

Alec Haydon QC

YEAR OF CALL: 1993 YEAR OF SILK: 2019

"He's an exceptionally capable lawyer..." "An intelligent and balanced advocate who takes a considered and persuasive approach." "He has a good tactical sense."

Chambers & Partners 2018

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Practice Overview

Alec Haydon is a commercial barrister who has acquired a broad range of experience acting in significant, high profile, high value, disputes involving a wide variety of issues and litigants. Before taking silk, he was sought-after as a senior junior by the most successful commercial practitioners but also enjoyed opportunities to act as leader or as sole advocate both in trials and in heavy, contested, interlocutory hearings which could involve anything from the extent of disclosure to making applications for injunctions and freezing orders.

Alec has been recognised in the directories as a Leading junior barrister in Commercial Litigation, Civil Fraud and Energy & Natural Resources.

Commercial

General Commercial

Alec has been involved in a wide range of general commercial disputes as illustrated by the examples below. He is recognised to have good commercial judgment and an ability to identify the key issues in a case from an early stage of the proceedings.

DP World Djibouti FZCO v Port de Djibouti SA [2018] EWHC 2340 (Comm) – Acting for DPW successfully obtaining an injunction under section 44(3) of the Arbitration Act 1996 preventing PDSA from taking control of DCT, a joint venture company, pending resolution by a London-seated arbitration of the dispute as to whether the parties' joint venture agreement has been terminated under Djibouti law and what effect that has on the Articles of Association of the joint venture company jointly owned by the parties.

Dale Vince & Ecotricity v HMRC [2016] EHC 3144 (Ch) – acting for the Claimants and obtaining declarations that Mr Vince had been the legal and beneficial owner of trademarks in Ecotricity before he sold them to Ecotricity in 2007.

Alec has been led by Mark Howard QC, Mark Haggood QC and Laurence Rabinowitz QC in a number of high-profile "oligarch" disputes including the following.

Privat Bank v Kolomoisky and Bogolyubov – acting for Mr Kolomoisky seeking to discharge a WFO and

challenging the Court's jurisdiction asserted under Article 6(1) of the Lugano Convention.

Pinchuk v. Bogolyubov and Kolomoisky – acting for Mr Bogolyubov in an action between billionaire Ukrainian businessmen to resolve a dispute about the ownership of shares in a formerly state-owned mining enterprise, KZhRK.

Berezovsky v. Patarkatsishvili - acting for a Russian oligarch in a dispute concerning the existence and extent of an oral partnership agreement with his deceased business partner.

Civil fraud

Alec enjoys the forensic challenge presented by fraud cases and the strategic issues that arise in determining how best to recover money that has been lost.

Alliance Bank JSC v Zhunus and Arip [2015] EWHC 714 (Comm) – acting for Mr Arip, a Kazakh businessman, successfully applying to discharge a WFO obtained by Alliance Bank in support of allegations of a fraudulent scheme to deprive the bank of valuable security for loans and to set aside service of the Claim Form on the ground that there was no serious issue to be tried and material non-disclosure at the *ex parte* stage.

Amber v. Wilkinson – acting for participants in a film finance scheme who alleged that the organiser of the scheme had defrauded them of their investment and had not made any arrangements for the films the subject of the scheme to be made. Obtaining urgent freezing and disclosure orders.

BSKYB -v- EDS [2010] BLR 267 - acting for BSKYB in a computer software warranty claim worth in excess of £300 million in the TCC brought by SKY concerning the implementation of a new CRM system. Alec was primarily responsible in the counsel team for the complicated exercise involved in adducing evidence to quantify the loss.

BHP Billiton Petroleum v. Dalmine Spa [2003] BLR 271 (CA) – acting for a purchaser of pipes for a sub-sea pipeline in an action against the Italian manufacturer/seller seeking damages for breach of contract and fraud in the certification of the pipes.

Energy and natural resources

Alec is interested in the science behind energy disputes and enjoys getting to grips with expert issues that arise.

BG v Talisman & Idemitsu [2015] EWHC 110 (Comm) – acting for Idemitsu in its dispute with BG and Talisman concerning the distribution of expenses incurred by Talisman in operating a floating, production, storage and offloading vessel in the North Sea to process crude oil from two neighbouring fields.

Electrobel International Holdings BV v. Teesside Power Holdings Limited - acting for the sellers of shares in the company owning Teesside Power Station defending allegations of breach of warranty relating to various assets material to the operation of the power station including steam turbines and a subsea gas pipeline.

Alfa Petroleum Holding Limited v. BP International Limited - acting for BP in a dispute concerning the construction of a Joint Venture agreement with companies owned by Russian oligarchs who, with BP, were shareholders in TNK-BP. Seeking to set aside an injunction restraining BP from pursuing an opportunity to explore the Arctic for oil under a new Joint Venture with Rosneft.

BHP Billiton Petroleum v. Dalmine Spa [2003] EWCA Civ 170 – acting for a purchaser of pipes for a sub-sea pipeline in an action against the Italian manufacturer/seller seeking damages for breach of contract and fraud in the certification of the pipes.

