

BANKING & FINANCIAL DISPUTES

AN OVERVIEW OF OUR EXPERTISE

ABOUT COLLYER BRISTOW

Collyer Bristow LLP is a long-established central London law firm. We provide high quality, individually tailored legal advice, often with a cross-border aspect, to a portfolio of international and domestic clients including businesses, ambitious entrepreneurs and wealthy individuals and families. We specialise in Business; Dispute resolution; Private wealth; and Real estate services.

Our clients choose Collyer Bristow because they, like us, appreciate individuality, creativity and collaboration. They recognise that their needs may be unique and complex, or that in progressing with their legal issues they value a more engaged and personalised service from their lawyers. They recognise that the Collyer Bristow approach is one of building understanding, trust and relationships with clients. We take time to build relationships so as to understand the commercial objectives behind every transaction or dispute. We find this allows us to operate more strategically on our clients' behalf and to best support the achievement of the outcomes they desire.

The firm is well known for its high standards of client service. We combine a long history of high-quality legal work and professionalism with a dynamic, commercially astute team of lawyers.



The firm and many of our individual lawyers are ranked in the Chambers & Partners and the Legal 500 legal directories.



We have been awarded Bronze in the 'Law Firm of the Year' category at the 2023 Citywealth Magic Circle Awards.



The quality of our training & the continued development of our firm earned us a spot in the E Private Client's top law firm list.

BANKING & FINANCIAL DISPUTES

Our Banking and financial disputes team works with entities interacting with banks and other large financial institutions, as well as foreign banks, in disputes over financial benchmarks, investments, structured finance, derivatives, loans, guarantees and other forms of security.

Our clients include UK and offshore companies, financial institutions, hedge funds, finance industry professionals and high net worth investors. Distinctively, we are a "conflict of interest free" team which means we can take on claims against major financial institutions.

We have specialist experience in a number of areas including Forex disputes where we act for commercial organisations, brokers and traders often involving complex issues over Forex derivatives. We are one of the few firms with specialist experience and familiarity in the emerging area of Blockchain and crypto currencies – activities where specialist knowledge is required. We have long experience in dealing with fraud and acting for clients whose bank accounts have been frozen by banks including by internet banks.

We are one of the thought leaders in the area of LIBOR transition due to take place at the end of 2021 and have produced papers on the subject and given our views at seminars and conferences.

Our team is made up of creative problems solvers with particular expertise in pursuing high value and complex claims which often involve an international element. We integrate with your team, working with you closely to gain a thorough understanding of the specifics of your business so we can devise a uniquely tailored strategy which aligns with your wider commercial interests. We pride ourselves on our commitment to finding new and better ways to help our clients resolve their disputes and move their businesses forward.

AREAS OF FOCUS: **BENCHMARK MANIPULATION**

LIBOR manipulation

Since the first major revelation of financial benchmark manipulation in June 2012, we have been deeply involved in the analysis and pursuit of legal claims on behalf of claimants.

Examples of our work include:

- Acting for a storage and property company in **LIBOR manipulation** proceedings for £50 million.
- Acting for a property development group in **interest rate swap mis-selling and LIBOR manipulation** proceedings.
- Substantial **LIBOR manipulation claims** arising from a portfolio of loans and hedging products with a value of £3 billion.
- Acting for a number of shipping companies in respect of seven **complex forward starting interest rate swaps**, including in regards to the impact of LIBOR manipulation.
- Acting for a large property development and investment group, alleging it was mis-sold a £300 million **interest rate swap**. The claim also includes LIBOR manipulation.
- Acting for the litigation funder a case which included (initially) allegations of **LIBOR manipulation** in relation to a claim for c. £700 million arising from the collapse of a substantial property business.
- Acting for an Italian municipally owned company in a jurisdiction dispute between England and Italy relating to a **derivative transaction**.

Forex manipulation and mis-selling

We act for commercial organisations, brokers and traders in disputes often involving complex issues over forex derivatives.

Examples of our work include:

- Acting for a UK food import/export business with a turnover of around £200 million which has suffered losses of £13 million arising from a number of instances of the **mis-selling of complex FX derivatives**. The case also includes claims for FX manipulation.
- Acting for a UK travel company claiming **mis-selling and FX manipulation**. The company faced losses of £15-£20 million arising from FX contracts. The case required our analysis of hundreds of complex FX derivative contracts. After issuing proceedings, we achieved a favourable settlement.
- Defending a food importing business against a claim from an FX broker who had sold our clients **complex foreign derivatives** which were inappropriate for the client. Achieved a settlement favourable to our client.
- Advising a very large overseas clothing manufacturer on **mis-selling and FX manipulation** claims for US\$30 million concerning its FX derivative contracts.

