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## Hannah Brown KC

Barrister

Call 1992 Silk 2017



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## Scope of Practice

• Arbitration • Banking and Financial Services • Civil Fraud and Investigations • Energy and Natural Resources • Injunctions and Other Interim Relief • Insurance and Reinsurance • Jurisdiction and Conflict of Laws

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## Overview

Recommended by both Chambers UK and Legal 500, Hannah Brown is a commercial lawyer with a substantial litigation, international and domestic commercial arbitration and advisory practice, with particular expertise in banking and finance. She also has considerable experience in cases involving allegations of large-scale fraud and asset tracing actions.

In addition to her experience before the High and Appellate Courts, Hannah has appeared before a range of arbitral tribunals, including LCIA, ICC and in ad hoc proceedings governed by UNCITRAL. She also has experience of the laws and legal system of Russia and is fluent in French.

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## Examples of Recent Cases

### Arbitration

- **Confidential LCIA Arbitration**

Acting for an African parastatal minority shareholder in an arbitration concerned with the validity of a purported cash management services agreement and the transfer of US\$520 million between a mining company and members of the majority shareholder's group. Successfully resisted applications for urgent injunctive relief concerning related criminal proceedings and alleged breaches of confidentiality.

- **Confidential LCIA Arbitration**

LCIA Arbitration under Settlement Agreement alleging breach of the agreement by the Bank initiating criminal proceedings in Kazakhstan and Russia.

- **Confidential Arbitration Claim**

Acting for an African parastatal in an arbitration claim seeking to set aside an Award made in UNCITRAL proceedings in relation to a derivative claim valued at circa. US\$267 million. Arbitration claim made under section 68(2)(a), (d) and (g) of the Arbitration Act 1996, namely serious irregularity by reason of failure of Tribunal to comply with section 33 of the Act and to deal with all the issues put to it and procurement of the Award by fraud.

- **LCIA Proceeding**

Advising and representing Russian Clients in US\$10 million arbitration arising out of English law SPA to purchase substantial café chain. Issues concerning construction and application of purchase price adjustment clause and claims under working capital warranty, restrictive covenants and other express provisions of the SPA.

- **LCIA Proceedings**

For Claimant company, in proceedings alleging breach of contractual obligations, under a management agreement, relating to intermodal containers, entitling the owners to terminate.

- **UNCITRAL Proceedings**

For the Respondent wholly owned subsidiary of a Russian State owned oil company, defending 2 separate and very substantial (approx \$640m and \$750m respectively) multi jurisdictional claims by a French energy major arising from issues concerning the sale of the majority interest / participation in two oil companies, being the owners of licenses to operate in two large adjoining Siberian oil fields.

- **ICC Proceedings**

Defending US\$100m insurance arbitration claim, arising in connection with liability insurance excess of loss cover of US pharmaceutical companies.

- **ICC Proceedings**

For Zambia, defending (\$160m) ICC proceedings concerning the Zambian National Lottery.

- **Arbitration Proceedings**

For representative Name before Lord Bridge in proceedings arising on the construction of Holman Wade Stop Loss Policy wording for the purpose of determining the construction to be applied for Reconstruction and Renewal.

- **Arbitration Proceedings**

For Reinsured in arbitral proceedings under Variable Quota Share Treaty on issues including title to sue, illegality (categorisation of business and s.132 FSA 1986), limitation and subsequently on Reinsurer's application for leave to appeal to the Commercial Court on limitation and illegality issues.

- **Arbitration Proceedings**

Acting in arbitral and subsequent high court proceedings brought under Quota Share Treaties arising out of a dispute concerning the nature of a direct and facultative account and negligent underwriting, continuing duty of disclosure and affirmation.

## Banking and Financial Services

- **Crane Bank Limited & Ors v DRCU Bank Limited & Ors**

Acting for Ugandan Bank and its shareholders in proceedings alleging unlawful means conspiracy in relation to the take over and resolution of the Bank by the Bank of Uganda and involving the sale of the substantial part of its assets and liabilities to the First Defendant. Raising issues concerning act of state.

- **Various Claimants v Gulf Bank**

Acting for Defendant Bank in proceedings in Queen's Bench Division and Commercial Court alleging involvement in terrorist financing in Syria. Raising issues concerning state immunity. Judgments include [2021] EWHC 1499 (QB); [2021] EWHC 2551 (QB)

- **AELF MSN 242, LLC v SURINAM AIRWAYS**

Acting for Claimant aircraft leasing company in claim under settlement agreement. Raising service issues including under State Immunity Act. [2021] EWHC 3482 (Comm)

- **Confidential LCIA Arbitration**

Acting for an African parastatal minority shareholder in an arbitration concerned with the validity of a purported cash management services agreement and the transfer of US\$520 million between a mining company and members of the majority shareholder's group. Successfully resisted applications for urgent injunctive relief concerning related criminal proceedings and alleged breaches of confidentiality.

