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Nicholas Sloboda KC

Barrister
Call 2007 Silk 2024

Scope of Practice

• Agency • Arbitration • Banking and Financial Services • Breach of Warranty • Civil Fraud and Investigations • Commercial Litigation • Company • Economic Torts • Energy, Oil & Gas and Utilities • Equity • Group Litigation • Guarantees • Injunctions • Jurisdiction and Conflict of Laws • Professional Liability • Restraint of Trade • Sale of Goods and Supply of Goods and Services • Shareholder Disputes • Sports and Entertainment • Media, Entertainment and Broadcasting

Overview

Nick was recently described by Chambers & Partners as *"one of the leaders of his generation at the Commercial Bar"*. He acts in some of the largest-scale international disputes, frequently within the energy, mining or financial sectors, and often involving allegations of fraud or other wrongdoing.

Nick is ranked in Chambers & Partners and Legal 500 as a leading silk in the fields of Commercial Litigation, International Arbitration, Energy & Natural Resources, Civil Fraud and Group Litigation. He was, as a junior, featured by Legal Week in its annual 'Stars of the Bar' feature.

Nick's current and recent work includes:

- Defending many of the most prominent group actions in the English Courts in recent years for major corporates, including ***Mariana v BHP***, ***Limbu v Dyson***; the *VW Emissions litigation; Da Silva & Ors v Brazil Iron Limited* and ***Aslam v Uber***
- ***SIAC arbitration (Singapore seat)***: acting for energy major in a US$ multi-billion SPA fraud/warranty dispute in the oil&gas sector
- ***ICC arbitration (London seat)***: acting for the investors on a US$ multi-billion Tariff dispute with a State / national electricity company
- *ICC arbitrations (London seat):* acting for mining company in US$ multi-billion claim under long term supply contracts
- ***Gas Price Review***: acting for energy major in a price review under a long term supply contract
- ***HMRC v IGE***: acting for General Electric group companies in a large-scale fraud claim by HMRC relating to a US$ multi-billion tax settlement

Examples of Recent Cases

Arbitration

"Nicholas is a superstar. He's very effective on his feet, diplomatic in his advice and solutions-oriented." (Chambers & Partners 2025, International Arbitration)

- **ICC arbitration (London seat):** acting for mining company in US$ multi-billion dollar claims under long-term iron ore supply contracts.
- **ICC arbitration (London seat)**: acting (with Daniel Toledano KC) for the investors on a US$ multi-billion Tariff dispute with a State / national electricity company arising out of the construction of a power station.
- **SIAC proceedings (Singapore seat):** acting (with Laurence Rabinowitz QC) in a US$5.5bn dispute between multinational energy groups concerning allegations of deceit/breach of warranty under an SPA, and in related proceedings before the Singapore International Commercial Court.
- **ICC proceedings (Geneva seat)**: acting (with John McCaughran QC) in a US$6bn dollar claim between a national electricity company and national gas companies heard at the ICC in Paris. Successfully obtained an approx US$1.7 billion award.
- **LCIA proceedings (London seat):** acting (with Stephen Houseman QC) for a note trustee seeking to enforce c. US$375m loan notes.
- **Expert Determination**: acting (with Sa'ad Hossain KC) for an energy major in expert determination proceedings concerning whether certain oil duties in budgets constitute taxes imposed for environmental purposes.
- **Arbitration related applications in Court**: acting in numerous challenges before arbitral institutions, tribunals, in the Commercial Court (under ss.24, 44, 67, 68 and 69 of the Arbitration Act) and in foreign jurisdictions (including Geneva Courts and the Singapore International Commercial Court). Reported Commercial Court cases include:
    - **Madison Pacific v Shakoor & Privatbank** [2020] EWHC 610 (Ch);
    - **C v D** [2016] EWHC 1893 (Comm)
    - **A & ors v B & X** [2011] 2 Lloyd's Rep. 591
    - **SABMiller Africa & Tanzania Breweries Ltd v East African Breweries Ltd** ([2010] 1 Lloyd's Rep. 392) and Court of Appeal: ([2010] 2 Lloyd's Rep. 422)

Commercial Litigation

"Technically brilliant, an outstanding tactician and an absolute delight to work with." (Chambers and Partners 2026, Commercial Litigation)

