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Simon Gilson

Barrister
Call 2013

Scope of Practice

• Agency • Arbitration • Banking and Financial Services • Civil Fraud and Investigations • Commercial Litigation • Company and Insolvency • Economic Torts • Energy and Natural Resources • Guarantees • Injunctive Relief • Jurisdiction and Conflict of Laws • Professional Liability • Restitution • Restraint of Trade • Sale of Goods and Supply of Goods and Services

Overview

Simon Gilson's practice spans a broad spectrum of commercial work including in the areas of banking and finance, civil fraud, energy and natural resources and professional liability. He primarily acts as senior junior counsel in legal teams conducting complex, high-value litigation in the English courts and offshore common-law jurisdictions and international arbitration under various institutional rules or ad hoc. As sole counsel, he advises individuals and companies in relation to a wide range of commercial and company disputes and he regularly appears as an advocate in his own right.

Simon's recent work includes:

- **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.

- **(1) Gulf Investment Corporation (2) General Retirement and Social Insurance Authority v Port Link Ltd & Ors:** Acted for two Gulf investment funds in a US$100bn multi-jurisdictional civil fraud action arising out of the activities of a Cayman private equity fund (led by Paul Stanley KC).

- **A v B:** Acting for a private equity group in an LCIA arbitration in a professional negligence claim against an international law firm (led by Rhodri Davies KC).

- **Various Claimants v. Nissan Motor Co Limited & Ors:** Acting for the Nissan Group in a threatened major group action (36,000 + claimants) arising out of alleged breaches of emissions regulations in Nissan vehicles (led by Daniel Toledano KC and Anneli Howard KC).

- Acted in a CAS arbitration (widely covered in the Swiss, German and Austrian press) concerning a contested

election for the Presidency of the Fédération Internationale de Ski et Snowboard raising issues of Swiss constitutional law (led by Lord Grabiner KC).

- **OMERS Administration Corporation and others v Tesco Plc**: Acted for 58 institutional investors in these high-profile c.US$480m claims against Tesco arising out of its historic profit overstatements (led by Neil Kitchener QC). The claims settled shortly before a 13-week Financial List trial in mid-2020. These were the first claims under s90A FSMA 2000 for fraudulent financial reporting by a public company and featured in The Lawyer's Top 20 cases for 2020. The Claimants prevailed in a number of substantial interlocutory disputes which are reported at [2019] EWHC 2858 (Ch) and [2019] EWHC 3312 (Ch).

- **Primeo Fund v HSBC (FSD 30/2013):Primeo Fund v HSBC (FSD 30/2013):**Successfully defended two HSBC Group companies (led by Richard Gillis KC) in a three-month trial of c.$2bn professional negligence claims in the Cayman Islands arising out of the Madoff securities fraud ([2017] (2) CILR 334). Primeo's appeal was dismissed by the Cayman Islands Court of Appeal following a ten-day hearing in late 2018. A two-part Privy Council appeal was argued in 2021 and final judgment is pending.

- **Xie Zhikun and others v XiO GP Limited and others**: Advised and acted in arbitral and court proceedings with in a billion-dollar multi-jurisdictional private equity dispute (with Lord Grabiner KC).

- **Stichting Vestia v Nomura**: Acted for a Dutch housing association in a €200m swaps claim against Nomura bank (settled in Q4 2022) (led by Benjamin Strong KC).

- Acted in a two-week LCIA arbitration raising issues of illegality, regarding ownership and control of a foreign bank.

- Acted and appeared (unled) in strike-out/summary judgment hearings in a c.£2m renewable electricity dispute.

- Acted for Deutsche Bank AG (with Sonia Tolaney KC) in circa €500m litigation arising out of the collapse of Kaupthing bank
.
- Acted for News Group Newspapers Ltd (led by Antony White KC and Anthony Hudson KC) in the Mobile Telephone Voicemail Interception Litigation, arising out of allegations of phone hacking at the News of the World.

Simon is proficient in French and Spanish.