AREAS OF FOCUS: **OTHER DISPUTES**

Examples of our work include:

Derivatives

- Advising an investment fund manager in international litigation regarding **credit default swaps** on US residential mortgage backed securities - dealing with both litigation and regulatory issues.
- Representing an overseas investment fund in a **dispute over Longevity Notes derivatives** allegedly designed to fail.
- Representing a defendant in High Court proceedings over **derivatives** and involving questions about the effect of the **ISDA master agreement**.
- Advising a party involved in an **anti-suit injunction and arbitration** over performance obligations in an ISDA agreement relating to currency swaps.

Lending

Examples of our work include:

- Acting for a group of Russian companies, allegedly subject to US sanctions, in **protecting its collateral securing loans** from a number of major lenders.
- Acting for junior note holders of a **Collateralised Loan Obligation (CLO)** in a dispute concerning whether the Collateral Manager is entitled to an incentive fee under the payment waterfall.
- Acting for company directors of a publicly listed UK house builder claiming **damages arising from the activities of a lender**.
- Acting for a major Irish property developer in connection with the **assignment of its loans to a private equity fund**.

Cryptocurrencies and Blockchain

We have specialist experience and familiarity in the emerging area of Blockchain and cryptocurrencies. To date, the largely unregulated nature of this sector has made it frequently prone to fraud and the risk of money laundering.

OTHER FINANCIAL SERVICES EXPERTISE

Our multi-disciplinary financial services team provides a seamless service to businesses and individuals operating in the financial sector, whether that is financial services firms, private equity investors, businesses or family offices. Our work ranges from corporate finance, lending, and restructuring, to funding, regulation, as well as the pursuit of high value and complex claims for and against financial institutions.

Examples of our work include:

- Acting for a financial services company providing data for tracker funds in a claim for **breach of contract** concerning the data received.
- Acting for a broker dealer in a dispute concerning the **failed settlement of an illiquid bond**.
- Acting for a Swiss investment fund in a **fraud recovery action** concerning a £200 million bank guarantee.
- Acting for a bank in a **contract dispute** against a provider of regulatory software.
- Acting for HNWI investors of a Limited Partnership UCITS fund alleging **negligence on behalf of the investment manager**.

OUR REPUTATION

"HIGHLY COMPETENT, COMMERCIAL AND PRACTICAL"

Legal 500, legal directory

"TENACIOUS IN ACHIEVING THE BEST RESULTS FOR CLIENTS"

Legal 500, legal directory

"TECHNICALLY EXCELLENT AND GOOD VALUE FOR MONEY"

Legal 500, legal directory

"TACTICALLY VERY ASTUTE"

Legal 500, legal directory



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Robin is Head of the Dispute Resolution department. He has wide experience of financial disputes and has developed an expertise in advising clients on complex FX derivative contracts. He is experienced in advising on financial mis-selling claims and also advises clients subject to investigation by the FCA. He also has broad experience of both contentious and non-contentious banking and insolvency matters, with an emphasis on financial markets work and distressed debt.

He has worked for administrators, administrative receivers and fixed charge receivers appointed in respect of numerous companies, involving both business and property sales. With regard to contentious insolvency, Robin's experience includes actions for mortgage fraud and other claims and investigations brought by Insolvency Practitioners against companies and directors.



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Stephen's background is one of very wide commercial litigation and arbitration experience, which continues. He has dealt with many cases of white-collar fraud and asset tracing and is a member of the Fraud Advisory Panel.

Stephen heads our cross-department financial sector group. His work includes dealing with bank and financial market disputes and investor disputes.

Stephen is a member of the Commercial Litigation Association, the Fides Network Group, the Financial Services Lawyers Association, the Fraud Advisory Panel, the International Bar Association and the London Solicitors Litigation Association.



Scan above or click [HERE](#) to view biographies and contact details of the full team.

For more information please visit:

[COLLYERBRISTOW.COM /DISPUTE-RESOLUTION](https://COLLYERBRISTOW.COM/DISPUTE-RESOLUTION)

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