- **Mariana & ors v BHP** [2022] 1 WLR 4691; [2022] 1 WLR 919; [2020] EWHC 2930 (TCC): acting for many years for BHP group companies in multi-billion $ claim in respect of the Fundão dam collapse in Brazil. Extensive hearings at first instance and before the Court of Appeal on jurisdiction and abuse.
- **Getir founders v Mubadala:** acting for the founders of the Getir group of companies against sovereign wealth fund investors.
- **The VW Emissions group litigation** [2023] 1 All E.R. (Comm) 107: acting (with Charles Gibson KC and Prashant Popat KC) for the VW group in the 'diesel-gate' emissions claim.
- **Vald Nielsen & ors v Baldorino & ors** [2019] EWHC 1926 (Comm) [2017] EWHC 1033 (Comm): acting (with Alain Choo Choy QC) for the defendant management buy-out team, in a six week Comm ct trial of deceit/breach of warranty under an SPA.
- **Abbott & ors v RCI Europe** [2016] EWHC 2602 (Ch): acting (with Charles Graham QC) for the successful Defendant timeshare exchange company, defending a group action brought by approx. 500 consumers, who alleged breach of contract, misrepresentation and breach of fiduciary duty.
- **Dar Al Arkan & ors v (1) Al Refai, (2) Kroll & ors** (Comm): acting (with Craig Orr QC) for Kroll, defending approx US$800m claims brought in the Commercial Court raising allegations of breaches of banking practice and regulations in the Middle East, conspiracy, breach of confidence and defamation. Listed as one of The Lawyer's Top 20 Cases for 2014 and 2015, the dispute settled half way through a 12 week trial following

considerable interim proceedings, including:
    - A week long hearing in 2012 at which Kroll successfully discharged injunctions against it for material non-disclosure by the Claimants **[2012] EWHC 3539 (Comm)**; Committal proceedings brought by Kroll against a senior officer of the Claimants for contempt. The officer has unsuccessfully challenged jurisdiction before the Commercial Court **[2013] EWHC 4112** and Court of Appeal **[2014] EWCA Civ 715**, and timing/recusal issues have also been raised **[2014] EWHC 1055**.
    - A week long committal hearing took place in September 2014.
    - Kroll successfully resisted an appeal against a split trial order **[2014] EWCA Civ 749.**

- **SABMiller Africa & Tanzania Breweries Ltd v East African Breweries Ltd** [2009] EWHC 2140 (Comm) [2010] EWCA Civ 1564: Nick acted over a number of years (with Alain Choo Choy QC) for SABMiller PLC subsidiaries in large and complex litigation arising out of beer supply agreements in a number of countries in East Africa. The litigation involved complex facts spanning multiple East African countries, corporate restraint of trade provisions, competition law (including the application of foreign competition law), interpretation of contract, good faith provisions etc.
- **Confidential ENE** [2011]: acting (with Alain Choo Choy QC) for a Russian group of companies against another Russian group of companies in a confidential early neutral evaluation of disputes arising out of the sale of a well-known energy company.

Energy and Natural Resources

"Nicholas is an excellent barrister. He is a proper team player, and fantastic on his feet and in written submissions." (Chambers & Partners 2026, Energy)

- **ICC proceedings (London seat)**: acting (with Daniel Toledano QC) in a multibillion dollar claim between a multinational power generation company and a State.
- **ICC proceedings (London seat)**: acting for major iron ore producer in two multibillion dollar disputes under long term supply contracts.
- **Gas Price Review**: acting (with Sa'ad Hossain QC) for BP in a gas price dispute under a long term gas supply contract between energy majors.
- **SIAC Proceedings (Singapore seat)**: acting (with Laurence Rabinowitz QC) in a multibillion US$ dispute between multinational energy groups concerning allegations of deceit, indemnity claims and breach of warranty under an SPA. Particular factual issues included reserve booking rules, production estimates, asset integrity/maintenance and decommissioning obligations. 35 day liability trial in 2018.
- **ICC proceedings (Geneva seat)**: acting (with John McCaughran QC) in a multibillion dollar international dispute heard in the ICC in Paris in 2014, between a national electricity supplier and national oil&gas companies. One of the largest international energy arbitrations, which included factual issues concerning pipeline facilities/security, interpretation of contract, complex quantification of loss questions in long-term gas supply contracts etc. Successfully obtained an approx US$1.7 billion award in December 2015.
- **Mariana & ors v BHP Billiton plc (the Fundão dam litigation)** [2022] 1 WLR 4691; [2022] 1 WLR 919; [2020] EWHC 2930 (TCC): acting for BHP in respect of the Fundão dam (an iron ore tailings dam) collapse in Brazil.
- **Expert Determination**: acting (with Sa'ad Hossain) for an energy major in expert determination proceedings concerning whether certain oil duties in budgets constitute taxes imposed for environmental purposes.

