BRICK COURT
CHAMBERS

Brick Court Chambers
7-8 Essex Street, London WC2R 3LD
DX 302 London Chancery Lane

Tom Wood

YEAR OF CALL: 2017

'Tom is a superb junior. He provides clear and commercially valuable advice, and he is someone who quickly cuts to the heart of a matter. He is one for the difficult cases.'

The Legal 500 2023

Clerk's Email: **PaulsClerkingTeam@brickcourt.co.uk**

Practice Overview

Tom specialises in substantial commercial litigation and arbitration, regularly acting in high-profile cases with an international element. His broad commercial practice covers civil fraud, banking, insurance, shareholder/JV disputes, professional negligence and follow-on claims. Tom has acted in a number of disputes featured in The Lawyer's 'Top 20' cases in recent years, including the multi-party proceedings concerning the $2 billion 'tuna bond' scandal in Mozambique, the FX-rigging litigation, the Financial Reporting Council proceedings concerning audits of Autonomy, and the dispute over West Ham's use of the London Olympic Stadium. He has also acted in a number of substantial arbitrations (LCIA, ICC and ad hoc).

Tom is identified as a leading junior in the fields of Commercial disputes (Chambers & Partners and Legal 500 2024), and Banking and Finance, Civil Fraud and International Arbitration (Legal 500 2024). The Directories have said:

"He is very perspicacious, rapidly grasping the essential elements in any dispute. Tom is highly responsive and has a global view of any legal dispute, assessing the commercial elements as well as the legal aspects."

"One of the Bar's ascendant stars. Besides being a first-rate lawyer, he is articulate, clever, level headed and persuasive. He can vary his tone from aggressive to mild, depending on the needs of the moment, and has a fantastic feel for the mood of the court."

"Tom is simply first rate. He is extremely intelligent, his drafting is clear and precise, and he has a very nice manner with clients. He is very easy to work with."

"Tom is a superb junior. He provides clear and commercially valuable advice, and he is someone who quickly cuts to the heart of a matter. He is one for the difficult cases."

Tom's significant current and recent instructions include:

- *Republic of Mozambique v Credit Suisse and others* : acting for three banks which provided syndicated lending to the Republic of Mozambique in the multi-party proceedings relating to the substantial $2 billion 'tuna bonds' scandal involving allegations of bribery, corruption and conspiracy involving a number of Government officials. [2023] EWHC 1650 (Comm). A 12-week trial is due to commence in October 2023.

- *Banca Intesa Sanpaolo SpA & Dexia Crediop SpA v Commune di Venezia (Financial List):* acting for the claimant banks in proceedings concerning an ISDA Master Agreement, and in connection with Venice's €100 million counter-claim, tried in the Commercial Court in June 2022. [2022] EWHC 2586 (Comm).

- *Mayer Cars and Trucks v Jaguar Land Rover Limited* : acting for JLR in ongoing Commercial Court proceedings concerning claims of unlawful means conspiracy and unjust enrichment said to be worth up to $3 million (unled). [2021] EWHC 2984 (Comm).

- Acting unled in an application to the Commercial Court for a Worldwide Freezing Order in support of a c.$3m claim for unpaid debts.

- *Allianz Global Investors v Barclays Bank and others:* acting for HSBC in substantial follow- on and stand-alone damages claims against several international banking groups (in the Commercial Court and Competition Appeal Tribunal) concerning alleged manipulation of forex rates and bid/ask spreads over an 11-year period. Tom was part of the Defendants' counsel team on the Claimants' application to strike-out aspects of the Defendants' pass-on Defences [2021] EWHC 399 (Comm) and the subsequent appeal [2022] EWCA Civ 353.

- Acting for a shareholder in a multi-million US$ property business in LCIA proceedings against his JV partner (involving allegations of dishonest misappropriation of assets and unfair prejudice) including two successful applications for interim relief to the LCIA.

- *Sakab Saudi Holding Co v Al Jabri & Ors, Re: HSBC & Ors* [2021] EWHC 3390 (QB): acted for the successful applicants on an application to the English Court pursuant to a letter of request from the Canadian Court in connection with a high-profile US€3.47 billion international fraud claim.

- *Watchstone v. KPMG*: acting for KPMG in its defence of claims said to be worth £14m centered on allegations of breach of duty in connection with an audit.

- *De Havilland v. SpiceJet* : acted for De Havilland in its successful application for summary judgment for liquidated damages of around US$43m for breaches of an aircraft purchase agreement [2021] EWHC 362 (Comm) and in De Havilland's successful application to have SpiceJet's appeal struck out [2021] EWCA Civ 1834.

