



Clare Reffin

Barrister

Call 1981



Scope of Practice

• Arbitration • Banking and Financial Services • Breach of Warranty • Civil Fraud • Commercial Injunctions • Commercial Litigation • Commodity Trading • Costs • Employment • Jurisdiction and Conflict of Laws, Evidence (Proceedings in Other Jurisdictions) Act 1975 • Oil and Gas Industry Issues (Upstream, Midstream and Downstream) • Property

Overview

Recommended by Chambers UK (Commercial Dispute Resolution) and L500 (Commercial Litigation) Clare Reffin has wide experience in both litigation and arbitration, a "*consummate grasp of complex factual, technical and legal issues*", and skill in both written and oral advocacy.

Clare is competent in French.

Examples of Recent Cases

Arbitration

- **LCIA Proceedings**
Defending £15m+ claim in an oil and gas dispute
- **Ad Hoc Proceedings**
For Defendant waste management and recycling company
- **LCIA Proceedings and Commercial Court**
Oil and gas dispute £60m+ with associated interim measures
- **LCIA Proceedings**

Defending £100m+ claim alleging breach of warranty, involving a very substantial PPP contract.

- **LCIA Proceedings**

For Claimant company, with Ian Glick QC, claiming breach of contract and damages totalling approximately £20m, arising over a faulty drilling rig.

- **LCIA Proceedings**

For Claimant company in £50m+ indemnity claim.

- **Ad Hoc Proceedings**

For Claimant public authority in claim for negligent pensions administration.

- **Claxton Engineering Services Ltd v. TXM [2011] 1 Lloyd's Rep. 510**

Anti-arbitration injunction obtained for Claimant restraining arbitration in an EC jurisdiction (Hungary).

- **Shashoua v. Sharma**

Freezing relief and Arbitration Act application before the Commercial Court.

- **Tajik Aluminium Plant v. Hydro Aluminium AS [2005] EWCA Civ 1218; LTL 24/10/2005; [2005] 4 All ER 1232; [2006] 1 Lloyd's Rep 155; [2005] 2 CLC 604**

Banking and Financial Services

- **High Commissioner for Pakistan in the UK v National Westminster Bank [2019] EWHC 2551 (Ch), [2018] EWHC 3715 (Ch), [2016] EWHC 1465 (Ch), [2015] EWHC 55 (Ch)**

For the Government of India, with Tim Otty QC, Harish Salve SA, James Brightwell, in complex historic dispute, involving restitution, trusts, limitation, abuse of process, non-justiciability, sovereign immunity and setting aside of a notice of discontinuance.

- **Banque Cantonale de Genève v Sanomi (Comm) [2016] EWHC 3353**

Promissory notes, freezing relief, enforcement.

- **United States Securities and Exchange Commission v Chester (Comm)**

Proposed enforcement of US judgment for disgorgement and civil penalties for breaches of US securities legislation.

- **Various proposed claimants**

Advice on claims under Financial Services and Markets Act, in negligence or contract against financial advisers and banks.

- **Dunedin Buyout Fund II LP v. Brooks (Ch)**

Defending action brought by private equity fund investors under warranties given by managers on a management buyout.

- **Tchenio v. Apax Partners Holdings Ltd (Comm)**

For the private equity business Apax Partners, with Lord Grabiner QC, defending a claim to a share of management fees and carried interest referable to certain investments within the Apax Group.

- **Jefferies International Ltd v. Landsbanki Islands HF [2009] EWHC 894 (Comm)**

For Claimant bank, with Gabriel Moss QC, resisting a stay in support of a foreign insolvency, concerning discretionary powers under EC Regulation 1346 / 2000 on Insolvency Proceedings, the Credit Institutions (Reorganisation and Winding Up) Regulations, 2004 SI No 1045, and Icelandic bank insolvency law. Action involved issue as to whether the Landsbanki Freezing Order, 2008 SI No 2668, discharged or frustrated the

parties' contract.

