anti- suit injunctions; Philip acted for Mr Broughton)

Major issue on whether company unfair prejudice petitions are capable of being the subject of arbitration, *Fulham Football Club v Sir David Richards*.

Re Nortel Networks (acting as expert witness on cases of English Law covering de facto/shadow directorship and other issues.)

McKillen v Barclay (claims for conspiracy in connection with acquisition of Claridges, Connaught and Berkeley Hotels)

Lexi Holdings v Luqman (claims for over £155m brought against directors by administrators for breaches of the Companies Act prohibition on directors' loans and substantial property transactions with directors (ss.320 & 330 of Companies Act 1985 - act for the administrators - case continuing). Several reported decisions including two in the Court of Appeal: (2009) 2 BCLC 1 (dealing with key issues of causation of loss) and [2009] 2 WLR 905 (dealing with interaction between commercial litigation and criminal restraint order proceedings).

Tarn Insurance Services (claims against directors for misfeasance – misapplication of company funds/issues over

shareholder approval)

Acting for Bermudian Government in relation to a company inspection.

Renewable Power & Light v Lewis (misfeasance claim against directors for listed company).

AWG v Morrison (2006) 1 WLR 1163 (claim concerning the profit forecast provided in the acquisition of Morrison Plc the construction company by AWG - acted for the former Morrison CEO).

MT Realisations v Digital Equipment [2003] BCLC 117 (decision on proper construction of ss.151 and 152 of the Companies Act)

Professional Negligence

Dickson v Christies (claim for misattribution and inaccurate valuation against Christies in relation to a Titian painting.)

Re Carlyle Capital (claim for negligence against directors)

Re Woolworths Plc (claim for negligence against directors arising out of collapse of Woolworths)

Lexi Holdings v DTZ (claim by the administrators against surveyors in relation to a number of high value commercial properties; the case raised important questions regarding contributory negligence and alleged illegality.)

Lexi Holdings v Pannone (claim by administrators for £55m. against solicitors for breach of trust and negligence).

Washington Green Fine Art in the Court of Appeal (case relating to Rolf Harris paintings and the question of responsibility for loss whilst in storage.)

Acting for the liquidators of *Ciro Citterio* in a major claim against professional advisers in relation to previous proceedings for unfair prejudice.

Clifford Harris v Solland [2005] EWHC 141 (solicitors claim dispute involving professional litigation claim)

De Beer v Kanaar [2002] EWHC 688, [2002] 3 All ER 1020 (prime bank instrument fraud)

Goose v Wilson Sandford (Court of Appeal Times 19/2/98) and Court of Appeal (Lawtel 14/3/00) (deceit case).

Peach Publishing v Slater [1998] BCC 139 (auditors negligence claim in share acquisition).

Insolvency

Re Lehman Bros - Acting for administrators of Lehman Brothers Limited in relation to intercompany financing issues and subordinated debt claim. Total claims of \$10 billion.

State Bank of India v Mallya – Acting for Dr Vijay Mallya in defending bankruptcy proceedings for claim of over £1 billion arising out of banking litigation in India. Largest individual insolvency proceedings in the UK. Also related proceedings in the Commercial Court concerning recognition of a foreign judgment.

Saad Investments v Awal Bank: Acting for insolvency office holders of SICL in claims against Awal Bank arising out of collapse of Saad group. Proceedings in England and Cayman Islands.

Carlyle Capital v Conway (representing directors in largest ever claim in Guernsey following collapse of company trading in asset backed securities).

ISIS Investments v McHarrie (representing directors in claims for breach of duty connected with collapse of Kaupthing, the Icelandic bank).

Re Nortel (acting as expert witness on UK insolvency law for administrators in U.S. proceedings).

Re Woolworths (acting for administrators in investigations concerning collapse of Woolworths).

Re Levene (acting for trustee in bankruptcy in relation to complex estate of ex-financial intermediary)

Lexi Holdings v McGarry (claim involving variation restraint order to allow administrators to recover company funds).

Tarn Insurance Services (claim by administrators to recover misappropriated company funds) (ongoing).

Acting for Bermuda Government on winding-up proceedings against the IPOC group.

Re Lexi Holdings (fraud claims for over £28m brought against directors by administrators - act for the administrators - case is continuing).