Civil Fraud and Investigations

"He is fantastic. He is all over the detail, a joy to work with and an effective advocate." (Chambers & Partners 2025, Fraud: Civil)

- **HMRC v GE** [2021] Ch 423: defending (with Laurence Rabinowitz KC) the GE group against fraud claims by HMRC in respect of a multi-billion dollar tax settlement. Appearing in 3 day appeal concerning the limitation period / operation of equitable rescission in deceit.
- **Vald Nielsen & ors v Baldorino & ors (Comm)** [2019] EWHC 1926 (Comm) [2017] EWHC 1033 (Comm): acting (with Alain Choo Choy QC) for the defendant management buy-out team, in a six week Comm ct trial of deceit/breach of warranty under an SPA.
- **VW emissions litigation** [2023] 1 All E.R. (Comm) 107: acted for VW defending claims for deceit in the large

GLO. Appeared (with Charles Gibson KC) for VW to strike out deceit claims on the basis of an 'awareness' requirement.

- **FTSE 100 investigation:** acting (with Rhodri Davies QC) as independent counsel to an investigation at a FTSE 100 plc.
- **Bilta v Deutsche Bank** [2017] EWHC 135 (Ch): acting (with Daniel Toledano QC) for Deutsche Bank in proceedings related to alleged VAT fraud in the carbon emissions trading market.
- **Alliance Bank v Aquanta & ors** [2012] 1 Lloyd's Rep. 181, [2013] 1 All E.R. (Comm) 819: acting (variously with Kenneth Maclean QC and Daniel Toledano QC) for Alliance, one of Kazakhstan's largest banks, in a very large (US$1bn+) fraud claim against its former controlling shareholders and their related entities. Three week jurisdiction hearing in the Commercial Court in 2011 ([2012] 1 Lloyd's Rep. 181) and one week appeal on jurisdiction in 2012 [2013] 1 All E.R. (Comm) 819.

Banking and Financial Services

- **Madison Pacific v Shakoor** [2020] EWHC 610 (Ch): acting (with Sonia Tolaney QC) for a note trustee seeking to enforce c. US$375m loan notes; and in related arbitral proceedings (with Stephen Houseman KC).
- **National Bank of Abu Dhabi v BP Trading** [2018] EWCA Civ 14, [2016] EWHC 2892 (Comm): acting (with Rhodri Davies QC) at first instance and on appeal for the Claimant bank in respect of the purchase of a receivable.
- **Bilta v Deutsche Bank (Ch)** [2017] EWHC 135 (Ch): acting (with Daniel Toledano QC) for Deutsche Bank in proceedings related to alleged VAT fraud in the carbon emission trading market.
- **Dar Al Arkan & ors v (1) Al Refai, (2) Kroll & ors:** see Commercial Litigation. The case primarily concerned alleged banking/bond issuance malpractice in a number of Middle Eastern jurisdictions.
- **LCIA proceedings:** appearing (with Daniel Toledano QC) in a successful US$600m claim brought by a bank against a brokerage.

Group Actions

"Nicholas is a all round superstar. A fantastic advocate, a real team player, and technically fantastic. He is one of the best." (Legal 500 2025, Group Litigation)

- **Mariana & ors v BHP Billiton plc (the Fundão dam litigation)** [2022] 1 WLR 4691; [2022] 1 WLR 919; [2020] EWHC 2930 (TCC): acting for BHP in the largest ever group claim in England (c.700k individual Claimants have issued proceedings), in respect of the Fundão dam collapse in Brazil.
- **The VW Emissions group litigation**: acting for the VW group in the 'diesel-gate' GLO (c.100k Claimants).
- **Uber:** acting for Uber in the 'employee rights' claims brought by drivers
- **The Amerisur Putumayo Group Litigation** [2023] EWHC 122 (KB): acting for Amerisur Resources in respect of a claim brought by Colombian individuals in respect of environmental damage caused by an oil spill.
- **The RCI Timeshare litigation:** acting for RCI, the global timeshare exchange group, in a GLO claim brought by c. 500 individuals. Judgment for RCI following trial: **Abbott & ors v RCI Europe** [2016] EWHC 2602 (Ch).

Injunctions/Jurisdiction Challenges

Regular appearances in the Commercial Court, Chancery Division and before Arbitral Tribunals (for applicants and respondents) on urgent interim injunctions, freezing orders, Bankers Trust orders, disclosure orders and jurisdiction challenges. Disputes Nick appeared in include:

- **Mariana & ors v BHP** [2022] 1 WLR 4691; [2022] 1 WLR 919; [2020] EWHC 2930 (TCC): acting (with Charles Gibson KC, Daniel Toledano KC and Shaheed Fatima KC) for BHP group in multi-billion $ claim in respect of the Fundão dam collapse in Brazil. Extensive hearings at first instance and before the Court of Appeal on jurisdiction.
- **Dar Al Arkan v (1) Al Refai, (2) Kroll & ors** [2014] EWCA Civ 715: order for delivery up, restraint on use of confidential information, worldwide freezing injunctions, jurisdiction challenge. Order set aside and not re-granted for material non-disclosure. Jurisdiction over committal proceedings.