- **Evison Holdings Ltd v LLC Finvision & Orient Express Bank PJSC [2019] EWHC 3057 (Comm)**

Successfully defended application for anti-suit injunction against client bank based on allegation of collusion with co-defendant to impede arbitration proceedings.

- **AMC III Purple BV v Amethyst Radiotherapy Ltd [2019] EWHC 1503 (Comm)**

Acting on successful application for summary judgment (and resisting application for a stay) under mezzanine finance agreements.

- **Libyan Investment Authority v Societe Generale & Ors**

Acting for the defendant bank in connection with multi-billion dollar claims brought by the Libyan sovereign wealth fund alleging fraud and corruption, with particular responsibility for regulatory and compliance issues.

- **Open Joint Stock Company Alfa-Bank v. Georgy Trefilov [2014] EWHC 1806 (Comm)**

Advising and representing Russian Bank in proceedings, including successful summary judgment application, to enforce Russian judgment. Defendant raising allegations of fraud and alleging Russian proceedings conducted in breach of natural justice and enforcement would be contrary to public policy.

- **MTMR Realty LLC & another v NEVEQ Capital Partners Limited & Others (Comm)**

For Claimants in complex claim arising out of investments in a Limited Partnership investment vehicle providing venture capital investment in Bulgaria and Romania; involving allegations of fraudulent misrepresentation, conflict of interest, breach of fiduciary duties and duties of good faith and fair dealing. Involving foreign law issues including Californian and Bulgarian law issues.

- **Ramiilaj (A Limited Partnership) & Ors v. Marquess of Milford Haven & Ors (Comm)**

For Schroders Trust, defending a claim involving substantial allegations of fraud against beneficiaries under trust arising in circumstances where shareholders of uSwitch Ltd claim they were dishonestly induced to sell their shareholdings in uSwitch at a gross undervalue.

- **Credit Suisse Trust Ltd & Anr v. Ansbacher & Co Ltd, and Goodarzi**

For Claimant administrators and beneficiaries of the Blue Sky Trust, in Commercial Court proceedings concerning a dispute with the investment management company arising out of the acquisition of a 50% stake in an SPV; Involving allegations of serious breach of fiduciary duty and conflict of interest.

- **Equity Special Situations v. Landsbanki Islands HF (Ch)**  
For Claimant hedge fund, arising out of the Icelandic banking and global economic crisis, in successful and urgent applications to prevent the sale of £12m in shares.
- **BBGP Managing General Partner Ltd & Ors v. Babcock & Brown Global Partners (Ch)**  
Defending claims over legally privileged advice in the context of ongoing fund management litigation.
- Advising bond holders in relation to 2 separate and potential proceedings concerning potential default on and restructure / amendment of US\$500m and UD\$200m Ukrainian loan notes.
- **Donegal International Ltd v. The Republic of Zambia & Anr [2007] EWHC 197 (Comm)**  
For Zambia, in (US\$55m) Commercial Court proceedings arising over Sovereign Debt acquired by commercial creditors and involving allegations of corruption.

