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Expert witness assignments

Field: PI related cover
Year(s): 2006-2007
Description: Analyses of a number of complex structured transactions in connection with a bank's claim under its Professional Indemnity insurance policies.

Field: Reliance on Auditor's Report
Year(s): 2004-2007
Description: Examination of the reliance placed by a bank on a "clean" auditor's report when considering and approving credit facilities and of the steps which a bank would take on receipt of a qualified audit..

Field: Borrowing frauds
Year(s): 2005-2007
Description: Expert reports dealing with high value claims against corporates whose officers entered into fraudulent cross-border borrowing facilities with a number of banks. Areas covered include credit analysis and approval procedures, due diligence and AML procedures in different jurisdictions.

Field: Investment instruments
Year(s): 2006-2007
Description: Two cases in the Jersey Courts, the first dealing with an investment manager's approach in placing part of a portfolio in Zero-Coupon Preference Shares, the second with a similar investment in Traded Endowment Policies.

Field: Claim under guarantee
Year(s): 2006
Description: An Arbitration dealing with a claim of several hundred million US Dollars under a guarantee issued by a subsidiary of an insolvent parent. Issues covered include corporate benefit, loan participation structures and forensic tracing of funds flows across a number of banks and jurisdictions.

Field: Trade Finance and Forfaiting
Year(s): 2006
Description: Two cases, one dealing with fraudulent diversion of commodities pre-financed by a banking syndicate, the other with practices in the forfaiting market in relation to a trade in forged Promissory Notes.

Field: Capital market salary and bonus levels
Year(s): 2005
Description: Commentary on a severance claim for a senior capital markets individual. Claim benchmarked against job content and industry statistics for relevant salary and bonus levels.

Field: Clearing bank procedures
Year(s): 2005
Description: Two cases involving the procedures followed by clearing banks, in one case following service of a freezing order and in the other case, in managing a complex group of connected accounts.

Field: Investment management
Year(s): 2005
Description: Several expert reports addressing investment management litigation in the High Court and in the Bahamian and Jersey Courts. Issues include investments in split capital trusts, specific investment strategies and decisions and forensic analysis of quantum of claims.

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Field: Secondary market trading in distressed debt
Year(s): 2005
Description: Commentary on development of practices in secondary market trading of syndicated bank debt in connection with litigation between UK based hedge fund and Indian corporate borrower.

Field: Bills of Exchange
Year(s): 2005
Description: Discussion of workings of Bills of Exchange, levels of understanding amongst the general public and implications in connection with criminal charges brought by the DTI over a series of borrowing facilities.

Field: Moneybroking
Year(s): 2005
Description: Expert report in connection with claim by one firm of moneybrokers against another over the hiring of an employee by another moneybroking firm.

Field: Litigation between banks
Year(s): 1998-2004
Description: Instructed by solicitors to State Bank of India to deal with allegations by the Liquidators of BCCI that facilities provided to the second bank's customer had no bona fide commercial purpose and that their sole object was fraudulent manipulation of the second bank's accounts.

Field: Investment management
Year(s): 2003-2004
Description: Advice on due diligence procedures carried out by Bahamas-based investment manager when considering investment in specialised classes of securities

Field: Trade finance
Year(s): 2000-2004
Description: A number of cases, three of which went to trial in the High Court. These involved:

- A bank's responsibilities in a situation where it was presented with fraudulent documents under a trade finance facility.
- The question of a bank's duties to its client in connection with the wording of bills presented for acceptance.
- Responsibilities of a negotiating bank to an issuing bank.
- Credit evaluation and monitoring procedures for trade finance extensions of credit.

Field: Credit card fraud
Year(s): 2003
Description: Advice on standard banking practice in clearing credit card payments on behalf of a merchant, including explanation of what steps and parties are involved in a typical transaction.

Field: Investment management
Year(s): 2002
Description: Advice on investment strategies adopted for a number of portfolios and on issues of churning.

Field: Foreign Exchange trading
Year(s): 2002
Description: Report on regulatory requirements to be met by a UK incorporated bank dealing with foreign exchange trading for an offshore private client and forensic analysis of trades undertaken over a period of several years.

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Field: Interbank relationships
Year(s): 2002
Description: Advice on market practice on dealings between banks in the interbank market and procedures for assessing and approving bank risk exposures.

Field: Stockbroking procedures
Year(s): 2001
Description: Forensic analysis of a private client portfolio, commentary on losses suffered and advice on standards to be expected from a stockbroker dealing with individual and corporate clients.

Field: Investment management
Year(s): 2001-2002
Description: Advice to the Trustees of a Pension Fund on the investment strategy adopted by fund managers, benchmarking it against market indices and commenting on the outcome of the approach adopted.

Field: Valuation of borrower's covenant
Year(s): 2001
Description: Advice on potential approaches to valuation of borrower's covenant in case involving limitation issues.

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Field: Merchant banking
Year(s): 2001
Description: Report on conduct of a merchant bank during a hostile takeover, including comment on market practice in dealings with Takeover Panel and quantum of professional fees.

Field: Tax treatment of losses on intercompany lending
Year(s): 1999-2000
Description: Instructed by the Inland Revenue's Solicitor's Office to address whether loans by a European parent company to a leasing subsidiary were made on an arm's length basis and in the ordinary course of business. Oral evidence before the Special Commissioners.

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Field: Hotel lending
Year(s): 1998-1999
Description: Advice on lending policies, procedures and documentation which a reasonably prudent lender would be expected to have in place for dealing with a portfolio of loans secured on hotels in the UK.

Field: Negligent/reckless lending
Year(s): 1995-1998
Description: Retained by the management of a financial institution in Creditors' Voluntary Liquidation to review a number of loans and to comment on whether these constituted reckless or negligent lending decisions by prior Directors. The assignment included calculation of the impact of accounting policies adopted on published financial statements and the implications on payment of dividends prior to insolvency.

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Field: Property lending
Year(s): 1993-1999
Description: Approximately 20 cases involving commercial property lending, dealing with a wide range of properties. Issues addressed include prudent approval procedures; loan to value ratios; use of Mortgage Indemnity Policies; syndicated loan documentation; relationships between banks and their professional advisors; and reckless/negligent lending. Oral evidence given in two major cases.