Banking and finance

Rosserlane v. Credit Suisse - acting for a bank in defence of a claim by a borrower that the bank breached an alleged duty of care owed to the borrower in exercising its right to force a sale of an asset belonging to the borrower to realise funds to repay the loan.

Shanning International Ltd v. Rasheed Bank – acting for Lloyds Bank plc resisting payment to the liquidators of the Claimant company of a deposit securing a counter-guarantee given to the Defendant Iraqi bank which could not be enforced while EU sanctions were in place prohibiting payments to be made to Iraqi banks.

National Westminster Bank v Somer – acting for the bank at first instance seeking restitution of a payment made to Somer by mistake.

Insurance and reinsurance

Maritech Resources Inc v. Ironshore Insurance Limited – acting for a Texan insured in an action to recover under a catastrophe excess of loss cover against a Bermudan insurer following hurricane damage in the Gulf of Mexico.

John Hancock Mutual Life Insurance - acting in various arbitrations concerning the reinsurance of books of business and spiral losses.

Law Debenture Trust Corporation v. Lexington Insurance - acting for defendant insurer challenging avoidance of policy for reinsurance of film finance risks.

Qualifications

1994	Admitted as Attorney to the State Bar of New York, USA.
1993-94	Harvard Law School Cambridge, MA, LL.M.
1993	Called to the Bar of England & Wales.
1989-92	Cambridge University (St. John's College), BA, 1st Class.

Directory Quotes

- "Puts clients at ease in conference, and talks to them on their level." "He has extremely good analytical skills, and he's quick to grasp complex factual situations." (Chambers & Partners UK & Global 2019)
- "Bright, diligent and someone who plays his cards right in order to get the right result." "His oral advocacy is very strong and he's an excellent tactician." (Chambers & Partners UK & Global 2019)
- "Very bright." "A very good strategist and a robust advocate." (Chambers & Partners 2019)
- "A very highly rated junior commercial silk who is clearly going places." (Legal 500 2018-19)
- "He's an exceptionally capable lawyer - a QC in everything but name." (Chambers & Partners 2018)
- "An intelligent and balanced advocate who takes a considered and persuasive approach." "He has a good tactical sense." (Chambers & Partners 2018)
- "He's not afraid to put his neck on the line and give a clear view on how the case should be presented." "He's exceedingly thorough and very decisive." (Chambers & Partners 2018)
- "He is very efficient and can absorb a lot of detail quickly" (Legal 500 2017)
- "He's quick, sensible, engaging, tough and committed." (Chambers & Partners 2017)
- "A very commercially minded and clear advocate." "He has extremely good analytical skills and is quick at grasping complex factual situations and industry concepts." (Chambers & Partners 2017)
- "He gets to the issues quickly and is very effective at identifying the best points to run." (Legal 500 2016)
- "Makes my life easy. He is unbelievably hard-working and has an encyclopaedic knowledge of the law. He gets to the heart of things straightaway and doesn't take any prisoners. He is always willing to help and come up with suggestions." (Chambers & Partners 2016)

- "A very good junior; responsive, quick, insightful and a very loyal team player." (Legal 500 2015)
- "Very good on fraud and careful to find the right strategy. He has huge experience in heavyweight commercial fraud cases and is great at fighting his corner." (Chambers & Partners 2015)
- "Incredibly good at devising strategy, getting to the key issues and finding a way through them that meets clients' commercial objectives." "He's very good on fraud and careful to find a proportionate strategy." (Chambers & Partners 2015)
- "He is extremely technically proficient. He has an excellent practice and is very well liked by his clients and his opponents. A real delight, he's very sensible, very measured and very effective." (Chambers & Partners 2014)
- "He immerses himself in the facts and produces beautifully drafted skeletons and pleadings" (Chambers & Partners 2014)
- "Careful to find a proportionate strategy." (Legal 500 2014)
- Alec Haydon has a "forthright style" and "an excellent ability to separate the wheat from the chaff" in a case. "Confident and direct" in his manner, he does well as he is "tenacious, thorough and insightful." (Chambers & Partners 2013)
- Alec Haydon is a "very strong" junior who is "impeccable on paper". He is also "pleasant to deal with and very hard-working," according to sources, who commend the quality of his advice and his ability to handle complex jurisdictional issues. (Chambers & Partners 2013)
- "Alec Haydon is a "fiery advocate" who has also acted in some of the most significant cases brought before the commercial courts, including B SkyB v EDS and Berezovsky v Estate of Patarkatsishvili. Commentators reserve particular praise for his "excellent numeracy skills." " (Chambers UK 2012)
- "According to sources, he constitutes "an excellent choice due to his great talent and well-directed aggression in court." " (Chambers UK 2012)
- "Alec Haydon is an impressive junior with a widely admired advocacy style. He is "a punchy advocate who gives it his all," (Chambers & Partners 2011)
- "a perfect junior who is hard-working, thorough and willing and able to take responsibility." (Chambers & Partners 2011)
- "A rising star of the Commercial Fraud Bar, Haydon is singled out as a "hard-hitting advocate who really cares about his cases." (Chambers & Partners, 2010)
- "'seems to have something of a Sumption about him.' Commentators note that he has the 'ability to make a point directly and the courage to see his case through.'" (Chambers & Partners, 2009)