## Commercial Litigation

- **Crane Bank Limited & Ors v DRCU Bank Limited & Ors**  
Acting for Ugandan Bank and its shareholders in proceedings alleging unlawful means conspiracy in relation to the take over and resolution of the Bank by the Bank of Uganda and involving the sale of the substantial part of its assets and liabilities to the First Defendant. Raising issues concerning the act of state doctrine.
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Acting for Defendant Bank in proceedings in Queen's Bench Division and Commercial Court alleging involvement in terrorist financing in Syria. Raising issues concerning state immunity. Judgments include [2021] EWHC 1499 (QB); [2021] EWHC 2551 (QB)
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Acting for an African parastatal minority shareholder in an arbitration concerned with the validity of a purported cash management services agreement and the transfer of US\$520 million between a mining company and members of the majority shareholder's group. Successfully resisted applications for urgent injunctive relief concerning related criminal proceedings and alleged breaches of confidentiality.
- **Atlas Residential Solutions Management UK Lts & Anor v Greengate SARL [2019] EWHC 2788 (Comm); [2020] EWHC 366 (Comm)**  
Successfully defending application for an interim injunction to require the client to allow the Applicants to resume management of £100 million BTR property in Manchester and then, following trial, the claim alleging wrongful termination of the property management contract.
- **Confidential Arbitration Claim**  
Acting for an African parastatal in an arbitration claim seeking to set aside an Award made in UNCITRAL proceedings in relation to a derivative claim valued at circa. US\$267 million. Arbitration claim made under section 68(2)(a), (d) and (g) of the Arbitration Act 1996, namely serious irregularity by reason of failure of Tribunal to comply with section 33 of the Act and to deal with all the issues put to it and procurement of the Award by fraud.
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- **Sir Owen Glenn & Anr v Eric Watson & Others (Ch)**  
A very substantial claim (c.£125million) arising out of property investments in the UK. Involving complex issues of trust law and allegations of fraud.
- **Libyan Investment Authority v Societe Generale & Ors**  
Acting for the defendant bank in connection with multi-billion dollar claims brought by the Libyan sovereign wealth fund alleging fraud and corruption, with particular responsibility for regulatory and compliance issues.
- **Harrington Scott Ltd v Kinross Gold Corp & Anr (QB)**  
Defending claim for \$4.1million under executive search contract involving complex jurisdiction, service and conflicts of law issues. Successfully struck out the proceedings.
- **Nelly Caby v. (1) Guy Chomette (2) Charlotte Chomette (Ch)**  
A claim for £1+million arising out of the alleged misappropriation of client's monies, involving allegations of breach of fiduciary duty, breach of trust and undue influence and knowing receipt. Acting against litigants in person. Required fluent French.
- **Open Joint Stock Company Alfa-Bank v. Georgy Trefilov [2014] EWHC 1806 (Comm)**  
Advising and representing Russian Bank in proceedings, including successful summary judgment application, to enforce Russian judgment. Defendant raising allegations of fraud and alleging Russian proceedings conducted in breach of natural justice and enforcement would be contrary to public policy.
- **MTMR Realty LLC & another v NEVEQ Capital Partners Limited & Others (Comm)**  
Advising and representing Claimants in complex claim arising out of investments in a Limited Partnership investment vehicle providing venture capital investment in Bulgaria and Romania; involving allegations of fraudulent misrepresentation, conflict of interest, breach of fiduciary duties and duties of good faith and fair dealing. Involving foreign law issues including Californian and Bulgarian law issues.
- **East Star Shipping holding Ltd & Ors v Mr S S Pai (QB)**  
For Claimants in claim arising out of an alleged fraudulent conspiracy involving the establishment of a

competing business in breach of fiduciary and other duties and misuse of confidential information and diversion of business opportunities. Involving issues of foreign law. Claim commencing with without notice application for a worldwide freezing injunction, search order and passport delivery up order.

- **Kanev-Lipinski v Lipinski (QB)**

For Applicant obtaining a without notice worldwide freezing injunction and computer imaging order under the Civil Jurisdiction & Judgments Act 1982 in support of proceedings in Israel.

- **Ramiilaj (A Limited Partnership) & Ors v. Marquess of Milford Haven & Ors (Comm)**

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- Defending claims concerning legally privileged advice in the context of ongoing fund management litigation.

- **LCIA Proceedings**

For Claimant company, in proceedings alleging breach of contractual obligations, under a management agreement, relating to intermodal containers, entitling the owners to terminate.

- **Ryanair Ltd v. SR Technics Ireland Ltd [2007] EWHC 3089 (QB)**

For Ryanair Ltd, where the failure of SRT to obtain the consent of the Dublin Airport Authority (DAA) to the grant of a licence for Ryanair to occupy hangar space at Dublin Airport, or in the alternative the failure to make available to Ryanair hangar space at that airport, constituted a breach on the part of SRT of its contractual obligations.

- **Gambit Corporate Finance v. Hunt & Anr (2009)**

For Defendants, in trial of claim for fees arising out of financial services advice given in connection with sale of care homes business.

## Civil Fraud

- **Crane Bank Limited & Ors v DRCU Bank Limited & Ors**

Acting for Ugandan Bank and its shareholders in proceedings alleging unlawful means conspiracy in relation to the take over and resolution of the Bank by the Bank of Uganda and involving the sale of the substantial part of its assets and liabilities to the First Defendant. Raising issues concerning the act of state doctrine.