Re Trans Ocean Manufacturing (2006) BCC 451 and [2005] EWHC 2403 (major fraudulent trading claim giving rise to jurisdiction dispute – acted for the defendant).

Re Harrington (claim for alleged transactions at undervalue/attempts to defeat creditors' claims – ongoing).

Fraser v Oystertec Lawtel (2004) BCC 233 – claim based on British Eagle principle.

Thakrar v Ciro Citterio Lawtel 1/10/02 (effect of settlement in company administration)

Haig v Aitken (2000) 3 All ER 80 (decision on extent of bankrupt's estate)

Banking and Financial Services

Emirates NDB Bank v KBBO in the DIFC Court in Dubai – Acting for the principal defendants in this is a \$100m. fraud claim in the DIFC courts brought by a banking syndicate in respect of the KBBO group. The proceedings have raised a large number of important issues including the extent to which monies advanced under standard form facilities are the subject of trusts.

Commercial Bank of Kuwait v Bhutti – Acting for the principal Defendants in this large fraud claim arising out of the \$1.5bn collapse of NMC Healthcare. The proceedings have raised a large number of complex issues including the extent to which freezing relief can be obtained against non-cause of action corporate defendants in connection with foreign proceedings in both England and the BVI.

Qatar v Abu Dhabi Commercial Bank - Acting for one of the Defendant banks in one of the largest pieces of litigation currently before the English High Court, in which claims in conspiracy to manipulate exchange rates are brought by the State of Qatar.

Greenwood v Goodwin banking action.

RBS v Hicks: Acting for Liverpool F.C. directors in relation to sale of club.

JSC BTA Bank v Ablyazov (major banking case involving the largest group of fraud actions ever brought in the High Court. Philip's action covers over \$1bn of claims for fraud on a Kazakhstan bank, involving interlocutory injunctions, freezing and disclosure orders.)

Hicks v Broughton (high profile claim regarding sale of Liverpool FC raising issues over enforcement of security by RBS and terms of re-financing/sale)

McKillen v Barclay (high profile claim involving issues over the sale of loans/security by NAMA (the Irish "bad bank") in relation to hotels in the former Savoy group)

Arkhangelsky v Bank of St Petersburg (claims in England and the British Virgin Islands covering validity of Russian banking transactions/security.)

Natwest v Rabobank [2006] EWHC 2959 (Comm) (case continuing - relates to take out of Natwest loans by Rabobank in connection with advances to Yorkshire Food Group in the 1990s - act for Rabobank).

Banque Saudi v Lear Siegler (2006) 1 Lloyd's Rep 273 and [2006] EWCA Civ 1130 (claim on performance bond which went to Court of Appeal on correct test on summary judgment).

Sirius International v FAI (2004) 1 WLR 3251 (House of Lords appeal involving construction of letter of credit conditions.)

Wahda Bank v Arab Bank Court of Appeal, Lawtel 16/6/99 (performance bonds and the fraud defence to a demand for payment)(see also [1996] 1 Lloyd's Rep. 470 (construction of UN sanctions legislation against Libya.)

JSC BTA Bank v Ablyazov: International fraud claim for in excess of \$1billion. Issues in respect of freezing relief, receivership, committal and jurisdiction.

Rabobank v National Westminster Bank: Fraud, misrepresentation and unlawful interference claims arising out of banking syndicate in respect of losses exceeding £200m.

Commercial Litigation

The Public Institution for Social Security v Al - Rajaan – In a fraud claim for over \$800 million arising out of alleged bribery in respect of banking and investments of the state pension fund of Kuwait, which raises important issues on jurisdiction, Philip acts for Mr Amouzegar, one of the defendants.

Emmerson v Vekselberg – Representing parties with a claim for over \$1 billion arising out of joint venture between Russian parties. One of the largest commercial cases ever in the BVI involving a number of appeals including to the Privy Council. Claims in breach of contract and deceit involving important decisions on freezing orders and anti-suit injunctions.

Aeroflot v Berezovsky (acting for claimant in claim for fraud involving jurisdiction and arbitration issues.)

JSC BTA Bank v Ablyazov (largest group of fraud actions ever brought in the High Court. Philip's action covers over \$1bn of claims for fraud on a Kazakhstan bank, involving interlocutory injunctions, freezing and disclosure orders.)

