

## Christopher Burdin

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Year Of Call: **2010**



Christopher specialises in commercial litigation and arbitration, with a particular interest in banking and finance, civil fraud, and professional negligence. Christopher has been described in the directories as an ***“extremely capable junior with impressive experience acting in a wide array of high-value banking disputes”***; and as being ***“particularly well versed in cross-jurisdictional matters, often tackling international cases arising from civil fraud”***.

Christopher has substantial experience acting as junior counsel in complex and high-value commercial disputes, often involving an international element. He has appeared in international arbitrations, the High Court, the Court of Appeal and the Supreme Court. He also acts as sole counsel in a wide range of commercial and banking hearings and trials; and undertakes a variety of written work, including drafting pleadings and advising across the full spectrum of commercial law.

Notable reported cases include:

- *Public Institution for Social Security v Al Rajaan* [2020] EWHC 1498 (Comm) (freezing order and asset tracing relating to a c.\$850 million corruption claim, featured in The Lawyer's Top 20 cases of 2020);
- *Public Institution for Social Security v Amouzegar* [2020] EWHC 1220 (Comm) (jurisdiction, service);
- *Walsh v Greystone Financial Services Ltd* [2019] EWHC 1719 (Ch) (film finance schemes, financial services, fraud, professional negligence);
- *Deutsche Bank AG v Comune di Savona* [2018] EWCA Civ 1740 (swaps, ISDA jurisdiction agreements);
- *Secure Capital SA v Credit Suisse AG* [2017] EWCA Civ 1486 (intermediated securities);
- *Dexia Crediop Spa v Comune di Prato* [2017] EWCA Civ 428 (swaps, conflict of laws); and
- *VTB Capital plc v Nutritek International Corp* [2013] UKSC 5 (piercing the corporate veil, forum conveniens).

Christopher is a contributor to Paget's Law of Banking (15th edition, ed. John Odgers QC).

## Directory Quotes

'He was on top of all of the detail and all the difficult aspects.'

## Chambers & Partners UK 2022

'A very impressive barrister. He is very dedicated, thoughtful and cerebral in his approach.'

## Chambers & Partners UK 2021

### Expertise

#### Banking & Finance

Christopher has considerable experience across a wide range of banking and finance disputes (including investment mis-selling, derivatives, guarantees, bank lending), often accompanied by international aspects (including jurisdiction and conflicts of laws). Christopher is a contributor to Paget's Law of Banking (15th edition, ed. John Odgers QC).

Examples of notable reported cases in this area include:

- *Public Institution for Social Security v Al Rajaan*, featured in The Lawyer's Top 20 cases of 2020, substantial on-going proceedings against an allegedly corrupt former Director-General of the claimant Kuwaiti public institution and over 30 other defendants and financial institutions (led by Stuart Ritchie QC and Michael Lazarus);
- *Walsh v Greystone Financial Services Ltd* [2019] EWHC 1719 (Ch), successfully defending the defendant financial advisers against a raft of allegations arising out of film scheme investments and a related HMRC enquiry (led by Matthew Hardwick QC);
- *Deutsche Bank AG v Comune di Savona* [2018] EWCA Civ 1740, a jurisdiction dispute concerning the interpretation of an English exclusive jurisdiction clause in an ISDA Master Agreement (led by Jonathan Davies-Jones QC in the High Court and Court of Appeal);
- *Secure Capital SA v Credit Suisse AG* [2017] EWCA Civ 1486, the leading authority concerning rights against issuers of bearer notes in the international securities market held via an international central securities depository (led by Adrian Beltrami QC in the High Court and Court of Appeal);
- *Dexia Crediop Spa v Comune di Prato* [2017] EWCA Civ 428, the leading authority concerning ISDA-related interest rate swap litigation between Italian municipalities and banks (led by Jonathan Davies-Jones QC in the High Court and Court of Appeal);
- *VTB Capital plc v Nutritek International Corp* [2013] UKSC 5, representing the Second Defendant in one of the leading cases to address piercing the corporate veil and *forum non conveniens* in the context of VTB's \$185 million claim in deceit and conspiracy (led by Michael Lazarus in the High Court, Court of Appeal and Supreme Court).

Examples of other notable instructions and experience in this area include:

- trial of a claim arising out of film scheme investments, raising issues as to advice, reliance, causation, limitation and loss (led by Matthew Hardwick QC);
- *Leonteq Securities AG v Absolute Return Investment Advisors (ARIA) Ltd* [2018] 10 WLUK 699, acting for the claimant in High Court litigation arising out of a failed bond trade;

- *LBIE v DZ & BNYM*, acting for the Bank of New York Mellon in Lehmans-related litigation concerning repo transactions (as part of a counsel team led by Sonia Tolaney QC);
- acting as junior in long-running litigation defending a bank against a £90 million claim in fraud and negligence relating to a failed property development (led by John Taylor QC);
- instructed in relation to a dispute concerning the correct construction of an obligation to lend under a multi-million dollar loan agreement (led by Richard Salter QC);
- instructed as junior in Commercial Court litigation between international parties concerning a bank's entitlement to negative declaratory relief based on the terms of an ISDA master agreement;
- acting as sole counsel for a charity in the context of restitution claims arising out of interest charged under a multi-million pound commercial credit agreement;
- *Rees v Clydesdale*, acting for the bank successfully defending allegations of professional negligence and breach of contract in connection with life insurance (led by James MacDonald);
- seconded to HSBC, assisting the bank on a number of cases (particularly in relation to PPI and IRS mis-selling allegations), both in court and working alongside the bank's in-house legal team.

