

Jonathan Scott

YEAR OF CALL: 2017

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Practice Overview

Jonathan joined Chambers as a tenant in September 2018, following successful completion of his pupillage under the supervision of Alec Haydon QC, Sarah Abram and Nicholas Saunders QC. He is developing a broad practice including heavy-duty commercial litigation and arbitration, competition law, EU law (in both domestic and European courts) and public law.

Jonathan's current and recent instructions include:

- *Federal Republic of Nigeria v Shell, Eni & ors*: acting for the Nigerian state in a claim against two oil majors (and others) for in excess of \$3.5 billion (with Roger Masefield QC, Richard Blakeley and Ben Woolgar).
- *Federal Republic of Nigeria v JP Morgan*: acting for the Nigerian state in a claim alleging breach of the Quincecare duty of care, for in excess of \$875 million (with Roger Masefield QC, Richard Blakeley and Ben Woolgar). This is one of The Lawyer's Top 20 Cases of 2019.
- *Trucks Cartel Litigation*: acting for a defendant truck manufacturer in a series of follow-on cartel damages claims (with Daniel Jowell QC, David Bailey and Tom Pascoe). This is another of The Lawyer's Top 20 Cases of 2019.
- *Gutmann v Stagecoach & ors*: acting for a respondent to this application for a collective proceedings order, in which the applicants seek to certify a set of standalone abuse of dominance claims (with Sarah Abram).
- Acting in a c. \$150m UNCITRAL arbitration concerning a joint venture for the operation of an oil refinery (with Mark Howard QC, Neil Calver QC and Stephen Midwinter QC).

- Advising on public, EU and ECHR law aspects of a fast-moving product safety dispute (with Jemima Stratford QC and Malcolm Birdling).

As a pupil, Jonathan assisted in cases spanning all of Chambers' core practice areas. Highlights included:

- *PSJC Commercial Bank Privatbank v Kolomoisky*: a US\$2.6 billion claim against two oligarchs concerning loans from Ukraine's largest bank (assisting Mark Howard QC and Alec Haydon QC).
- *Vattenfall AB & ors v Prysmian & NKT*: A follow-on damages claim relating to the power cables cartel (assisting Aidan Robertson QC and Sarah Abram).
- *Warner-Lambert v Mylan, Actavis & ors*: an appeal to the Supreme Court on the construction of "Swiss form" second medical use patents (assisting Nicholas Saunders QC).
- *AY v Croatia*: A preliminary reference to the Court of Justice of the European Union concerning the double jeopardy exception to the Member States' obligation to execute a European Arrest Warrant (assisting Maya Lester QC and Sarah Abram).
- A confidential arbitration concerning a financial services introducer agreement, raising issues of construction, misrepresentation and estoppel (assisting Alec Haydon QC).

Before coming to the Bar, Jonathan worked for two years at an asset management firm, specialising in currency risk hedging. Jonathan was part of a team responsible for analysing and improving the firm's currency derivative investment strategies, and also co-authored a book chapter on emerging market currency investing.

Jonathan graduated from the University of Oxford in 2012, with first class honours in philosophy, politics and economics. He later converted to law, and was awarded the Ann Ebsworth Award, the Birkenhead Award and the Atkin Scholarship by the Honourable Society of Gray's Inn.

Commercial

Jonathan is developing a broad commercial practice in which heavy duty, large-scale litigation features prominently. His current and recent commercial instructions include:

- *Federal Republic of Nigeria v Shell, Eni & ors*: acting for the Nigerian state in a claim against two oil majors (and others) for in excess of \$3.5 billion (with Roger Masefield QC, Richard Blakeley and Ben Woolgar).
- *Federal Republic of Nigeria v JP Morgan*: acting for the Nigerian state in a claim alleging breach of the Quincecare duty of care, for in excess of \$875 million (with Roger Masefield QC, Richard Blakeley and Ben Woolgar). This is one of The Lawyer's Top 20 Cases of 2019.
- *SICL v Awal*: acting for the defendants in this dispute between sister companies in liquidation / administration concerning the beneficial ownership of various assets (with Stephen Midwinter QC and Jo Box).

- Acting in a c. \$150m UNCITRAL arbitration concerning a joint venture for the operation of an oil refinery (with Mark Howard QC, Neil Calver QC and Stephen Midwinter QC).
- Acting for a catering and retail franchise holder defending a claim brought against it by its former maintenance contractor (with Alec Haydon QC).
- Acting for the purchaser of a defective helicopter in a claim against the manufacturer (with Fionn Pilbrow QC).
- Acting for a firm of solicitors in claims brought against the firm by a former partner (with Richard Blakeley).

During his pupillage Jonathan assisted his supervisors in other commercial matters, including:

- *PSJC Commercial Bank Privatbank v Kolomoisky*: a US\$2.6 billion claim against two oligarchs concerning loans from Ukraine's largest bank (assisting Mark Howard QC and Alec Haydon QC).
- *ED & F Man Ltd v Obex*: a dispute between two brokers concerning the introduction of clients by one to the other, raising a question about the jurisdiction to serve out an application for pre-action disclosure (assisting Alec Haydon QC).
- *Lifestyle Equities v Sports Direct*: a commercial / IP case concerning trade mark infringement and inducing breach of contract (assisting Nicholas Saunders QC).
- *KLM v Aruba La Mia*: a claim to enforce a debt in respect of repair works undertaken on an aircraft (assisting Alec Haydon QC).
- *Canal and River Trust v Thames Water*: a commercial judicial review concerning the construction of the statutory scheme governing the quantum of payments which Thames Water makes for the abstraction of water from the River Lee (assisting Sarah Abram).
- A confidential arbitration concerning a financial services introducer agreement, raising issues of construction, misrepresentation and estoppel (assisting Alec Haydon QC).
- Advising on the prospects of recovering substantial losses caused by the alleged fraud of an art dealer (assisting Alec Haydon QC).