Hicks v Broughton (high profile claim concerning agreements for the operation of Liverpool Football Club.)

B.A.T. v Windward Prospects (claims for indemnity in relation to environmental claims).

Arkhangelsky v Bank of St. Petersburg (acting for bank in relation to fraud proceedings in BIV involving ancillary

proceedings in France and Bulgaria).

McKillen v Barclay (claims for conspiracy in connection with acquisition of Claridges, Connaught and Berkeley Hotels).

Constantin Medien v Ecclestone (high profile claim for damages from sale at undervalue resulting from bribes in Formula 1).

Lexi Holdings v Luqman (claims for over £155m brought against directors by administrators - act for the administrators - case is continuing). Several reported decisions including two in the Court of Appeal: (2009) 2 BCLC 1 (dealing with key issues of causation of loss) and [2009] 2 WLR 905 (dealing with interaction between commercial litigation and criminal restraint order proceedings).

AWG v Morrison (2006) 1 WLR 1163 (major claim concerning the profit forecast provided in the acquisition of Morrison Plc by AWG - acted for the former Morrison CEO).

Natwest v Rabobank [2006] EWHC 2959 (Comm) (claim brought against Natwest for over US\$200m for misrepresentation - act for Rabobank).

Financial Services

Greenwood v Goodwin banking action.

RBS v Hicks: Acting for Liverpool F.C. directors in relation to sale of club.

JSC BTA Bank v Ablyazov (major banking case involving the largest group of fraud actions ever brought in the High Court. Philip's action covers over \$1bn of claims for fraud on a Kazakhstan bank, involving interlocutory injunctions, freezing and disclosure orders.)

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Rabobank v National Westminster Bank: Fraud, misrepresentation and unlawful interference claims arising out of banking syndicate in respect of losses exceeding £200m.

Private Client Trusts and Probate

In Isle of Man:

ISIS Investments v McHarrie (representing directors in claims for breach of duty connected with collapse of Kaupthing, the Icelandic bank).

In the British Virgin Islands:

Ieremieva v Eстера - acting for trustees claim for breach of Ukrainian family trust based in BVI.

Re Spartan - case involving jurisdictional disputes between BVI and England in context of breach of trust and company derivative claims.

Sports, Entertainment & Media

Constantin Medien v Ecclestone (high profile claim for damages from sale at undervalue resulting from bribes in Formula 1)

Hicks v Broughton (high profile claim in the High Court concerning the sale of Liverpool Football Club involving important questions on company procedure, specifically board meetings and the question of anti- suit injunctions; Philip acted for Mr Broughton)

Fulham Football Club v Sir David Richards (unfair prejudice petitions raising the question whether such claims are capable of being the subject of arbitration.).

Re Crystal Palace Football Club (claim against administrators regarding deferred transfer fees.)

Re Portsmouth Football Club (claims arising out of the administration of Portsmouth concerning unfair preferences.)

Arbitration

Philip has sat as a arbitrator for the LCIA and on ad hoc arbitrations. These have covered a range of disputes including issues arising from oil and gas production, financial instruments and art purchases. He also has significant experience in running a tribunal from his work as a deputy High Court Judge in the Chancery and Queen's Bench Divisions of the High Court. His arbitration practice as an advocate has also made him highly familiar with the rules and practice of all major international arbitration providers.

Chancery

International and Offshore

Recent litigation in the British Virgin Islands has included:

Emmerson v Vekselberg – Representing parties with a claim for over \$1 billion arising out of joint venture between Russian parties. One of the largest commercial cases ever in the BVI involving a number of appeals including to the Privy Council. Claims in breach of contract and deceit involving important decisions on freezing orders and anti-suit injunctions.

Commercial Bank of Kuwait v Bhutti – Acting for the principal Defendants in this large fraud claim arising out of the \$1.5bn collapse of NMC Healthcare. The proceedings have raised a large number of complex issues including the extent to which freezing relief can be obtained against non-cause of action corporate defendants in connection with foreign proceedings in both England and the BVI.

Ieremieva v Estera - acting for trustees claim for breach of Ukrainian family trust based in BVI.

Re Spartan - case involving jurisdictional disputes between BVI and England in context of breach of trust and company derivative claims.

Arkhangelsky v Bank of St Petersburg (claims in the British Virgin Islands covering validity of Russian bank security.)

