

## Paul Bonner Hughes

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Year Of Call: **2021; Solicitor (2017); New York Bar (2009)**



Paul is developing a broad commercial litigation and arbitration practice spanning most of 3VB's main practice areas, including banking and finance, civil fraud, complex commercial disputes, insolvency and restructuring and company law. He has appeared on his own both in the High Court and County Courts.

Called in 2021, he brings over a decade of experience in litigation and arbitration to the Bar, having previously practised as a litigation attorney with Davis Polk & Wardwell and Quinn Emanuel in New York, a Solicitor with Quinn Emanuel in London and laterally as Head of Department at a litigation boutique in London.

Paul has substantial experience representing both claimants and defendants in high-value, complex disputes in a range of sectors, including banking and financial services, insurance, energy, technology, telecommunications and pharmaceuticals. Many of his cases have involved issues of foreign law and coordination across multiple jurisdictions. His prior experience in the US (where he regularly appeared in court, both led and unled) makes him particularly suited to matters involving issues of US law. He has a particular interest in issues relating to cross-border discovery/disclosure, and has been involved in a number of applications for disclosure in England & Wales relating to proceedings in the US and vice versa (both documentary and via depositions).

Paul holds degrees from Harvard Law School, the University of Oxford (Balliol College) and Glasgow University. He won a range of academic awards and merit-based scholarships throughout the course of his academic career.

Outside of work, Paul has a strong commitment to social mobility and community engagement. He serves as Chair of the *The Scottish State School Mentoring Network*, a non-profit that connects current state school pupils with their predecessors who have now entered the world of work, and as a Trustee with BUNAC Educational Scholarship Trust. He also founded and leads *American-Qualified Lawyers in London*, a networking organisation for US-qualified lawyers in the City.

Recent cases include:

- Acted for a variety of banks and other lenders in defending payment protection insurance ("PPI") claims brought pursuant to The Consumer Credit Act 1974 - succeeded in having claims dismissed and recovering costs in numerous cases
- Acted for a payment processing company in a fraud and breach of contract action against a

former customer

- Acted for a bank defending a claim pursuant to s.75 of the Consumer Credit Act 1974
- Acted for a professional advisor defendant in a negligence and breach of contract action
- Acted for various company directors accused of breaches of fiduciary duties and other malfeasance
- Acted for a multi-asset brokerage firm in opposing a proprietary injunction and defending claims for breach of contract (led by Farhaz Khan QC)
- Acted for a private equity backed portfolio company in a dispute over the potential enforcement of debt facilities (as a pupil)
- Acted for a special purpose acquisition company (“SPAC”) in respect of claims brought by a majority shareholder (as a pupil)
- Acted for a corporate guarantor in respect of claims brought by a former director (as a pupil)
- Acted for borrowers seeking to set aside a second-charge “bridging loan” (as a pupil)
- Acted for the respondent in a case before the Court of Appeal involving allegations of breach of confidence and misuse of private information (as a pupil)

## Expertise

### Arbitration and Related Court Applications

- Acted for a major energy company alleging breach of a good faith clause and negligent misrepresentation by a joint venture partner in an LCIA arbitration (at Quinn Emanuel)
- Acted for an Azerbaijani bank in defending a breach of contract claim brought by investors in an LCIA arbitration, including efforts to set aside a freezing order in New York (at Quinn Emanuel)
- Acted for a Ukrainian bank in parallel LCIA arbitrations brought by investors in connection with the ‘bail-in’ of Eurobonds (at Quinn Emanuel)
- Acted for a hydroelectric power company in relation to cost submissions and a s.66 application in respect of an ICSID arbitration (as a pupil)

### Banking & Financial Services

- Acted for a group of bondholders in connection with the forced resolution of a major Spanish bank, including in parallel actions before the General Court of the European Union, the Spanish Criminal and Administrative courts and the Southern District of New York (at Quinn Emanuel)
- Acted for a major investment bank against another major investment bank in a substantial dispute over credit default swaps (at Quinn Emanuel)
- Acted for a trustee in a multi-billion dollar breach of contract action against a major investment bank culminating in a trial in the Southern District of New York stemming from three Residential Mortgage-Backed Security transactions (at Quinn Emanuel)
- Acted for a group of bondholders in a fraud and breach of contract action against a major investment bank in the Southern District of New York stemming from three Residential Mortgage Backed Security transactions (at Quinn Emanuel)
- Acted for a monoline insurer in a multi-million dollar breach of warranty action against a major investment bank in the Supreme Court of New York and Appellate Division arising from six Residential Mortgage Backed Security transactions (at Quinn Emanuel)

