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## Tim Goldfarb

Barrister

Call 2015



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## Scope of Practice

• Administrative & Public Law • Arbitration • Banking and Financial Services • Civil Fraud • Commercial Litigation • Company and Insolvency • Energy and Natural Resources • Injunctions (including freezing order and search orders) • Jurisdiction and Conflict of Laws • Tax and Revenue

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## Overview

Tim has developed a broad commercial practice since transferring to the bar in 2015, acting in disputes and advisory work across chambers' areas of expertise. Prior to that, Tim worked as a solicitor where he advised on a range of complex commercial disputes (before the English courts and under the rules of major arbitral institutions), gaining experience of all stages of proceedings

Tim's current and recent cases include:

- **Pipia v BG UK**  
Tim acted (with Sonia Tolaney QC and Alexander Polley) for the UK holding company of Bank of Georgia, in relation to claims that it or its operating subsidiaries wrongfully deprived the claimant of the benefit of a business in Georgia (one of The Lawyer's top cases of 2021). BG UK succeeded in striking out Mr Pipia's claim at the start of trial for non-payment of security for costs.
  - **Warner-Lambert Company LLC and Pfizer Limited [2021] EWHC 2182 (Ch)**  
Tim is acting (alongside Richard Boulton KC and others) for Warner-Lambert and Pfizer in defending claims (in excess of £700 million) arising from cross-undertakings in damages given by Warner-Lambert in support of injunctions it obtained in proceedings concerning the infringement and validity of the patent for the blockbuster pain drug, Lyrica. A first trial of preliminary issues was heard in June 2021 ([2021] EWHC 2182 (Ch)) and further trials are listed in 2022 and 2023.
  - **Travelport Ltd v WEX [2020] EWHC 2670 (Comm)**
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Tim appeared with Richard Hill QC, Sa'ad Hossain QC, Seb Isaac and others for the sellers of a travel payments business in a \$1.7 billion transaction in the trial of preliminary issues relating to whether the "Material Adverse Effect" clause in the contract releases the buyers from the obligations to close as a result of the effect of the Covid-19 pandemic.

- **Re Lehman Brothers Holdings Plc (in administration) and LB Holdings Intermediate 2 Limited (in administration) [2020] EWHC 1681 (Ch)**

Tim appeared with Sonia Tolaney QC and Richard Fisher QC for Deutsche Bank representing the interests of subordinated bondholders in the administrations of two companies in the Lehman Brothers group. An appeal is listed to be heard over 6 days in October 2021.

- **Lonestar Communications Corporation LLC v Kaye & Ors [2020] EWHC 1890 (Comm)**

Tim acted alongside Sonia Tolaney QC for the third defendant in economic tort claims brought by a Liberian telecommunications company for damages arising from alleged cyber-attacks on its network.

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## Examples of Recent Cases

### Arbitration

- Acted (led by Jeffery Onions QC) for a global asset management firm in the successful defence of a claim by an infrastructure company in an UNCITRAL arbitration.
- Acted (led by David Streatfeild-James QC) for a contractor in an ICC arbitration concerning a major infrastructure project in the Middle East
- Acted (led by Sa'ad Hossain QC) in the successful defence of a claim related to the breach of a joint venture agreement in an ICC arbitration.

### Commercial Litigation

- **Re Lehman Brothers Holdings Plc (in administration) and LB Holdings Intermediate 2 Limited (in administration) [2018] EWHC 2017 (Ch)**

Acting (led by Sonia Tolaney QC) for Deutsche Bank representing the interests of subordinated bondholders in the administrations of two companies in the Lehman Brothers group.

- **Re Lehman Brothers International (Europe) (in administration)**

Acted (led by Sonia Tolaney QC) for Barclays Capital in connection with its interests as a creditor in the administration of Lehman Brothers International (Europe).

- Acting (led by Andrew Butler QC) in commercial court proceedings involving a claim for breach of a joint venture agreement.

- **Banco Santander Totta v. Carris and others [2016] EWHC 465 (Comm)**

Assisted (during pupillage) Laurence Rabinowitz QC, John Odgers QC and Simon Colton acting for the successful claimant in the first Financial List trial. The proceedings concerned the validity and enforceability of interest rate ISDA swaps with mark-to-market values of approximately €1.3 billion.

- **Autonomy Corporation Limited v Lynch and Hussain**

Assisted (during pupillage) Laurence Rabinowitz QC and Conall Patton acting for Autonomy and others in claims for breach of fiduciary duty, breach of contract and misrepresentation in relation to the acquisition of Autonomy by the Hewlett-Packard group.

- Assisted (during pupillage) Laurence Rabinowitz QC, Patrick Goodall QC and Conall Patton acting for Mr Kolomoisky in a high-profile Commercial Court claim between three Ukrainian businessmen concerning title to an iron ore plant.