JSC BTA Bank v Fidelity Corporate Services Ltd. and another (an appeal concerning the availability of Norwich Pharmacal type disclosure orders against service providers in the BVI);

Royal Westminster v Nilon (an appeal concerning the jurisdiction of the court to rectify its register of members and further issues concerning international jurisdiction); and

JSC BTA Bank v Reuel Limited (a claim for recovery of some US\$57m.in relation to a conspiracy to defraud brought before the Commercial Court).

In Bermuda Philip has advised the Ministry of Finance on a number of matters including one of the most important public interest winding-up petitions ever brought in the jurisdiction against IPOC Ltd.

Hong Kong:

In Hong Kong Philip has advised in the liquidation of subsidiaries of the Long Term Credit Bank of Japan and more recently on the case of *Sinocare v Biran* (proceedings for fraudulent misappropriation by a company officer).

Dubai (DIFC):

Emirates NDB Bank v KBBO in the DIFC Court in Dubai – Acting for the principal defendants in this is a \$100m. fraud claim in the DIFC courts brought by a banking syndicate in respect of the KBBO group. The proceedings have raised a large number of important issues including the extent to which monies advanced under standard form facilities are the subject of trusts.

In Guernsey:

Carlyle Capital v Conway (representing directors in the largest-ever claim in Guernsey following the collapse of a company trading in asset-backed securities).

In Isle of Man:

ISIS Investments v McHarrie (representing directors in claims for breach of duty connected with collapse of

Kaupthing, the Icelandic bank).

Recommendations

Asset Recovery & Thought Leaders Global Elite (*Who's Who Legal*)

Banking & Finance, Chancery: Commercial, Commercial Dispute Resolution, Company, Fraud: Civil, Offshore, Restructuring/Insolvency (*Chambers & Partners*)

Banking and finance, Commercial litigation, Company, Fraud: Civil, Insolvency, International arbitration, Professional negligence (*The Legal 500*)

Dispute Resolution: Commercial, Dispute Resolution: Commercial Chancery, Offshore, Restructuring/Insolvency (*Chambers Global*)

Civil Fraud (*Who's Who Legal: UK Bar 2016*)

Civil Fraud (*Best Lawyers*)

Recently The Times 'Lawyer of the week' for work on *Lexi Holdings v. Luqman* (a major fraud case).

Quotes

Classified in Chambers & Partners as one of "the Stars at the Bar"

For Fraud cases:

"One of the top barristers around - he has massive experience, is super quick and very academically clever." "He is ruthlessly efficient and gets the job done." "He is impressively quick on his feet." (Chambers & Partners, 2021)

"A brilliant tactician and a formidable advocate who leaves no stone unturned to win a case." (The Legal 500, 2021)

"One of the most popular practitioners at the Commercial Bar - he has a formidable reputation." "He's great to work with and really responsive, which is impressive for such a high-end silk." (Chambers & Partners 2020)

"Robust and incisive litigator and adopts a proactive approach to ensure that maximum pressure is exerted on opponents." (The Legal 500, 2020)

"very well regarded" by peers for his strong international fraud practice which sees him advising on claims spanning various overseas jurisdictions' (Who's Who Legal, 2019)

"A very clear and powerful advocate. He's done lots of fraud cases and understands how to go after them."

"Incredibly clever." (Chambers & Partners 2019)

"A brilliant advocate with outstanding skills across the whole discipline and feared by opponents." (The Legal 500 2019)

"A really top-of-the-range advocate and litigator. He is incredibly fast-working, efficient and incisive." (Chambers & Partners 2018)

"He absorbs documentation impressively quickly and is formidable and aggressive when he needs to be" (Chambers & Partners 2017)

"A brilliant and wonderful lawyer: in a battle, he is the Exocet missile barrister of choice" (The Legal 500, 2017)

"...he provides direct and straightforward advice that gets to the heart of an issue, and it is delivered in a reassuringly calm and measured manner" (Chambers & Partners 2015)

"...a superb advocate who balances aggression with excellent judgement" (Chambers & Partners 2015)

"...phenomenally intelligent and extremely hardworking" (The Legal 500 2014)

"...full of praise for his 'creative yet convincing advocacy and terrific ability on his feet in court'" (Chambers & Partners 2012)

