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Mehdi Baiou

Barrister
Call 2009

Scope of Practice

• Agency • Arbitration • Banking and Financial Services • Breach of Warranty • Civil Fraud and Investigations • Commodity Trading • Company and Insolvency • Competition and EU Law • Energy and Natural Resources • Equity • Fund Management • Guarantees • Injunctions • Jurisdiction and Conflict of Laws • Partnerships

Overview

Mehdi undertakes a broad range of commercial work in litigation and international arbitration and regularly appears before tribunals and in the CAT, High Court and Court of Appeal, as well as in the Supreme Court. His core practice areas include (but are not limited to) arbitration, banking and finance, competition, derivatives and commodities.

Mehdi has acted in a number of significant cases, including C***rypto Open Patent Alliance v Dr Craig Steven Wright; Wright and others v BTC Core and others*** (led by Lord Grabiner KC and Craig Orr KC) in the high profile dispute concerning the invention and development of Bitcoin; ***Nikki Stopford v Google (CAT)*** for Claimants (led by Daniel Jowell KC) in the £7.3bn collective claim against Google; ***Bugsby Property LLC v LGIM Commercial*** (led by Orlando Gledhill QC), acting for LGIM in its defence of a claim for damages for the breach of an exclusivity agreement concerning the funding of the acquisition of Olympia in 2017; ***The Libyan Investment Authority v Société Générale*** (led by Adrian Beltrami QC and Anthony de Garr Robinson QC) defending the marquee Commercial Court claim brought by the Libyan sovereign wealth fund; ***Banco Santander Totta v Carris*** (with Laurence Rabinowitz QC) in the first action heard before the then newly-created Financial List; and ***One Step (Support) Ltd v Karen Morris Garner*** (with Craig Orr QC) which was ultimately heard in the Supreme Court on the important issue of negotiating damages.

Mehdi is bilingual (French/English) and has advised and acted for a number of French clients and firms. He also has good knowledge of Arabic.

Examples of Recent Cases

Arbitration

- Acting for the Claimant (with Alex Gunning QC) in ICC proceedings in Paris in a contract dispute concerning delays in a substantial IT/Tech project.

- Acting for Aberdeen Standard Investments (with Laurence Rabinowitz QC, Mark Howard QC and Steven Elliott) in an LCIA arbitration against Lloyds Bank concerning termination of an asset management mandate.
- Acted for 8 individual French defendants in a claim for breach of warranties contained in an agreement for the sale of shares in a company specialising in men's high-end cosmetics.
- Acted with Charles Graham QC in an international arbitration concerning the operation (and interpretation) of a Build Operate Transfer contract governing the production of anodes for use in an aluminium smelting plant in the former Yugoslavia.
- **SEB v Interamerican Assurance Company Limited & Orr**
  Acted (with Nicholas Strauss QC and Michelle Menashy) in an arbitration under the rules of the Stockholm Chamber of Commerce, from which a Commercial Court action arose. The dispute arises from a share purchase agreement concerning allegations of pensions mis-selling and relating to PIA/FSA Pensions Review of opt outs, non joiners, and transfers from occupational pensions scheme.