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- **Complete Retreats Liquidating Trust v. Logue & Ors [2010] EWHC 1864 (Ch)**  
For Applicant, in expedited 2-day injunctive proceedings in the Chancery Division under the Civil Jurisdiction & Judgments Act 1982 in support of proceedings before the US Bankruptcy Court in respect of transfer of money and real property alleged to have been fraudulent and made at an under and preferential value.
- **Itsalat International Co Ltd & Anr v. Alkadhi & Ors [2009] EWHC 1265 (Ch)**  
For Claimant companies, in proceedings in fraud brought against the Alkadhi Brothers and their company Ramy Ltd. The claims consisted, inter alia, of serious and dishonest breaches of fiduciary duties and analogous duties that the Alkadhi Brothers owed to the Claimants under Saudi law and misappropriation of the Claimants' monies.
- **Attorney General of Zambia v. Meer Care Desai (a firm) & Ors [2007] EWHC 952 (Ch); [2008] EWCA Civ 754 (Boutique Basile); [2008] EWCA Civ 875 (Main Action)**  
For Zambia, in a claim for fraud and corruption, alleging theft involving a secret service bank account in London and a fictitious arms contract and US\$100m loan facility. The trial (4 months at first instance), involved allegations of misappropriation and laundering of Government monies through bank accounts (including solicitor client accounts) in London and other jurisdictions. For related litigation see below and: Republic of Zambia v. Meer Care Desai (a firm) & Ors [2005] EWHC 2102 (Ch); [2006] EWHC 1179 (Ch); [2006] EWCA 390; [2006] 1 CLC 436; [2008] EWCA Civ 1007
- **Donegal International Ltd v. The Republic of Zambia & Anr [2007] EWHC 197 (Comm)**  
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- **ICC Proceedings**  
For Zambia, defending (\$160m) ICC proceedings concerning the Zambian National Lottery.
- **CIBC Mellon Trust Co & Ors v. Stolzenberg & Ors [2003] EWHC 13 (Ch); [2004] EWCA Civ 117; [2004] EWHC 413 (Ch); [2004] EWCA Civ 827; [2005] CILL 2237; [2005] 2 BCLC 618**  
For the Claimant, in the long running claim in fraud. Issues of jurisdiction and conflicts of law, worldwide asset freezing, asset tracing, lifting the corporate veil, trust issues, issues of law relating to fraudulent conspiracy and numerous procedural issues.

## Energy and Natural Resources

- **UNCITRAL Proceedings**  
For the Respondent wholly owned subsidiary of a Russian State owned oil company, defending 2 separate and very substantial (approx \$640m and \$750m respectively) multi jurisdictional claims by a French energy major arising from issues concerning the sale of the majority interest / participation in two oil companies, being the owners of licenses to operate in two large adjoining Siberian oil fields.

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- **Ryanair v IAS (QB)**  
For Applicant, obtaining without notice and then on notice mandatory injunction requiring the Defendant to provide services in respect of Ryanair's fleet operating out of the UK.
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## Insurance and Reinsurance

- **ICC Proceedings**

Defending US\$100m insurance arbitration claim, arising in connection with liability insurance excess of loss cover of US pharmaceutical companies.

- **Arbuthnott v. Feltrim Underwriting Agencies (No. 2)**

For Names in a group action concerning negligent underwriting of LMX reinsurance business and negligent advice of Members' Agents.

- **Brown v. KMR Services Ltd; Sword-Daniels v. Pitel & Ors [1994] 4 All ER 385**

Test case portfolio selection. For Names in portfolio selection actions and in subsequent Order 14 proceedings brought by Lloyd's against non-accepting Names.

- **Arbitration Proceedings**

For representative Name before Lord Bridge in proceedings arising on the construction of Holman Wade Stop Loss Policy wording for the purpose of determining the construction to be applied for Reconstruction and Renewal.

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For Reinsured in arbitral proceedings under Variable Quota Share Treaty on issues including title to sue, illegality (categorisation of business and s.132 FSA 1986), limitation and subsequently on Reinsurer's application for leave to appeal to the Commercial Court on limitation and illegality issues.

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Acting in arbitral and subsequent high court proceedings brought under Quota Share Treaties arising out of a dispute concerning the nature of a direct and facultative account and negligent underwriting, continuing duty of disclosure and affirmation.

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## What the Directories Say

*"A really capable barrister."* (Chambers UK 2024 - Commercial Dispute Resolution)

*"Hannah Brown is an excellent court advocate."* (Chambers UK 2024 - Commercial Dispute Resolution)

*"Hannah is very responsive and her advice is clear. Her drafting is very focused and she is a powerful advocate who keeps the judge's attention."* (Chambers UK 2024 - Commercial Dispute Resolution)

*"Excellent to work with, very intelligent, and is always all across the case law."* (Legal 500 - Banking and Finance)

*"A very personable and tenacious advocate."* (Legal 500)

*"she is simply perfect in all respects - very smart and wonderful at handling complex ideas."* (Chambers UK)

*"Has a practice spanning banking, negligence, insurance and fraud. She also has specialist experience in international commercial arbitration. "She's brilliant. She's very clever, fun to be around and good with clients."* (Chambers UK)

*"Has a wide-ranging practice with notable experience in banking, negligence, insurance and fraud matters. She also has substantial expertise in international commercial arbitration."*

(Chambers UK)

*"Brilliant in every aspect."* (Chambers UK)

*"terrifically hard-working, has an excellent reputation" due to her efficient and analytical approach to banking and finance matters.*" (Chambers UK)

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## Awards



# Contact Clerks



**Darren Burrows**

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**Deputy Team Leader**

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