## Commercial Litigation & Arbitration

Christopher has substantial experience both acting as junior counsel and as sole counsel across a wide range of commercial disputes. Examples of notable and recent instructions include:

- *Public Institution for Social Security v Al Rajaan*, featured in The Lawyer's Top 20 cases of 2020, substantial on-going proceedings against an allegedly corrupt former Director-General of the claimant Kuwaiti public institution and over 30 other defendants and financial institutions (led by Stuart Ritchie QC and Michael Lazarus);
- *Walsh v Greystone Financial Services Ltd* [2019] EWHC 1719 (Ch), successfully defending the defendant financial advisers against a raft of allegations arising out of film scheme investments and a related HMRC enquiry (led by Matthew Hardwick QC);
- acted as sole counsel in High Court litigation concerning disputes arising out of an asset purchase agreement of a yacht manufacturing business;
- instructed in a claim involving the misuse of confidential information following a multinational conspiracy to obtain an illegitimate 'springboard' advantage (led by Andrew Sutcliffe QC);
- acted for claimants in a substantial unjust enrichment and fault-based claim brought in Bermuda in the context of Madoff-related litigation (led by Adrian Beltrami QC);
- acting as sole counsel securing summary judgment on various deceit claims in the High Court against a convicted fraudster for around £1 million;
- *NCP v Barrington-Fuller* (12 February 2016), acted as sole counsel for NCP in the High Court trial of its successful claim under a contractual indemnity;
- a substantial LCIA arbitration concerning a construction project in Russia, successfully defending fraud claims for damages claimed in hundreds of millions of dollars (led by Toby Landau QC and Jonathan Davies-Jones QC);
- *Pagel v Farman* [2013] EWHC 2210 (Comm), a Commercial Court trial involving allegations of unjust enrichment and misrepresentation between partners in a hedge fund (led by Nicholas Elliott QC);
- *VTB Capital plc v Nutritek International Corp* [2013] UKSC 5, representing the Second Defendant in one of the leading cases to address piercing the corporate veil and *forum non*

*conveniens* in the context of VTB's \$185 million claim in deceit and conspiracy (led by Michael Lazarus in the High Court, Court of Appeal and Supreme Court);

- *VTB Capital plc v Nutritek International Corp* [2011] EWHC 2842 (Ch), concerning the admissibility of expert evidence in relation to a jurisdiction dispute (led by Cyril Kinsky QC);
- instructed as part of a counsel team on a matter involving a \$200 million worldwide freezing order in the High Court (led by Andrew Hochhauser QC).

## Professional Negligence

Christopher has been instructed in a range of disputes concerning the liability of professionals. He has acted both for claimants and defendants, particularly in claims involving lawyers and accountants. Examples of notable cases in this area include:

- trial of a claim arising out of film scheme investments, raising issues as to advice, reliance, causation, limitation and loss (led by Matthew Hardwick QC);
- *Walsh v Greystone Financial Services Ltd*, successfully defending the defendant financial advisers against a raft of allegations arising out of film scheme investments and a related HMRC enquiry (led by Matthew Hardwick QC);
- acting in claims against solicitors in connection with a dispute over planning permission for a proposed renewable energy development;
- acting in claims against solicitors involving allegations of negligence, breach of contract and fiduciary duty in the context of a mortgage fraud (led by Andrew Sutcliffe QC);
- *RPL v MT LLP*, acting for an energy company in a multimillion dollar claim against allegedly negligent solicitors responsible for conducting due diligence and verification in connection with the company's listing on AIM (led by Andrew Sutcliffe QC);
- *DPL v G LLP*, acting for the defendant solicitors in a multimillion pound professional negligence claim, struck out following the claimant's failure to provide security for costs following the defendant's successful application (led by Andrew Sutcliffe QC).

## Education & Awards

BCL, New College, University of Oxford - Distinction (2009)

MA in Jurisprudence, New College, University of Oxford - First (2008)

Scholar, Honorary Senior Scholar and Wallace Scholar of New College, Oxford

Jules Thorn Scholar of the Middle Temple

Winner of the Middle Temple Rosamund Smith Mooting Competition (2010)

## Professional Memberships

Middle Temple

COMBAR

LCLCBA