"...is highly regarded for his 'confident and robust advocacy coupled with first-rate analytical skills'" (The Legal 500 2010)

"...one of the best - it's like sending in the Marines!" (The Legal 500 2009)
"...always displays star quality" (Chambers & Partners 2009)
"...clearly one of the leading figures in the fraud world" (Chambers & Partners 2009)
"...a formidable cross-examiner" (The Legal 500 2009)

For Insolvency:

"He is an extraordinary advocate. He's very forceful and good on technical cases." (Chambers & Partners, 2021)
"Great to work with - authoritative, calm, commercial, very responsive, very clear with advice and strategy." (The Legal 500, 2021)
"He has vast experience in this area." "He is an extraordinarily talented and forceful advocate. He is ferociously bright, hard-working and enthusiastic." "He is immensely clever and an outstanding advocate in court." (Chambers & Partners 2020)
"He is one of the best courtroom advocates at the commercial Bar." (The Legal 500, 2020)
"He is very strong on his feet in court. He gets into the details of the case and has a very effective style." "Philip is excellent - he is very clear and direct, and is a powerful advocate." "He is a superb advocate who balances aggression with excellent judgement." (Chambers & Partners 2019)
"Feared by opponents" (The Legal 500 2019)
"He's a strong advocate who has huge experience, he never fails to bring a new angle and energy to a case." (Chambers & Partners 2018)
"He's an outstanding advocate, extremely diligent and very well regarded." (Chambers & Partners 2017)
"He is very helpful, easy to work with and goes the extra mile." (The Legal 500 2017)
"...he is a superb advocate who balances aggression with excellent judgement." (Chambers Global 2016)
"...fabulously bright and can come up with a strategy extremely quickly" (Chambers & Partners 2015)
"...a thoughtful and assertive individual who knows how to drive a case forward" (Chambers & Partners 2012)
"...outstanding on his feet" (The Legal 500 2010)
"...one of the best advocates of his generation" (The Legal 500 2009)
"...a tough but user-friendly advocate who certainly fights his clients' corners" (Chambers & Partners 2009)

For Commercial Litigation:

"A real star - he is incredibly smooth in court, great with clients, and amazingly hard working." (The Legal 500, 2021)
"Delivers results and balances tactical aggression with charm in court." (The Legal 500 2020)
"First-rate in the contentious regulatory sphere, he's a superb advocate who balances aggression with excellent judgement." "He is both concise and perceptive in his approach." (Chambers Global, 2019)
"Has absolutely encyclopaedic knowledge of anything and can absorb material very quickly in order to come up with the right answer. He is a real machine, in a good sense." "He is very good at sifting out what's crucial and what isn't. His experience is the key. It enables him to be very responsive and to give a view on a difficult point pretty quickly. He is one of the big beasts of this world, so judges are attentive when he is making submissions." (Chambers & Partners 2019)
"One of the cleverest barristers, he is a very good advocate who is fantastically aggressive in court in a good way." (Chambers & Partners 2018)
"...absolutely top-notch" "Very robust in his assessment of the merits and inspires confidence in the client." "An outstanding advocate who is extremely diligent." (Chambers & Partners 2017)
"Excellent: gets to grips with the case quickly and offers sound trial strategy advice" (The Legal 500 2017)
"...a fearsome advocate. He is incredibly bright, hard-working and very tenacious." (Chambers Global 2016)
"...a sensibly aggressive and combative advocate whose advocacy is of the first order." (Chambers Global 2016)
"...goal-oriented in terms of understanding what the client is looking to achieve, and will take robust decisions and find nuanced, calculated means of achieving those aims" (Chambers & Partners 2015)
"...will use his immense legal knowledge to get you the practical result you're looking for" (Chambers & Partners 2015)
"...spots the weakness in the other side's position and goes on the attack. Watching him cross-examine a witness -

it's like they do it in the films" (Chambers & Partners 2015)

"...brings real gravitas and experience, both in court and when providing advice" (The Legal 500 2014)

"... 'a really shrewd tactician' with a 'top-rate mind'" (Chambers & Partners 2013)

"...has strong analytical skills, but is first and foremost a very strong advocate - someone to turn to for a tough litigation fight" (The Legal 500 2010)

For Company Law:

"He is an extraordinary advocate of huge energy and enthusiasm." (Chambers & Partners, 2021)