- **Alpha Development Ltd v. Bank of Scotland Plc (Comm)**
For BOS, with Murray Rosen QC, defending Commercial Court proceedings brought in relation to a property development facility totalling about £81.8m and related swap agreement.
- **JP Morgan Chase v. WestLB [2004] EWHC 1938 (Comm); [2004] All ER (D) 10 (Aug)**
For JP Morgan, with Lord Gribbin QC, in its claim to enforce (\$165m) letters of credit, provided by WestLB AG as security for JP Morgan's complex structured finance transactions with Enron.

Commercial Litigation

- **High Commissioner for Pakistan in the UK v National Westminster Bank [2019] EWHC 2551 (Ch), [2018] EWHC 3715 (Ch), [2016] EWHC 1465 (Ch), [2015] EWHC 55 (Ch)**
For the Government of India, with Tim Otty QC, Harish Salve SA, James Brightwell, in complex historic dispute, involving restitution, trusts, limitation, abuse of process, non-justiciability, sovereign immunity and setting aside of a notice of discontinuance.
- **Re Foreign Exchange Benchmarks Rates Antitrust Litigation [2018] EWHC 2255 (QB), [2019] 7 WLUK 752**
Representing and advising the claimants in relation to numerous applications under the Evidence (Proceedings in Other Jurisdictions) Act 1975.
- **G4S v Bunzl (QB)**
Defending claims under a price benchmarking clause.
- **Aegeus Marine Ltd v. Grazebrook (Ch)**
Defending claims for breach of warranty on sale of a marine engineering company, with technical aspects.
- **John Perry Care Service Ltd v. Caremark Ltd (QB)**
Defeated an application by a franchisee for pre-action disclosure in relation to proposed claim for misrepresentation; defended subsequent claim.
- **Gow v Purcell (QB)**
For defendants in breach of warranty claim arising from sale of an insurance broking business.
- **Mahtani v Sippy [2013] EWHC 285 (Ch); 2013] EWCA Civ 1820**
For Defendant, striking out pointless and wasteful litigation arising from a family arrangement made in India under Hindu family law.
- **Kuoni Travel Ltd v Boyle [2013] EWHC 877 (QB)**
For Claimant successfully claiming under a tax indemnity deed for the Swiss VAT liabilities of a ski holiday company.
- **State Street Corporation v Maurant Ltd (Comm)**
For Defendant to claims for breach of warranty on sale of an international company administration business.
- **Madoff Securities International Ltd (In Liq) v. Raven (Comm)**
For 2 former directors of Bernard Madoff's London company, defending claims for breach of duty.
- **PostScriptum LLC v. Global Wood Holding SA (Comm)**
For Claimant in proceedings under a loan note and guarantee.
- **Ascot Underwriting Ltd & 24 Ors v. White Rock Insurance (Gibraltar) PCC Ltd (Comm)**

For Eurotunnel in jurisdiction proceedings related to insurance dispute.

- **Garnier v. Harris, Lee & Oratoire Ltd (Comp)**
Defending unfair prejudice petition.
- **Odgers v. Danwood Group Ltd & Anr [2007] All ER (D) 21 (Dec)**
Rectification of a sale and purchase agreement, on the grounds of mutual mistake, alternatively unilateral mistake, concerning adjustments to the price. For the Claimant vendor.
- **US Phillips Corp v. Eastman Kodak Company (QB)**
Evidence obtained under the Evidence (Proceedings in Other Jurisdictions) Act 1975.
- **Fletcher & Anr v. The Interpublic Group of Companies Inc (Ch)**
For IPG, with Lord Grabiner QC, defending allegations of accounting misstatements and deceit in connection with an acquisition.