Banking and Financial Services

- **Sarah Spice and ors v (1) Link Fund Solutions Limited (2) Hargreaves Lansdown Asset Management Ltd**
  Acting in a group action brought by ca. 6,000 investors in the Woodford Equity Income Fund, an investment fund, managed by Neil Woodford, whose collapse in 2019 spawned an ongoing FCA investigation, Treasury Select Committee hearings and major press interest (led by Alain Choo Choy KC). The investors bring claims for (variously) breach of contract, negligence and breach of statutory duty against the Fund's Authorised Corporate Director and Hargreaves Lansdown, the FTSE100 private investment platform through which the claimants invested in the Fund.
- **Quartz Assets LLC and others v Kestrel Coal Midco Pty Ltd**
  Acted on behalf of the Claimant companies (with Charles Graham QC and Oscar Schonfeld) in their claim arising out of the Defendant's funding of the acquisition of an Australian coal mine in 2018. That case was settled shortly before trial, but not before significant skirmishes in the High Court on disclosure relating to, amongst other things, the quantum of the Claimant's damages claim and control over documents in the hands of third parties.
- **The Libyan Investment Authority v. Société Générale & Ors**
  Acted Société Générale, (with Adrian Beltrami QC, Anthony de Garr Robinson QC, Alexander Polley and Sandy Phipps), defending the marquee Commercial Court claim brought by the Libyan sovereign wealth fund, the Libyan Investment Authority (the LIA), against Société Générale and Walid Giahmi, a Dubai-based businessman. The claim relates to investments totalling around USD 2.1 billion made by the LIA with Société Générale during the Gaddafi era, and alleges that the investments were procured by a 'fraudulent and corrupt scheme' involving bribery and intimidation by the Gaddafis or their associates. The claim seeks the rescission of the investments or damages in excess of USD 1.5 billion.
- **Banco Santander Totta v. Carris & Ors**
  Acted in a 6-week trial (with Laurence Rabinowitz QC, John Odgers QC and Simon Colton) for the claimant in five related Commercial Court actions against Portuguese transport companies, arising out of swaps concluded between 2005 and 2007. Numerous Portuguese law issues arose, together with the English law of restitution (Upheld by the Court of Appeal *[2016] EWCA Civ 1267*).
- **Marex Financial Limited v Creative Finance Ltd and Cosmorex Ltd)**
  Acted for the Claimant FX broker (with Alain Choo Choy QC) in relation to a multi-million pound dispute with an FX trader concerning unpaid margin and losses resulting from the close out of the trader's positions in currency forward contracts. The trader's counterclaim included allegations of negligence by the Claimant in closing out his positions.
- **Skadden, Arps, Slate, Meagher & Flom LLP**
  Instructed as part of a multinational team of lawyers conducting an internal investigation on behalf of a major international investment bank into that bank's structuring and sale of U.S. Residential Mortgage Backed Securities and Collateral Debt Obligations in the lead up to the 2007 CDO market crash. As part of this project, Mehdi was required to review close to 10,000, mostly French, documents pertaining to the bank's CDO activities during the relevant period and was closely involved in the drafting a 200-page report, presented to the bank's senior management, which detailed the team's findings and conclusions.

Commercial Litigation

- **Crypto Open Patent Alliance v Dr Craig Steven Wright; Wright and others v BTC Core and others**
  Acting on behalf of Australian computer scientist Dr Craig Wright (with Lord Grabiner KC, Craig Orr KC and

Tim Goldfarb) in the high profile dispute concerning the invention and development of Bitcoin.