"An exceptionally intelligent and thorough individual." (The Legal 500, 2021)

"Forceful, clever and direct." (Chambers & Partners 2020)

"One of the best courtroom advocates at the commercial Bar." (The Legal 500, 2020)

"A barrister with a highly effective courtroom style who gets into the detail. He's really strong." (Chambers & Partners 2019)

"An outstanding advocate whose attention to detail is second to none." (The Legal 500 2019)

"His key quality is high toughness in court, whether handling an insolvency case or a nasty shareholder dispute." (Chambers & Partners 2018)

"He is superb. Very relaxed and persuasive, he can certainly make an argument" (Chambers & Partners 2017)

"...a lawyer with an outstanding brain" (Chambers & Partners 2014)

"...a force of nature in court: an excellent advocate with a razor-sharp intellect" (The Legal 500 2013)

"...commercially savvy and pragmatic" (Chambers & Partners 2012)

Chancery Commercial:

"He's a mesmerising advocate and is utterly relentless - a very powerful performer. "He takes on enormous cases and will fight like a tiger. He is resilient in the extreme." (Chambers & Partners, 2021)

"He's very effective and extremely well known. "A very forceful advocate." (Chambers & Partners 2020)

"Has absolutely encyclopedic knowledge of anything and can absorb material very quickly in order to come up with the right answer. He is a real machine, in a good sense." "He is very good at sifting out what's crucial and what isn't. His experience is the key. It enables him to be very responsive and to give a view on a difficult point pretty quickly. He is one of the big beasts of this world, so judges are attentive when he is making submissions." (Chambers Global, 2019)

"...very robust and highly experienced individual" "He's fierce and incredibly good. His handle on the law is incredible and he is just an amazing advocate" (Chambers & Partners 2019)

"Shows tremendous resilience. He can suck it up and keep going, and he's absolutely not to be underestimated on the law, either" (Chambers & Partners, 2018)

"...he is fantastic in court. He gets the results, so you can't knock him." (Chambers Global 2016)

"...he is a very, very, very effective advocate. Judges just love him and seem to be eating out of his hand. It is a joy to behold." (Chambers Global 2016)

"...combative, focused and multi-talented" (Chambers & Partners 2015)

"...a bold cross-examiner and hugely experienced in fraud cases" (Chambers & Partners 2015)

"...great fighter', his 'energy, dynamism and force of personality are impressive.' He is blessed with 'a good turn of phrase in Court' and is 'a great person to have with you in the trenches.'" (Chambers & Partners 2012)

For Banking:

"A superlative Commercial and Chancery Silk – creative with exceptional tangential thinking ability and very hard working." (The Legal 500, 2021)

"One of the best courtroom advocates at the commercial Bar." (The Legal 500 2020)

"A fantastic advocate with an encyclopedic knowledge of the law who is sensitive to his clients' needs." (Chambers & Partners 2019)

"A clever and robust, but nuanced, advocate." (The Legal 500 2019)

"An immensely sharp barrister" (The Legal 500 2017)

"Philip is a superb advocate who balances aggression with excellent judgement. A first choice is the case requires a barrister to get across the detail" (Chambers & Partners 2017)

"...impressive knowledge, courtroom gravitas and genuine standing" (The Legal 500 2009)

For Professional Negligence:

"He is an exceptional silk." (The Legal 500, 2021)

"He is exceptional." (The Legal 500, 2020)

"Inspires confidence." (The Legal 500 2019)

"His handle on the law and his advocacy are both incredible" (Chambers & Partner 2017)

"...a very aggressive litigator and a fearsome cross-examiner" (Chambers & Partners 2015)

"...consistently delivers excellent results" (The Legal 500 2014)

"...he is punchy in his advocacy and creative in his thinking" (Chambers & Partners 2014)

"...brilliant, tenacious and responsive" (The Legal 500 2013)

"...sensible, bright and easy to deal with" (Chambers & Partners 2012)

"...a very strong and confident advocate" (The Legal 500 2010)

"...punchy, creative and user-friendly, and a tough negotiator when necessary" (Chambers & Partners 2009)

For Offshore:

"He is a truly excellent advocate." "Incisive and robust." "He is a serious big hitter." (Chambers & Partners, 2021)