Costs

- **Pfizer Inc v Competition and Markets Authority (CA)**
Representing and advising Pfizer on the costs aspects of appeals from the Competition Appeal Tribunal.
- **Sainsbury's Supermarkets Limited -v- Visa International (CA, on appeal to SC)**
Costs counsel for Visa in a substantial and very high-profile claim in relation to interchange fees.
- **Various Claimants v. News Group Newspapers (Ch)**
Advice and advocacy for the Defendant publisher of the News of the World on all costs aspects of large-scale managed litigation, the Mobile Telephone Voicemail Interception Litigation.
- **Various Claimants v McAlpine [2015] 6 Costs L.R. 1085 (QB)**
Costs budgets in group litigation (construction industry "blacklisting")
- **Various Claimants v. MGN Limited (Ch)**
Advice and advocacy for the Mirror Group Newspapers Limited on costs aspects of the phone hacking litigation.
- **Vilca & Ors v. Xstrata Ltd & Anr (QB)** Costs budgets in 21-claimant litigation on police brutality.

Civil Fraud

- **RP Explorer Master Fund v. Malhotra (Comm)**
For Defendant Portuguese bank, with Anthony de Garr Robinson QC, in case alleging fraudulent fundraising from private equity fund through securities issued on the Luxembourg Stock Exchange to finance oil refinery in India.
- **Fern Advisors Ltd v. Burford [2014] EWHC 762 (QB)**
For Claimant private equity fund, with Anthony de Garr Robinson QC, obtaining summary judgment for fraud against former CEO.
- **JSC BTA Bank v. Solodchenko (Ch)**
For a Defendant in one of many actions brought by Kazakh bank alleging fraud against Mukhtar Ablyazov and others.
- **RBG Resources Plc v. Rastogi & Ors [2002] BPIR 1028 (Ch); [2002] EWHC 1132 (Ch)**

For Defendant director, where liquidators alleged a massive and complex trade finance fraud on banks, leading to company insolvency. Issues included directors' duties, freezing orders and whether cross-undertakings in damages should be limited and whether fortified by security.

Employment

Including breach of confidence, contracts of employment, health and safety at work, trade unions, transfer of undertakings unfair and wrongful dismissal, restrictive covenants.

- **Transport Planning Associates v. Tighe (QB)**
For Defendants in case alleging breach of restrictive covenants and misuse of confidential information.
- **Keenpac Ltd v. Sibson & Ors (Ch)**
For Claimant company, in proceedings concerning employee restrictive covenants, alleged poaching, breach of confidence and misuse of confidential information.
- **Tehrani v. Montgomery & Ors (Comm)**
For Claimant and former partner at GMT in dispute with the private equity company. Issues including penalty clauses, restrictive covenants and confidential information.
- **Apax Partners Worldwide Ltd v. Zeev (Comm)**
For the private company in dispute with former partner concerning entitlement to payment on exit from partnership.
- **Dr. Peter Felter v. Cliveden Petroleum Company Ltd (CA)**
For Respondent company, with the late Christopher Carr QC. Involved claims under the "whistle blowing" provisions introduced into the Employment Rights Act 1996 by the Public Interest Disclosure Act 1998.

Injunctive Relief

- **Banque Cantonale de Geneve v Sanomi (Comm)**
Freezing relief with restrictions on Land Register
- **Trafigura Pte Ltd v Taci Oil (Comm)**
Freezing and disclosure orders in support of arbitration and court proceedings concerning alleged misappropriation of gasoline and gasoil.
- **Claxton Engineering Services Ltd v. TXM [2011] 1 Lloyd's Rep. 510**
Anti-arbitration injunction obtained for Claimant restraining arbitration in an EC jurisdiction (Hungary).
- **JSC BTA Bank v. Solodchenko (Ch)**
Search Order in the context of one limb of the major ongoing proceedings alleging fraud.
- **Keenpac Ltd v. Sibson & Ors (Ch)**
Injunctive relief concerning employee restrictive covenants, alleged poaching, breach of confidence and misuse of confidential information.
- **Bideford Properties v. Kelly (Ch)**
Freezing orders and, subsequently, contempt proceedings in property development dispute.
- **Shashoua v. Sharma (Comm)**
Freezing relief and Arbitration Act applications.

