

Simon Birt QC

YEAR OF CALL: 1998 YEAR OF SILK: 2015

“extremely intelligent, user-friendly and someone who fully grasps complex details.” “Immensely hard-working, very bright and a real team player.”

Chambers & Partners 2018

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Practice Overview

Simon's practice covers all aspects of commercial litigation and arbitration, including banking and financial services, insurance, civil fraud, professional negligence and shipping. Since taking silk in 2015, he *“has established himself in silk as a skilled advocate in banking and general commercial disputes”* (Chambers & Partners, 2018) and is listed in the legal guides as a leading silk in the fields of commercial dispute resolution and banking and financial services. He has appeared in a wide variety of cases in the High Court in London, in offshore litigation and in arbitration.

Commercial

Simon has recently been involved in a long running dispute in the BVI between Russian oligarchs relating to a joint venture concerning electricity generation and distribution (*Renova Industries v Emmerson*) and is also currently instructed in a large-scale piece of litigation in London dealing with disputes about a series of film investment schemes. He also recently acted for the Bank of St Petersburg in their long-running dispute with Vitaly Arkhangelsky and in the Supreme Court in *The Ocean Victory*.

Other high profile cases include the multi-billion dollar *DeutscheBank v Sebastian Holdings* dispute, the *Fiona Trust v Privalov* fraud case, the *Masri* litigation and the *Buncefield* trial.

Simon's cases include:

- *Gard Marine & Energy v China National Chartering (“The Ocean Victory”)* [2017] 1 WLR 1793
- *Emmerson v Renova Industries* (BVIHCMAP2016/0029)
- *Bank of St Petersburg v Arkhangelsky* [2016] 1 WLR 1081
- *Scottish Power UK plc v BP Exploration Operating Co Ltd*
- *Slocom Trading v Tatik, Sibir and Maritime* [2014] EWCA Civ 831, [2012] EWHC 3464 (Ch) (and [2013] EWHC 1201 (Ch))
- *Deutsche Bank AG v Sebastian Holdings Inc* [2013] EWHC 3463 (Comm)
- *Masri v Consolidated Contractors International* [2011] EWHC 1780 (Comm)
- *Fiona Trust v Privalov* [2010] EWHC 3199 (Comm) (and at [2011] EWHC 715 (Comm), [2011] EWHC 664 (Comm) and [2011] EWHC 1312 (Comm), [2015] EWHC 527 (Comm))
- *Colourquest v Total UK: the Buncefield litigation* [2009] 2 Lloyd's Rep. 1
- *Lansat Shipping Co v Glencore Grain BV, The “Paragon”* [2009] 2 Lloyd's Rep 688
- *Datasat Communications v Swindon Town Football Company Limited* [2009] EWHC 859 (Comm)

- *Standard Life v Oak Dedicated* [2008] 1 Lloyd's Rep I.R. 552
- *Fiona v Privalov* [2008] EWHC 1748 (Comm)
- *Real Estate Opportunities v Aberdeen and UBS* [2007] 2 All ER 791
- *Ecuador v Occidental Exploration & Production Company* (No.s 1 & 2) [2005] EWHC 774 (Comm), [2005] All ER (D) 06 (May), [2005] 2 Lloyd's Rep 240, CA: [2005] EWCA Civ 1116, [2006] 1 Lloyd's Rep, [2006] QB 432
- *Masri v Consolidated Contractors International (UK) Ltd; Masri v Khoury & ors* (Comm Ct), [2005] EWHC 944 (Comm), [2005] All ER (D) 254 (May); Court of Appeal: [2005] All ER (D) 275, [2006] 1 WLR 830
- *Yukos v FSA* [2006] EWHC (Admin) 2044
- *Linelevel Ltd & Ors v Powszechny Zaklad Ubezpieczen SA* (Comm Ct), [2005] EWHC 421 (Comm), [2005] All ER (D) 289 (Mar), [2005] 2 Lloyd's Rep 534
- *Bonner v Cox (Aon 77)* [2004] EWHC 2963 (Comm)
- *Corporate Aircraft Dispatch v MBI Aviation* [2004] EWHC 587 (QB)
- *Sodeca SA v NE Investments & Ors*, Commercial Court [2002] EWHC 1700
- *Normans Bay v Coudert Brothers* [2003] All ER (D) 248; CA: [2004] EWCA Civ 215
- *Mousaka v Golden Seagull* [2001] 2 Lloyds Rep 657
- *ABTA V. British Airways* [2000] 1 Lloyds Rep 160
- Various Arbitration proceedings in fields of Insurance, Reinsurance and Shipping