## Banking and Financial Services

- **Re Lehman Brothers Holdings Plc (in administration) and LB Holdings Intermediate 2 Limited (in administration) [2018] EWHC 2017 (Ch)**  
Acting (led by Sonia Tolaney QC) for Deutsche Bank representing the interests of subordinated bondholders in the administrations of two companies in the Lehman Brothers group.
- **Re Lehman Brothers International (Europe) (in administration)**  
Acted (led by Sonia Tolaney QC) for Barclays Capital in connection with its interests as a creditor in the administration of Lehman Brothers International (Europe).
- **Banco Santander Totta v. Carris and others [2016] EWHC 465 (Comm)**  
Assisted (during pupillage) Laurence Rabinowitz QC, John Odgers QC and Simon Colton acting for the successful claimant in the first Financial List trial. The proceedings concerned the validity and enforceability of interest rate ISDA swaps with mark-to-market values of approximately €1.3 billion.
- Assisted (during pupillage) Jamie Goldsmith acting for investors in a complex dispute arising out of alleged negligence and fraudulent or negligent misrepresentations by a leading rating agency (S&P) and a bank (RBS). The damages claimed exceed €130m.
- Assisted (during pupillage) Simon Colton advising a major UK financial institution in relation to an ongoing regulatory investigation.

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## What the Directories Say

**Chambers & Partners 2024 (Banking & Finance)** *"He is excellent, a really strong junior. Timothy is reliable in his analysis and very hard-working." "He's very bright and very user-friendly."*

**Chambers & Partners 2024 (Commercial Dispute Resolution)** *"Timothy Goldfarb is very good on the detail and has a lot of technical ability." "He is bright, exceptionally hard working and a good strategic thinker." "Timothy is astute, practical and user-friendly."*

**Legal 500 2024 (Banking & Finance)** *'Academically excellent, focused and user friendly. No obvious weaknesses. He is reliable and absolute star.'*

**Chambers & Partners 2023 (Commercial Dispute Resolution)** *"Timothy shows great aptitude beyond his years, and is both pragmatic and commercial. He's all over the factual and legal detail of a case."*

**Chambers & Partners 2022 (Commercial Dispute Resolution)** *"A future star with an enormous capacity for work and a talent for distilling complex issues into an intelligible form"*

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## Education

University of Oxford, New College: BA Jurisprudence (First Class Honours) [2006-2009]

The College of Law: Legal Practice Course (Distinction) [2009-2010]

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## Professional Experience

Trainee solicitor (rotations in: structured finance, corporate, dispute resolution and tax), Weil, Gotshal & Manges (London) [March 2011 to March 2013].

Associate, dispute resolution, Weil Gotshal & Manges [March 2013 to August 2015].

Judicial assistant to Lord Mance JSC, Supreme Court of the United Kingdom [September 2013 to July 2014]. Tim worked as the judicial assistant to Lord Mance JSC. During that time he developed a detailed understanding of all stages of the appeals process in the Supreme Court and Privy Council: from permission to appeal to judgment. In addition, Tim worked closely with Lord Mance and the other Justices in a number of the leading cases in chambers' areas of practice, including:

- Williams v Central Bank of Nigeria [2014] UKSC 10 (the characterisation under the Limitation Act of a claim for dishonest assistance of a breach of trust and knowingly receipt of trust property);
- Cox v Ergo Versicherung AG [2014] UKSC 22 (the private international law rules on the law applicable to the scope of damages in tort);
- Les Laboratoires Servier v Apotex Inc [2014] UKSC 55 (the illegality defence);
- Aspect Contracts (Asbestos) Ltd v Higgins Construction Plc [2015] UKSC 38 (the effect of adjudication pursuant to provisions implied into construction contracts by statute, raising issues on implied terms and restitution);
- Cavendish Square Holding BV v Talal El Makdessi [2015] UKSC 67 (the doctrine on contractual penalties);
- Fairfield Sentry Ltd (In Liquidation) v Migani [2014] UKPC 9 (contractual interpretation and the interaction between the law of contract and the law of unjust enrichment relating to a claim to recover payments made to a 'feeder fund' of Bernard L Madoff Investment Securities LLC);
- Singularis Holdings Ltd v PricewaterhouseCoopers [2014] UKPC 36 (the extent of the common law power to give assistance to a liquidator of a foreign company) and the closely related appeal in Saad Investments Co Ltd [2014] UKPC 35.

Solicitor advocate (admitted with higher court rights of audience (civil)) [2015]

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## Other Experience

Anti-suit Injunctions: Expanding Protection for Arbitration under English Law, Dispute Resolution International (Jamie Maples and Tim Goldfarb) [November 2013]

Prudential decision and tax structuring: A cautionary tale, PLC Magazine (Oliver Walker and Tim Goldfarb) [April 2013]

Decision making in land law, seminar at the Society of Legal Scholars annual conference (Prof Sue Bright and Tim Goldfarb) [2011]

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## Languages

- German (fluent)
  - Russian (fluent)
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## Awards



# Contact Clerks



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