- **PT Services Malta Limited v Tecnologia en Entretenimiento Caliplay, S.A.P.I. de C.V. & ors**
  Acting for the Claimant (with Orlando Gledhill KC) successfully obtaining anti-suit injunctions and associated undertakings restraining proceedings in Mexico alleged to be in breach of an exclusive jurisdiction clause in favour of the English Court in one contract (governed by English law), and an exclusive ICC arbitration clause in another contract (governed by Mexican law, which law was assumed for the purposes of the application also to apply to the agreement to arbitrate).
- **Bugsby Property LLC v LGIM Commercial Ltd**
  Acted (led by Orlando Gledhill KC) for an entity in the Legal & General Group defending a c.£350 million claim for the breach of a confidentiality and exclusivity agreement in the context of the Claimant's failed attempt to acquire Olympia London, the iconic exhibition centre. The four-week Commercial Court trial of the claim concerned loss of a chance damages, remoteness, negotiating damages and account of profits. The trial also featured expert evidence regarding the availability of finance for the acquisition of Olympia, the redevelopment prospects of Olympia and the impact of Covid-19 on the redevelopment. Mehdi was also instructed to appear in a four-day appeal from the trial judgment, which settled following exchange of skeleton arguments.
- **One Step Support Ltd v Karen Morris-Garner and Andrea Morris-Garner**
  Acting for the Claimant supported living company (with Craig Orr Q) in its claim for breach of a non-compete clause contained in a share purchase agreement with the Defendants. The Claimant seeks, inter alia, an account of profits or "Wrotham Park" damages. . Mehdi appeared unled at all CMC hearings and was successful both in resisting the Defendants' application for a split trial and in applying on behalf of One Step for a crucial third party disclosure order.
- **The Libyan Investment Authority v. Société Générale & Ors**
  For Société Générale, (with Adrian Beltrami QC, Anthony de Garr Robinson QC, Alexander Polley and Sandy Phipps), defending the marquee Commercial Court claim brought by the Libyan sovereign wealth fund, the Libyan Investment Authority (the LIA), against Société Générale and Walid Giahmi, a Dubai-based businessman. The claim relates to investments totalling around USD 2.1 billion made by the LIA with Société Générale during the Gaddafi era, and alleges that the investments were procured by a 'fraudulent and corrupt scheme' involving bribery and intimidation by the Gaddafis or their associates. The claim seeks the rescission of the investments or damages in excess of USD 1.5 billion.
- **Banco Santander Totta v. Carris & Or**
  Appeared in a 6 week trial (with Laurence Rabinowitz QC, John Odgers QC and Simon Colton) for the claimant in five related Commercial Court actions against Portuguese transport companies, arising out of swaps concluded between 2005 and 2007. Numerous Portuguese law issues arose, together with the English law of restitution (Upheld by the Court of Appeal [2016] EWCA Civ 1267).
- **Novatrust Ltd v. (1) Kea Investments Ltd, (2) Harlaw Ltd (3) Spartan Capital Ltd**
  For Novatrust (with Sa'ad Hossain QC, Jamie Goldsmith and Adam Rushworth) in a battle over the fate of a private equity investment vehicle (and the £100m+ under its control). The litigation is extremely complex, and involves allegations of fraud and breach of fiduciary duty, an application to wind up a company on just and equitable grounds, and claims brought in a derivative capacity. Mehdi had particular involvement in the Non-Party Disclosure application, as well as various other interim applications, and assisted the trial team with the preparation of evidence for trial (7-weeks, scheduled May 2017).
- **Brocket Hall (UK) Limited & Brocket Hall (Jersey) Limited v. Palmerston Hotels & Resorts BV**
  For Brocket Hall (with Anthony de Garr Robinson QC and Henry Forbes Smith), in a dispute regarding a management contract relating to the well-known golf club and luxury resort. The management company sought an injunction from the Commercial Court restraining the defendants from terminating the management contract while it brought s44 arbitral proceedings to challenge the owner's right to terminate [2016] EWHC 2018 (Comm). The matter was ultimately settled in late 2016, which disposed of a 4-week arbitration scheduled for July 2017.
- **SEB v Interamerican Assurance Company Limited & Orr**
  Acted (with Nicholas Strauss QC and Michelle Menashy) in an arbitration under the rules of the Stockholm Chamber of Commerce, from which a Commercial Court action arose. The dispute arises from a share purchase agreement concerning allegations of pensions mis-selling and relating to PIA/FSA Pensions Review of opt outs, non joiners, and transfers from occupational pensions scheme.
- **Chubb Electronic Security LTD v SEP Properties Limited**
  Successfully appeared for the Claimant company in a two-day trial concerning the Defendant's non-payment of invoices for the provision and installation of an intruder alarm system.

- Acting for a major private equity investor in an Early Neutral Evaluation of a dispute with a company concerning the meaning of its Articles of Association.

Competition and EU Law

- **Nikki Stopford v Google (Competition Appeal Tribunal)**
  Acting for Claimants (led by Daniel Jowell KC) in the £7.3bn collective claim against Google alleging it has used its search engine dominance to shut out competition in mobile search.
- **Merchant Interchange Fee Proceedings (Competition Appeal Tribunal)**
  Acted for the HK and SSU claimant groups (led by Adrian Beltrami KC) in their multi-billion actions to recover the MIFs charged by Mastercard and Visa.
- **Albion Water Ltd v Dwr Cymru Cyfyngedig (Competition Appeal Tribunal)**
  Acted for the Claimant (with Thomas Sharpe KC and Matthew Cook) in follow on action for damages (including exemplary damages) arising out of the Defendant's abuse of its dominant position.
- **R (on the application of Albion Water Limited) v Ofwat (Administrative Court)**
  Acted for the Applicant (with Thomas Sharpe KC and Matthew Cook) seeking to have a Section 40A WIA 91 determination of the terms of its water supply contract with Welsh Water set aside.
- Working with regulators on investigations into anti-competitive practices.

Prior Experience

Research Assistant for Valentine Korah, Professor of Competition Law at UCL [2009]
Research Assistant for Phillip Marsden, British Institute of International and Comparative Law [2009]
Internship with Rodyk & Davidson LLP, Singapore (litigation department) [Summer 2007]

Academic Achievements

Queen Mother's Scholarship, Middle Temple [2007]

Education

UCL: LLM in International Commercial Law (Distinction) [2008 - 2009]
Inns of Court School of Law: BVC (Very Competent) [2007 - 2008]
College of Law: GDL (Commendation) [2006 - 2007]
Imperial College London: BSc in Mathematics (Distinction, top 5 in year) [2002 - 2005]

Awards

Chambers TOP RANKED UK Bar 2026 One Essex Court

LEADING JUNIOR Legal500 UNITED KINGDOM 2026

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