- **Alliance v Aquanta & ors** [2012] 1 Lloyd's Rep. 181, [2013] 1 All E.R. (Comm) 819: worldwide freezing injunction, jurisdiction challenge.
- **SABMiller Africa & Tanzania Breweries Ltd v East African Breweries Ltd** [2009] EWHC 2140 (Comm) [2010] EWCA Civ 1564: s.44 Arbitration Act injunction.

What the Directories Say

"Very decisive and clear in his advice, he doesn't sit on the fence, which is useful. He's very pragmatic in resolving problems for clients and is noted for bringing matters to a swift conclusion." "Nick was super responsive on a fast moving matter – he is technically brilliant, an outstanding tactician and an absolute delight to work with." "It's always a pleasure working with Nick. He is always very quick to respond with some useful insight and advice, and he also brings a much-needed sense of humour during tough periods." "He is a very experienced commercial practitioner who makes litigation smoother." "Nicholas Sloboda is breathtakingly smart and sees around corners. He punches far above his year of call." (Chambers & Partners 2026, Commercial Dispute Resolution)

"Nick is an excellent barrister. He is quick to get up to speed on complex issues and he is very pragmatic and commercial." (Legal 500 2026, Commercial Litigation)

"Nicholas is an excellent barrister. He is a proper team player, and fantastic on his feet and in written submissions." "Nicholas is extremely detail-oriented which is crucial for the development of the client's defence." (Chambers & Partners 2026, Energy & Natural Resources)

"He is amongst the first pick of people when you are building a team for a case that really matters. Also, completely charming and funny and so will make everyone's participation more pleasurable." (Legal 500 2026, Energy)

"Nick is an utterly charming silk whose easygoing and jovial manner conceals a sharp mind and a superb tactical sense for litigation. He is a wonderful team player." (Chambers & Partners 2026, Fraud: Civil)

"He is an absolute delight to work with; alongside superb analysis and very sound tactical thinking there is genuine personal charm." (Legal 500 2026, Fraud: Civil)

"He is excellent: one of the next-generation future stars to my mind." "He has real expertise on quantum issues. He's very hands-on and very academically bright." "He is very technically minded and on top of the detail. He is pragmatic and easy to work with." "He is very collegial, good with technology and a very good modern barrister - I would recognise Nicholas as one of the specialists in group litigation." "Nick is a great asset to the team, bringing a clear vision and strategy, excellent written and oral advocacy, as well as being calm, level-headed and lovely to work with." (Chambers & Partners 2026, Group Litigation)

"A superb advocate. He is an absolute delight to work with; alongside superb analysis and very sound tactical thinking there is genuine personal charm." (Legal 500 2026, Group Litigation)

"He was excellent in cross-examination, good on the page, user-friendly and good with clients." "Nick is very client friendly, very robust but also a team player when you are working with him." (Chambers & Partners 2026, International Arbitration: General Commercial & Insurance)

"An impressive advocacy style and forceful written submissions." (Legal 500 2026, International Arbitration: Counsel)

"Nicholas is fantastic – completely rock solid and reliable. He's the fulcrum of any team you put him in." "The striking thing for me is his pragmatism. He is commercially minded and focused on achieving the end goal. He never gets too bogged down in the law." "He is going to be an absolute superstar silk." (Chambers & Partners 2025, Commercial Dispute Resolution)

"Nick is an excellent barrister. He is quick to get up to speed on complex issues and he is very pragmatic and commercial." (Legal 500 2025, Commercial Litigation)

"Nicholas Sloboda is a very sophisticated tactician who is able to identify the weak points in an opponent's case." (Chambers

& Partners 2025, Energy & Natural Resources)

"Clever, hardworking and reliable, Nicholas is a terrific team player who makes any team better." (Legal 500 2024, Energy)

"Nicholas is really clever and easy to work with." "Nicholas is very good - quick, decisive and clear-sighted." "He is fantastic. He is all over the detail, a joy to work with and an effective advocate." (Chambers & Partners 2025, Civil Fraud)

"He has a formidable intellect." (Legal 500 2025, Civil Fraud)

"Nicholas is not just a brilliant lawyer but he wraps that around a brilliant manner. He is in all of the leading group litigation cases." "Nick has detailed technical knowledge which he applies to untangle complex matters in a digestible way."