- Acted for a monoline insurer in a fraud and negligent misrepresentation claim against the collateral manager of a \$1.5bn Collateralized Debt Obligation in the Southern District of New York and before the 2<sup>nd</sup> Circuit Court of Appeals (at Quinn Emanuel)
- Acted for a major investment bank in defending multiple lawsuits brought by shareholders of US companies in Georgia state court alleging market manipulation through short selling (at Davis Polk)
- Acted for an insurance firm in defending a class action alleging violations of Sections 10(b), 20(a), and Rule 10b-5 of the Securities Exchange Act (at Davis Polk)

## **Civil Fraud & Asset Tracing**

- Acted for a CEO sued by his former company for fraud in the Commercial Court - succeeded in having all of the claims against him dismissed and recovering most of his costs (at Quinn Emanuel)
- Acted for investors seeking to recover €60m invested in shares and bonds on terms that the shares and bonds would be repurchased on a specific date (at Quinn Emanuel)

## **Commercial Dispute Resolution**

- Acted for a US-based blockchain platform seeking to enforce a Californian judgment in England & Wales (at McAllister Olivarius)
- Acted for investors seeking to recover €60m invested in shares and bonds on terms that the shares and bonds would be repurchased on a specific date (at Quinn Emanuel)
- Acted for a former high-level executive at a major investment bank in connection with the withdrawal of deferred compensation awards, including pursuing an action for discovery in New York pursuant to 28 U.S.C § 1782 (at Quinn Emanuel)
- Acted for a major pharmaceutical company in a dispute with a leading financial advisory firm over a success fee relating to a recapitalisation (at Quinn Emanuel)
- Acted for a background screening check provider in defending a class action in the Northern District of Ohio (at Davis Polk)

## **Company & Insolvency Law**

- Acted for a special purpose acquisition company ("SPAC") in respect of claims brought by a majority shareholder (as a pupil)
- Acted for the joint liquidators of an insolvent company in respect of claims against former directors of the company (as a pupil)
- Acted for the administrators of a large retailer alleging concertation by several major telecommunications companies in violation of UK and European competition laws (at Quinn Emanuel)
- Acted for numerous creditors of Lehman Brothers at various stages of its US bankruptcy proceedings (at Davis Polk)

## **European Law / Competition**

- Acted for the administrators of a large retailer alleging concertation by several major telecommunications companies in violation of UK and European competition laws (at Quinn Emanuel)

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## Media, Art & Entertainment

- Acted for a major US television network, in defending a programming discrimination suit culminating in a trial before the Federal Communications Commission (at Davis Polk)

## Mediation

- Substantial experience mediating cases in both England & Wales and the United States

## Regulatory Law & Investigations

- Acted for multiple major US and European companies in internal and regulatory (Securities & Exchange Commission, Department of Justice) investigations into allegations of bribery, corruption, and theft (at Davis Polk)
- Acted for multiple US and European companies in merger review and clearance proceedings before the US Federal Trade Commission and Department of Justice (at Davis Polk)
- Acted for a senior executive at a global bank in an investigation into allegations of money laundering and sanctions by the Manhattan District Attorney and Federal Reserve Bank of New York (at Davis Polk)
- Acted for a major energy company in an investigation brought by the Serious Fraud Office (at Quinn Emanuel)

## Career

2009: Foreign Law Clerk, Supreme Court of Israel (Hon. Asher Grunis) (Jerusalem)

2009-2013: Associate, Davis Polk & Wardwell LLP (New York)

2013-2019: Senior Associate, Quinn Emanuel Urquhart & Sullivan LLP (New York and London)

2019-2021: Head of US Department, McAllister Olivarius (London)

## Education

2002-2006: University of Glasgow, LLB (First Class Honours)

2006-2007: University of Oxford, Balliol College, BCL (Distinction)

2007-2008: Harvard Law School, LLM

## Awards

2008: St Andrew's Society of Washington, D.C. Scholar (Harvard Law School)

2008: James & Mary Dawson Scholarship (Harvard Law School)

2008: BUNAC Trust Scholarship

2008: Scottish International Education Trust Scholarship (Harvard Law School)

2008: Cross Trust Scholarship (Harvard Law School)

2008: Jessup International Law Moot Court (US Northeast Regional Round: Top Oralist Award and Top Brief Award)

2007: Snell Exhibitioner (University of Oxford/Balliol College)

2007: Arts & Humanities Research Council Award (University of Oxford/Balliol College)

2005: Class Prize: Legal Philosophy (University of Glasgow/UNC Chapel Hill)

2005: Class Prize: International Human Rights (University of Glasgow/UNC Chapel Hill)

2005: Stevenson Travel Award (University of Glasgow)