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## Ramyaa Veerabathran

Year of Call: 2023 (Solicitor 2017)

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## Practice Overview

Ramyaa joined chambers in July 2023 after successfully completing a period of training and assessment in place of pupillage as she was granted a full exemption from it by the Bar Standards Board, in view of her prior professional experience. During her training Ramyaa was supervised by Constance McDonnell KC, Dan McCourt Fritz KC, John Machell KC and Jonathan Adkin KC. She also assisted various other members of Chambers and enjoyed working in a range of practice areas including Civil Fraud, Insolvency, Company Law, Contentious Trusts and Probate.

Before coming to the Bar, Ramyaa was a Senior Associate in the litigation department of Herbert Smith Freehills in London, where she had trained and qualified as a solicitor of England & Wales (2017) and as a solicitor advocate (2020). Her practice as a solicitor was primarily focussed on high-value commercial disputes but also extended to aspects of competition law and public inquiry work. Ramyaa therefore has significant experience of acting in and advising on complex, high-value commercial disputes at all stages of litigation and is adept at turning her hand to a range of practice areas.

For the legal year 2020-21, Ramyaa was the Judicial Assistant to Lord Kitchin at the UK Supreme Court and the Judicial Committee of the Privy Council, assisting with the most complex and high-profile cases in the UK and across a number of Commonwealth jurisdictions. In this role she worked on appeals that raised difficult issues of law in a variety of areas including tort, contract, company, trusts, tax and public law.

Ramyaa is developing a broad practice in Chambers' core areas whilst further developing her existing expertise in Commercial disputes.

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## Areas of Expertise

### Civil Fraud

*PIFSS v Al Rajaan & Ors*, a \$800+ million claim brought by the Kuwaiti state pension fund against multiple defendants arising out of the alleged bribery of the former Director General of the fund. Ramyaa is acting (along with Philip Edey KC, James Mather and Tim Benham-Mirando) for the Pensée Foundation, a defendant to the claim.

*Taylor v Khodabakhsh & Ors*. Acting (led by Lance Ashworth KC and Dan McCourt Fritz KC) for the Defendants in a claim seeking to set aside a judgment obtained in 2019 on the grounds that it was obtained by fraud.

*Berry v ME Construction Limited & Anr*. Assisted Dan McCourt Fritz and Tim Benham-Mirando with advancing a substantial fraud claim arising out of an agreement for the sale and purchase of a group of companies in the construction industry and defending a counterclaim which also raised allegations of fraud.

*Republic of Mozambique v Credit Suisse & Ors*. Assisted Jonathan Adkin KC with resisting applications to strike out a multi-billion Pound fraud claim on the basis of alleged failures to comply with disclosure obligations.

*İşbilen v Turk*. Assisted Dan McCourt Fritz and Tim Benham-Mirando with a £40 million multi-jurisdictional claim involving allegations of fraud and undue influence and complex asset tracing. Ramyaa was involved with applications that concerned legal professional privilege issues in the context of disclosure and permission for the collateral use of documents disclosed in these proceedings for related purposes in other jurisdictions.

Assisted Dan McCourt Fritz with advising on a fraud claim for sums in excess of £10 million in relation to an agreement for the sale and purchase of a privately owned manufacturing company. The claim involved various issues in relation to the construction of the contract and trustees' potential liability for a co-vendor's alleged deceit.

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## Commercial Litigation

Below is a selected list of the commercial disputes that Ramyaa worked on as a solicitor.

*Apache North Sea Limited v Euroil Exploration Limited and Edison SpA.* Acted for Euroil and Edison in a claim brought against them in the High Court in relation to a Farm Out Agreement for the sale of an interest in two North Sea production licences. Euroil and Edison were successful at first instance and on appeal.

Acted for four international energy companies in their defence of a USD 65 million claim in the High Court in relation to the provision of services from a North Sea oil platform to a neighbouring satellite field.

Advised an international media company in relation to the impact of the Covid-19 pandemic on its rights and risks under a suite of media rights agreements, including one worth upwards of £1 billion.

Acted for the UK branch of an international energy company in a circa USD 40 million claim for unpaid invoices and advanced a substantial counterclaim alleging breaches of contracts for the supply of drilling units on account of technical failures.

Advised an international technology company in relation to a multi-million Pound dispute with a customer in the context of a software development and data migration project in the retail sector and the related renegotiation of the suite of contracts.

Acted for Iveco in its defence of numerous follow-on damages claims in the Competition Appeal Tribunal estimated to be worth over £1 billion, including an appeal to the Court of Appeal in relation to the extent to which it is open to the addressees of a European Commission settlement decision (*Trucks*) to advance a case that is inconsistent with the recitals thereto.

Ramyaa also worked on some of the most important commercial disputes in the UK during her tenure as Judicial Assistant at the UK Supreme Court, including the FCA Business Interruption insurance case, *Manchester Building Society v Grant Thornton* [2021] UKSC 20 and *Pakistan International Airline Corporation v Times Travel* [2021] UKSC 40.