Examples of Recent Cases

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.
- **Primeo Fund v HSBC (FSD 30/2013):Primeo Fund v HSBC (FSD 30/2013)** Successfully defended two HSBC Group companies (led by Richard Gillis KC) in a three-month trial of c.$2bn professional negligence claims in the Cayman Islands arising out of the Madoff securities fraud ([2017] (2) CILR 334). Primeo's appeal was dismissed by the Cayman Islands Court of Appeal following a ten-day hearing in late 2018. A two-part Privy Council appeal was argued in 2021 and final judgment is pending.
- **Proxima Property Topco Ltd v Merrill Lynch International and ors**

Acted for the claimant in claims for rescission of five swaps on the grounds of misrepresentation including in relation to LIBOR (with Lord Wolfson KC).

- **BNY Mellon Corporate Trustee Services Ltd v LBG Capital Plc and anr**
  Advised certain ECN noteholders in relation to Lloyds' proposed redemption of around £3.3bn contingent convertible bonds (with Lord Wolfson KC).
- **Chesterfield United Inc and anr v Deutsche Bank AG and ors**
  Acted for Deutsche Bank AG in circa €500m claims relating to certain high-value credit-linked notes and swaps entered into shortly before the collapse of Kaupthing bank (with Sonia Tolaney KC).

Commercial Disputes

- **Various Claimants v. Nissan Motor Co Limited & Ors**
  Acting for the Nissan Group in a threatened major group action (36,000 + claimants) arising out of alleged breaches of emissions regulations in Nissan vehicles (led by Daniel Toledano KC and Anneli Howard KC).
- **OMERS Administration Corporation and others v Tesco Plc**
  Acted for 58 institutional investors in these high-profile c.US$480m claims against Tesco arising out of its historic profit overstatements (with Neil Kitchener KC and Richard Mott). The claims settled shortly before a 13-week Financial List trial in mid-2020. These were the first claims under s90A FSMA 2000 for fraudulent financial reporting by a public company and featured in The Lawyer's Top 20 cases for 2020. The Claimants prevailed in a number of substantial interlocutory disputes which are reported at [2019] EWHC 2858 (Ch) and [2019] EWHC 3312 (Ch).
- **(1) Gulf Investment Corporation (2) General Retirement and Social Insurance Authority v Port Link Ltd & Ors**
  Acted for two Gulf investment funds in a US$100bn multi-jurisdictional civil fraud action arising out of the activities of a Cayman private equity fund (led by Paul Stanley KC).
- **F45 Training Pty Ltd & anr v Leo Star Ltd & ors :** Acting for the defendants in claims for alleged breach of non-compete restrictions and misuse of confidential information in relation to a London gym franchise.
- **Canouan Resorts Development Ltd v CDCH Ltd:** Acting for the claimant in a shareholder dispute relating to a Caribbean resort joint venture (with David Cavender QC).
- **NUH NHS Trust v Carillion Ltd**
  Advised a major facilities management and construction company in a dispute with an NHS Trust (with Lord Wolfson QC).
- **Rochester Resources & ors v Leonid L. Lebedev & anr**
  Assisted Lord Grabiner QC and Orlando Gledhill in a dispute arising out of a joint venture in relation to TNK-BP and its sale to Rosneft. Assisted in an anti-suit injunction ([2014] EWHC 2926 (Comm)) and in an application to redact evidence to remove reference to privileged documents ([2014] EWHC 2185 (Comm)).

Arbitration

- **A v B**
  Acting for a private equity group in an LCIA arbitration in a professional negligence claim against an international law firm.
- Acted in a CAS abitration (led by Lord Grabiner KC) concerning a contested election that raised issues of Swiss constitutional law.
- Acted in a two-week LCIA arbitration raising issues of illegality, regarding ownership and control of a foreign bank
- **SIAC arbitration:** Acted in US$5.5bn dispute between multinational energy groups involving claims for deceit and breach of warranty (with Laurence Rabinowitz QC and others).
- **UNCITRAL arbitration:** Assisting Kenneth MacLean QC in a £200m+ gas supply dispute in southeast Asia.
- **LCIA arbitration:** Acting for a major oil and gas company in a dispute under a Production Sharing Agreement and SPA in relation to oil mining blocks offshore Nigeria.
- **LCIA arbitration:** Acting for the claimant in LCIA proceedings in connection with the Russian and CIS internet games market (raising issues of foreign law illegality and Russian competition law) (with Nicholas Sloboda).
- **C v D1 and ors:** Acting for a Nigerian subsidiary of a major international oil company in a s.67 Arbitration Act