- **Costa & Anr v. Babae (Ch)**

Injunctions on behalf of a member of the coffee dynasty against a joint venture partner in a property development involving allegations of fraud, breach of trust and breach of contract.

- **P1 International Ltd v. Revo 250 Ltd. & Anr (QB)**

Injunctions on behalf of Damon Hill's exclusive "supercar" club.

- **Wood & Anr v. Harrington Club Ltd (QB)**

Interim injunction on behalf of Ronnie & Josephine Wood in a dispute over a fine art collection, including original artwork by the 'Rolling Stone'.

Property

- **Banque Cantonale de Genève v Sanomi (Comm) [2016] EWHC 3353**

Freezing relief and then enforcement of judgment against high value London property.

- **Denton and Gibson Ltd v J Mould Property Ltd (Ch)**

For Defendant to claims under a Profit Sharing Agreement for property development.

- **Shaftsbury House (Development) Ltd v. Multiple Defendants (Ch)**

For Claimant vendor, in numerous and separate proceedings seeking specific performance against defaulting purchasers in the wake of the economic downturn affecting the property market.

- **Bideford Properties v. Kelly (Ch)**

Freezing orders and subsequently, contempt proceedings in property development dispute.

- **Costa & Anr v. Babae (Ch)**

Injunctions on behalf of a member of the coffee dynasty against a joint venture partner in a property development involving allegations of fraud, breach of trust and breach of contract.

- **Advised a well known US film director's management company in potential proceedings flowing from an agreement for use of a property whilst filming in London.**

- **Adinstone Ltd & Anr v. Gatt [2008] EWHC 647 (Ch); [2008] All ER (D) 65 (Apr)**

For the Defendant director in the trial of claims on alleged loans brought by two joint venture property development companies.

- **Shamrock Bay Holdings v. Millgate Developments (Ch)**

Unjust enrichment claim involving void contracts, rectification and indemnity under the Land Registration Act 2002.

What the Directories Say

"Clare Reffin's attention to detail is extraordinary." (Chambers UK, 2024)

"Has a tremendous ability to absorb documents quickly and is good at spotting the gaps in evidence." (Chambers UK, 2024)

"Clare Reffin offers impeccable service and unwavering commitment." (Chambers UK, 2024)

'Always provides excellent value and her analysis is meticulous. She keeps instructing solicitors on their toes at all times and is much better than many KCs.'

(Legal 500, 2024)

'Very thorough and analytical, always very well prepared and writes extremely well, very clear in court and an excellent advocate.' (Chambers UK, 2021)

"She is very good on her feet and both fearless and hard-working." (Chambers UK, 2021)

"clearly very bright and very, very responsive." "She has great experience and is to the point." (Chambers UK, 2020)

"Excellent analytical mind, good clear advice, and strong academically." (Legal 500, 2020)

"Has an exceptional grasp of the case and is a very proactive member of the legal team." "She is very responsive, sensible, commercial and practical." (Chambers UK 2016)

"Very proactive, thorough and also personable." (Chambers UK 2015)

"Very client focused, pragmatic and commercial, with a sharp intellect." (L500 2014)

Awards



Contact Clerks



Jackie Ginty

First Deputy Senior Clerk

+44 (0)20 7520 4608

jginty@oeclaw.co.uk



Adam Wheeler

Clerk

+44 (0)20 7520 4616

awheeler@oeclaw.co.uk

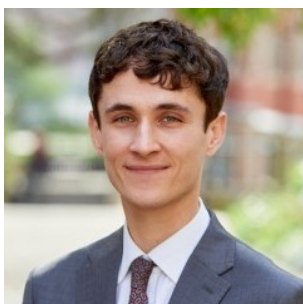


Jordan Foley

Clerk

+44 (0) 20 7520 4613

jfoley@oeclaw.co.uk



Max Tonkinson

Clerk

+44 (0)20 7520 4695

mtonkinson@oeclaw.co.uk