"A natural choice for heavy-duty offshore-fraud work," (The Legal 500, 2020)

"Very pragmatic and hands-on." "He is a tough opponent – he'll rip apart your case if he can." (Chambers & Partners, 2020)

"A brilliant and fearless advocate - you definitely want him on your side." (The Legal 500, 2020)

"An incisive and robust practitioner who knows how to fight and how to win." (Chambers Global, 2019)

"Outstanding skills across the discipline, he is a brilliant advocate who is feared by opponents." (The Legal 500 2019)

"He is a big gun who will do almost anything." "A very strong, high diligent litigator." (Chambers & Partners 2018)

"One of the best strategies at the Bar. He constantly thinks of new angles in a case and is good at fighting the client's corner in the face of real adversity" (Chambers & Partners 2017)

"...he is a real fighter and has a strong presence in court." (Chambers Global 2016)

"...a forceful advocate who represents the heavy artillery in a case" (Chambers & Partners 2015)

Commercial Dispute Resolution:

"He understands the evidence very quickly and he is a clear strategist who is easy to work with." "Philip is fantastic in court and so smooth on his feet." (Chambers & Partners, 2021)

"His real strength is in court, where he's a strong and dominant advocate who is intellectually nimble." "He's a very forceful and persuasive advocate, and honestly the most user-friendly silk out there." (Chambers & Partners, 2020)

International Arbitration:

"A fearsome advocate - he is very bright with a vast knowledge of the law and is also practical in his approach." (The Legal 500, 2021)

"Thinks creatively about how to advance high-value, complex multi-jurisdictional cases." (The Legal 500, 2020)

Publications

Contributor, *Civil Appeals* (Sweet & Maxwell, Editor: Sir Micheal Burton)

Editor, *The Practice and Procedure of the Companies Court* (LLP, October 1997)

Office Holder's Inquisitional Powers, their uses and limits (1997) *Insolvency Law & Practice* 66

Contributory Negligence - A Viable Defence for Auditors (1990) *LMCLQ* 416

Auditors' Duties - A Narrow Approach (1990) *LMCLQ* 478

In the Press

Mention, ["RiverRock Loses Suit Against Execs Over Company Strike-Off"](#), (December 2022) *Law* 360

Interview; *Patisserie Valerie Financial Difficulties* (October 2018) BBC News, BBC Radio 4 & ITV News

Byline; [Legislative Shortcomings Exposed](#) (September 2018) *PLC Magazine*

Byline; [UK laws on investigatory search warrants: outdated and unclear for businesses](#) (August 2018) *Financial Director*

Byline; [Search warrant rules are outdated in the electronic age](#) (July 2018) *The Times*

Comments; *Day trader sues broker over 'demo' trading platform mix-up* (June 2018) *Wall Street Journal*

Comments; [SFO's Expert Witness 'Debacle' Unlikely To Help Libor Appeals](#) (March 2018) *Law* 360

Comments; [Toys R Us UK and Maplin enter into administration after failing to secure buyers](#) (February) *The Accountancy Age*

Comments; [Thousands of jobs at risk as Maplin and Toys R Us fall into administration - as it happened](#) (February 2018) *The Guardian*

Comments; [Barclays Bank charged over Qatar loans](#) (February 2018) *BBC News*

P.Marshall KC and S.Hurst, *Jury's out on the SFO/Tesco Fraud Trial* (January 2018) *Economia*

Education & Qualifications

Called to the Bar of the British Virgin Islands

MA (First Class), Queens' College, Cambridge (Squire Scholar)

LLM, Harvard University (Kennedy Scholar)

Fellow, Queen's College, Cambridge, 1989-1993

Lincoln's Inn; Denning Scholar 1987

Appointments

Deputy High Court Judge - Chancery Division & Queen's Bench Division - 2009

Recorder - 2008

Member of the Panel in The London Court of International Arbitration

Bencher of Lincoln's Inn

Speaker for C5 International Fraud Conferences

Speaker and Chair for Lexis Nexis International Fraud Conferences

Speaker for R3; Insolvency Lawyers' Association; Chancery Bar Association; Television Education Network (legal)

Legal Commentator for Sky News

Memberships

Chancery Bar Association (former committee member)

Insolvency Lawyers Association

Commercial Bar Association

The London Court of Arbitration