jurisdiction challenge in the Commercial Court ([2015] EWHC 2126 (Comm)) (with David Wolfson QC).

Energy and Natural Resources

- **SIAC arbitration:** Acted in US$5.5bn dispute between multinational energy groups involving claims for deceit and breach of warranty (with Laurence Rabinowitz QC and others).
- **UNCITRAL arbitration:** Assisting Kenneth MacLean QC in a £200m+ gas supply dispute in southeast Asia.
- **LCIA arbitration:** Acting for a major oil and gas company in a dispute under a Production Sharing Agreement and SPA in relation to oil mining blocks offshore Nigeria.

Restitution

- **Vestia v Nomura**
  Acted for a Dutch housing association in a €200m swaps claim against Nomura bank (settled in Q4 2022) (led by Benjamin Strong KC)
- Acted for a group of golf clubs in claims for restitution of overpaid VAT (with Max Schlote).
- Advising Manchester City Council in connection with the levying of allegedly unlawful taxi licence fees (with Gerald Gouriet QC).

Professional Liability

- **Primeo Fund v HSBC (FSD 30/2013)**
  Successfully defended two HSBC Group companies (led by Richard Gillis KC) in a three-month trial of c.$2bn professional negligence claims in the Cayman Islands arising out of the Madoff securities fraud ([2017] (2) CILR 334). Primeo's appeal was dismissed by the Cayman Islands Court of Appeal following a ten-day hearing in late 2018. A two-part Privy Council appeal was argued in 2021 and final judgment is pending.
- **A v B** Acting for a private equity group in an LCIA arbitration in a professional negligence claim against an international law firm.
- Successfully defended a solicitor professional negligence claim in a 2 day trial.

Advocacy and instructions as sole counsel

- Successfully defended a solicitor professional negligence claim in a 2 day trial.
- **Advertising Excellence Limited -v- Damien O'Brien**
  Appeared unled in 2 day Commercial Court debt proceedings worth £250,000.
- **Nigel O'Sullivan v Jeremy Noseda**
  King's Bench Division CMC - dealing with discosure issues in the context of an equine dispute.

What the Directories Say

Chambers & Partners 2025 (Commercial Dispute Resolution) "Simon demonstrates fantastic command of the issues."

"Simon is charming and a pleasure to work with. He is commercial in his thinking and a great team player."

"His drafting is really good and his attention to detail and thoughtfulness are plain for all to see."

"Simon is very bright and can be relied on to roll his sleeves up and do the job well."

Legal 500 2025 (Commercial Litigation) *"Simon is very user-friendly and he writes very clearly and elegantly. He is consistently responsive and pragmatic in providing advice and offering creative solutions."*

Chambers & Partners 2024 (Commercial Dispute Resolution) *"Simon Gilson is academically bright, user friendly and someone who displays first class attention to detail." "He works incredibly hard and is very clear and unswerving in his efforts*

to get the job done." "Simon's attention to detail is excellent. He works hard and is a team player."

Chambers & Partners 2023 (Commercial Dispute Resolution) "*Simon produces clear and precise drafting and is a key team player.*"

Education

University of Cambridge: BA (Hons) English (First Class) [2006-2009]
University College London: MA Philosophy [2009-2010]
City University: GDL [2011-2012]
BPP Law School: BPTC [2012-2013]

Academic Achievements

Foundress Scholar, Pembroke College, University of Cambridge
Astbury Scholar, Middle Temple

Languages

Proficient in French and Spanish

Awards





Contact Clerks



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