"Nicholas is absolutely brilliant. His ability to work with different people is exceptional." "Nicholas is very confident on his feet. He's very reassuring." (Chambers & Partners 2025, Group Litigation)

"Nicholas is an all round superstar. A fantastic advocate, a real team player, and technically fantastic. He is one of the best." (Legal 500 2025, Group Litigation)

"Nicholas is a superstar. He's very effective on his feet, diplomatic in his advice and solutions-oriented." "He is very clear on the page, a great cross-examiner and a thoroughly nice guy to work with." "Nicholas Sloboda has a very relaxed demeanour in court, but he fights hard for his clients. He's a formidable opponent." "Nicholas is a very sophisticated tactician who is able to identify the weak points in an opponent's case." (Chambers & Partners 2025, International Arbitration)

"The complete barrister. Excellent on his feet, on the page, and in front of clients. One of the leading juniors of his generation who deservedly made silk this year. A fantastic strategic thinker who is (at least) one step ahead of his opponents." (Legal 500 2025, International Arbitration)

"Nick is an excellent barrister. He is quick to get up to speed on complex issues and he is very pragmatic and commercial" (Legal 500 2025, Commercial Litigation)

"Clever, Hardworking and reliable. Nicholas is a terrific team player who makes any team better" (Legal 500 2025, Energy)

"He has a formidable intellect" (Legal 500 2025, Fraud: Civil)

"Nicholas is a all round superstar. A fantastic advocate, a real team player, and technically fantastic. He is one of the best." (Legal 500 2025, Group Litigation)

"Approachable, practical and a real calming influence." (Chambers & Partners 2024, Commercial Dispute Resolution)

"Nicholas has a really good grip on the commercial drivers of a case and knows how to present his submissions to the court in a compelling way." (Chambers & Partners 2024, Commercial Dispute Resolution)

"Nicholas Sloboda is very good on tactics and group litigation. He's very sharp, hard-working and concise in his advice." (Chambers & Partners 2024, Energy & Natural Resources)

"Nicholas is phenomenally smart and he wears it very lightly. He has really good judgement and motivates the team." (Chambers & Partners 2024, Civil Fraud)

"He's very intelligent and extremely persuasive in his written advocacy." (Chambers & Partners 2024, Civil Fraud)

"Nicholas has a really good grip on the commercial drivers of a case and how to present it to the court in a compelling way. He really gets the client's angle." (Chambers & Partners 2024, Group Litigation)

"He is phenomenally smart but wears it lightly." (Chambers & Partners 2024, Group Litigation)

"Nicholas has excellent technical legal knowledge of group litigation claims and a great strategic approach." (Chambers & Partners 2024, Group Litigation)

"It is always a pleasure to work with Nick. He is clearly one of the leaders of his generation at the Commercial Bar." (Chambers & Partners 2024, International Arbitration)

"He is really solid and good on the detail." (Chambers & Partners 2024, International Arbitration)

"Inspires confidence with his attention to detail and retention of the facts and progress of the case. He is very responsive, engaging, and practically minded." (Legal 500 2024, Commercial Litigation)

"Nick is very in demand: a robust and assured advocate. His mastery of detail is most impressive and he takes on advocacy roles even in teams where he is led." (Legal 500 2024, International Arbitration)

"Nick is lovely to deal with and a real team leader. He wraps a ferocious intelligence in a genial and down to earth manner which is very well liked by clients." (Legal 500 2023, Commercial Litigation)

"Exceptionally good and a silk in waiting He is extremely decisive and clear in his advice" (Chambers & Partners 2023, Energy & Natural Resources)

"Nick is clever, practical and always prepared to roll up his sleeves in a case. He is an incredibly impressive and bright barrister" (Legal 500 2023, Group Litigation)

"He's very smart, listens very well and has a strong instinctive feel about points in evidence. He's a pleasure to work with." (Chambers & Partners 2022, Civil Fraud)

"Clever, hardworking and ever so sensible and practical, he is a real star and a joy to work with" (Legal 500 2021, Energy)

Academic Achievements

Lord Denning Scholarship, Lincoln's Inn
Wolfson Scholarship, Lincoln's Inn
Hardwicke Entrance Award, Lincoln's Inn
Winner, Maitland Advocacy Prize

Education

[2002 - 2005] Oxford University: BA (Hons) Modern History (First Class)
[2005 – 2007] City University, CPE and BVC.

Awards





ONE ESSEX COURT

Contact Clerks



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