Qualifications

- MA (Oxon), First Class (first in year)
- BCL, First Class
- Brasenose College, Oxford

Other scholarships and prizes include:

- Reid Scholarship (Gray's Inn)
- Du Cann Prize for Excellence in Advocacy
- Prince of Wales Scholarship (Gray's Inn)
- Martin Wronker prize for the best overall performance in Finals (Oxford University)
- Senior Hulme Scholarship (Brasenose College)

Directory Quotes

- "A super brain with an incredible work ethic. Simon is a tremendous team player who you want on your side in the largest, most hard-fought matters." (Chambers & Partners 2019)
- "Simon Birt QC is extremely clever, and the level at which he engages with the detail is incredible." "He has the ability to provide both high-level and detailed advice in a succinct manner." (Chambers & Partners 2019)
- "Highly intelligent and pragmatic; superb both on paper and in the courtroom." (The Legal 500 2018-19)
- "He is very detail-orientated." (The Legal 500 2018-19)
- Simon Birt QC is a key name in the area with a wealth of experience litigating in the banking and financial services sectors. Sources effuse that he is "extremely talented, charming and simply first-class". (Who's Who Legal - UK Bar: Banking & Finance 2018)
- "Has established himself in silk as a skilled advocate in banking and general commercial disputes." (Chambers & Partners 2018)
- "Simon is an excellent barrister. He is extremely intelligent, user-friendly and someone who fully grasps complex details." "Immensely hard-working, very bright and a real team player." (Chambers & Partners 2018)
- "He is extremely intelligent, user-friendly and he always has a full grasp of complex details." "A brilliant draftsman, who is very measured and very methodical." (Chambers & Partners 2018)
- "His ability to convey a point succinctly and clearly is second to none." (The Legal 500 2017)

- "Simon Birt QC impresses clients with his "dedication and incredible work ethic". He is known to be "very bright and analytical" with the ability to "remain calm under pressure and always demonstrates great common sense."" (Who's Who Legal - UK Bar: Banking & Finance 2017)
- "He is a great example of the new generation of top silks - he's not as bombastic as the old breed while still producing a brilliant work product." "He is extremely intelligent, highly user-friendly and always has a full grasp of the complex details in any given case." (Chambers & Partners 2017)
- "Simon's great strength is that nothing ever fazes him. Throughout twists and turns in proceedings, he is calm, collected and analytical." "He is brilliant: incredibly hard-working, approachable, responsive, fantastic on paper and very good with difficult clients." (Chambers & Partners 2017)
- "Simon Birt QC is "one of the best commercial barristers around" and is widely praised for his "deep legal knowledge, business nous and enthusiastic and committed approach" to cases. He was "especially impressive" on the multibillion-dollar DeutscheBank v Sebastian Holdings dispute according to peers." (Who's Who Legal UK Bar 2015)
- "An extraordinarily thoughtful, bright barrister whose drafting is excellent. A very, very smart guy who has great advocacy skills." "Unbelievably hard-working, he was a pleasure to work with on a super-stressful case." (Chambers & Partners 2015)
- "He has an inner drive and confidence and provides superb technical analysis of legal issues." "He's extremely hardworking and incisive." (Chambers & Partners 2015)