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## Arbitration

Acted for a global investment bank in an arbitration in respect of a professional negligence claim against a firm of engineers (as a solicitor). The claim arose out of a technical due diligence report on a waste to energy power plant.

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## Company

*Re Kingsford Caravan Park Ltd.* Acting (led by Dan McCourt Fritz KC) for the majority shareholder in an unfair prejudice petition in relation to Kingsford Caravan Park Ltd, in which the petitioner sought an interim proprietary injunction aimed at preventing the company's funds from being deployed to facilitate the rescue of another company that is in administration.

*Zedra Trust Company (Jersey) Limited v The Hut Group Limited.* Assisted Lance Ashworth KC and Dan McCourt Fritz with resisting an unfair prejudice petition.

During her tenure as a Judicial Assistant at the UK Supreme Court Ramyaa also worked on a number of company law appeals that came before the Supreme Court and the Privy Council, including *BTI 2014 LLC v Sequana SA and others* [2022] UKSC 25, *Primeo Fund (in Official Liquidation) v Bank of Bermuda (Cayman) Ltd and Ors* [2021] UKPC 22 and *Byers and Ors v Ningning* [2021] UKPC 4.

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## **Insolvency**

*Re Breton Park Residential Homes Ltd.* Acting (led by Dan McCourt Fritz KC) for the Respondent controlling shareholder in administration proceedings in relation to a company that owns and operates a caravan park.

*Re Black Capital Partners.* Assisted Dan McCourt Fritz with successfully resisting a petition to wind up an alleged partnership on the basis of a substantial dispute as to the existence of the partnership. The judgment at first instance was recently upheld by Lady Justice Asplin on appeal. Ramyaa also assisted Dan with resisting a related application for a freezing order.

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## **Private Client Trusts and Probate**

During her training in chambers, Ramyaa assisted with a number of probate and trusts disputes, including the following:

Assisted Constance McDonnell KC with advising on a prospective will challenge on the basis of the lack of testamentary capacity and knowledge and approval, as well as undue influence, in the context of an estate worth circa £12 million. Ramyaa subsequently assisted with issuing a probate claim in order to give effect to the terms of settlement reached between the parties.

Assisted Constance McDonnell KC with acting for the court-appointed independent representative of the minor beneficiaries of an estate estimated to be worth substantially more than £50 million in a claim brought in the High Court by the widow under the Inheritance (Provision for Family and Dependents) Act 1975. Ramyaa was involved with a successful application for third party disclosure made under rule 31.17 of the Civil Procedure Rules in order to obtain documentation that was necessary to facilitate the independent valuation of a key asset of the estate.

Assisted Constance McDonnell KC with a multi-party, multi-jurisdictional probate dispute in relation to an estate worth upwards of USD 10 million, including at a mediation.

Assisted Constance McDonnell KC with advancing a will challenge on the basis of the lack of testamentary capacity and the testator's knowledge and approval in relation to a substantial estate.

Assisted Constance McDonnell KC with an application for permission to appeal a decision of the Guernsey Court of Appeal to the Judicial Committee of the Privy Council, in the context of a probate dispute involving allegations of negligence against the solicitor who drafted and advised on the wills in question.

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## **International and Offshore**

Assisted Dan McCourt Fritz with defending a trust corporation against a multi-million dollar claim brought in the Royal Court of Guernsey for alleged breaches (some alleged to be fraudulent) of its duties as a trustee. In particular, Ramyaa assisted with preparations for a five-day trial and resisting a number of applications brought by the claimants on the first day of trial, which ultimately resulted in an adjournment on terms that the claimants would pay our client's

costs thrown away.

Assisted Constance McDonnell KC with an application for permission to appeal a decision of the Guernsey Court of Appeal to the Judicial Committee of the Privy Council in a probate dispute.

Assisted Constance McDonnell KC with a multi-party, multi-jurisdictional probate dispute in relation to an estate worth upwards of USD 10 million which involved proceedings in Guernsey and Bermuda.

As a Judicial Assistant to the Judicial Committee of the Privy Council, Ramyaa worked on a number of complex Commonwealth appeals.

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## **Banking and Financial Services**

Acted for a global investment bank in an arbitration seated in London in respect of a professional negligence claim against a firm of engineers arising out of a technical due diligence report (as a solicitor).

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## **Professional Negligence**

Acted for a global investment bank in the arbitration of a professional negligence claim brought against a firm of engineers arising out of a technical due diligence report on a waste to energy power plant (as a solicitor).

During her tenure as a Judicial Assistant at the UK Supreme Court, Ramyaa also assisted with *Manchester Building Society v Grant Thornton* [2021] UKSC 20, a landmark case in the area of professional negligence.

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## **Publications**

Drafting termination notices: weigh your words, *Practical Law* (Thomson Reuters, 29 March 2018) with James Farrell.

Various case notes published on the HSF Litigation Notes blawg in the period 2015 - 2022, available [here](#).

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## **Education & Qualifications**

Solicitor Advocate, England & Wales (February 2020)

Solicitor, England & Wales (November 2017)

Advocate, India (November 2014)

B.A., LL.B. (Hons), National Law School of India University 2009 - 2014

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