EU/Competition

Jonathan is instructed in various EU and competition law matters, including acting for a respondent in the first application for a collective proceedings order in relation to standalone claims:

- *Trucks Cartel Litigation*: acting for a defendant truck manufacturer in a series of follow-on cartel damages claims (with Daniel Jowell QC, David Bailey and Tom Pascoe). One of The Lawyer's Top 20 Cases of 2019.
- *Gutmann v Stagecoach & ors*: acting for a respondent to this application for a collective proceedings order, in which the applicants seek to certify a set of standalone abuse of dominance claims (with Sarah Abram).

- Case T-188/19 *United Kingdom v Commission*: an Article 263 TFEU application to annul a decision of the Commission, concerning a financial audit of the Met Office (with Tim Johnston).
- Advising on EU law and international law aspects of a long-running extradition dispute (with Maya Lester QC).

As a pupil, Jonathan assisted on EU and competition matters ranging from follow-on damages claims in the English courts to preliminary references to the Court of Justice of the European Union on the application of the Charter of Fundamental Rights. Those matters included:

- *AY v Croatia*: A preliminary reference to the Court of Justice of the European Union concerning the double jeopardy exception to the Member States' obligation to execute a European Arrest Warrant (assisting Maya Lester QC and Sarah Abram).
- *Pelham EA, Funke Medien and Spiegel Online*: three preliminary references to the Court of Justice of the European Union which were heard together, raising overlapping issues concerning the construction of the Information Society and Related Rights Directives and their interaction with the Charter of Fundamental Rights (assisting Nicholas Saunders QC).
- *Vattenfall AB & ors v Prysmian & NKT*: A follow-on damages claim relating to the power cables cartel (assisting Aidan Robertson QC and Sarah Abram).
- *Granville v MELCO*: a cartel damages claim relating to the DRAM cartel (assisting Sarah Abram).
- *Mediamarkt Saturn Holdings v Panasonic & ors*: a c. €200 million follow-on damages claim relating to the CRT cartel (assisting Sarah Abram).
- Advising on a prospective cartel damages claim, including advice on the collective proceedings regime in the Competition Appeals Tribunal (assisting Sarah Abram).

Public Law

Jonathan is currently instructed to advise on public, EU and ECHR law aspects of a fast-moving product safety dispute (with Jemima Stratford QC and Malcolm Birdling). He has also advised a public body on the Equality Act implications of a proposed set of reforms to the services it provides (with Tim Johnston).

During pupillage, Jonathan assisted in:

- *Canal and River Trust v Thames Water*: a commercial judicial review concerning the construction of the statutory scheme governing the quantum of payments which Thames Water makes for the abstraction of water from the River Lee (assisting Sarah Abram).
- *Bajracharya v Secretary of State for the Home Department*: an appeal to the Court of Appeal concerning an application for judicial review of an immigration decision (assisting Sarah Abram).

Intellectual property

Jonathan assisted in a range of intellectual property matters during pupillage, including patent, trade

mark, copyright and passing-off claims.

- *Warner-Lambert v Mylan, Actavis & ors*: an appeal to the Supreme Court on the construction of “Swiss form” second medical use patents (assisting Nicholas Saunders QC).
- *Pelham EA, Funke Medien and Spiegel Online*: three preliminary references to the Court of Justice of the European Union which were heard together, raising overlapping issues concerning the construction of the Information Society and Related Rights Directives and their interaction with the Charter of Fundamental Rights (assisting Nicholas Saunders QC).
- *Lifestyle Equities v Sports Direct*: a commercial / IP case concerning trade mark infringement and inducing breach of contract (assisting Nicholas Saunders QC).
- *Cadbury v Comptroller General of Patents Designs and Trade Marks*: Cadbury’s appeal concerning its trade mark for the colour purple applied to chocolate packaging (assisting Nicholas Saunders QC).

Publications

Corominas and Scott, “Investing in Emerging Market Currencies: A Rewarded Risk,” in Pojarliev and Levich (eds.), “The Role of Currency in Institutional Portfolios” (2014).

Education and Qualifications

Professional Experience:

2017: Called to the Bar of England and Wales

2012 – 2014: Investment Strategy Analyst, Record Currency Management

Education:

2016 – 2017: BPTC, City Law School (Outstanding, top of year)

2015 – 2016: GDL, City Law School (Distinction)

2009 – 2012: MA, Philosophy, Politics and Economics, University of Oxford (Balliol College) (First Class)

Scholarships and Prizes:

The Honourable Society of Gray's Inn

Lord Atkin Senior Scholarship for Pupillage (2018)

Birkenhead Award for the BPTC (2017)

Ann Ebsworth Award for the GDL (2016)

City Law School

Senior Scarman Scholarship for best overall mark on the BPTC (2017)

Balliol College, Oxford

NT Huxley Scholarship (2010 – 2012)

Mooting

Finalist, City University Senior Moot (2017)

Winner, City University GDL Moot (2016)

Quarter-finalist team and highest individual speaker score, ELSA European Human Rights Moot Court Competition (2016)