- Acting unled for a major international generics manufacture in LCIA proceedings concerning claims for breach of contract worth US$2m and cross-claims for loss of profits and revenue for alleged breach of warranty worth US$2m, involving issues concerning the FDA regime.

Before coming to the Bar, Tom practised as a Solicitor Advocate and Associate at Herbert Smith Freehills for four years, specialising in general commercial disputes, civil fraud and contentious trusts. He completed secondments as a Judicial Assistant to the Commercial Court and Chancery Division and as a Legal Adviser to BP Legal Dispute Resolution. In 2013, he won the City of London Solicitors' Company Prize, awarded annually to the trainee solicitor showing the most promise as a future City solicitor. In 2015-2016, he was Judicial Assistant to Lord Wilson and Lord Hodge at the Supreme Court.

Tom graduated from the University of Oxford where he was awarded the top First in his year in Music, winning the University Gibbs prize. He completed a Master of Studies with Distinction, before going on to achieve Distinctions in the GDL and the LPC. As a pupil barrister, he received the Lord Reid Senior Scholarship from Gray's Inn and a Phoenicia Scholarship from the Bar European Group.

Banking and finance

Tom regularly acts for banks and financial institutions and is ranked as a leading junior for Banking and Finance in the Legal 500 2024 (Tier 2). He has particular experience of fraud claims involving banks, FX trading, interest-rate swaps, syndicated lending and miss-selling claims. Recent instructions include:

- *Republic of Mozambique v Credit Suisse and others* : acting for three banks which provided syndicated lending to the Republic of Mozambique in the multi-party proceedings relating to the substantial $2 billion 'tuna bonds' scandal involving allegations of bribery, corruption and conspiracy involving a number of Government officials. [2023] EWHC 1650 (Comm). A 12-week trial is due to commence in October 2023.

- *Banca Intesa Sanpaolo SpA & Dexia Crediop SpA v Commune di Venezia (Financial List):* acting for the claimant banks in proceedings concerning an ISDA Master Agreement, and in

connection with Venice's €100 million counter-claim, tried in the Commercial Court in June 2022. [2022] EWHC 2586 (Comm).

- Acting for an Italian investment bank in two Commercial Court claims against Italian local authorities for declaratory relief and damages in respect of long-term interest-rate swaps.

- *Allianz Global Investors v Barclays Bank and others,* acting for HSBC in substantial follow-on and stand-alone damages claims against several international banking groups concerning alleged manipulation of forex rates and bid/ask spreads over an 11-year period (led by Helen Davies QC and Sarah Abram QC). Tom was part of the Defendants' counsel team on the Claimants' application to strike-out aspects of the Defendants' pass-on Defences [2021] EWHC 399 (Comm) and the subsequent appeal [2022] EWCA Civ 353 (both led by Mark Hoskins QC).

Commercial

Tom practises across the full range of commercial work in chambers. He is regularly instructed as part of small and large teams in heavyweight commercial disputes, and has appeared with leading counsel before the Court of Appeal, High Court and Financial Reporting Counsel, and unled in the Commercial Court, Circuit Commercial Court and County Court.

Current and recent instructions include:

- *Republic of Mozambique v Credit Suisse and others* [2023] EWHC 1650 (Comm): acting for three banks which provided syndicated lending to the Republic of Mozambique in the multi-party proceedings relating to the substantial $2 billion 'tuna bonds' scandal involving allegations of bribery, corruption and conspiracy involving a number of Government officials. A 12-week trial is due to commence in October 2023.
- *De Havilland v. SpiceJet* : acted for De Havilland in its successful application for summary judgment for liquidated damages of around US$43m for breaches of an aircraft purchase agreement [2021] EWHC 362 (Comm) and in De Havilland's successful application to have SpiceJet's appeal struck out [2021] EWCA Civ 1834 (led by Jasbir Dhillon QC).
- *Mayer Cars and Trucks v Jaguar Land Rover Limited* : acting unled for JLR in ongoing Commercial Court proceedings concerning a claim of unlawful means conspiracy and unjust enrichment.
- *West Ham v E20*: acting for E20 on its defence of West Ham United's claims relating to the rights to use the London Stadium, including defending a privilege challenge [2018] EWHC 2784, and an expedited appeal on privilege issues [2018] EWCA Civ 2652 (led by Thomas Plewman QC).

- *L&J Lonsdale Metals v Jaguar Land Rover* : acting for JLR in resisting a Circuit Commercial Court claim for breach of contract and counterclaiming for payment of a trade debt (unled).
- *Lotus v Marcassus* [2019] EWHC 3128 (Comm): acting for a defendant challenging jurisdiction over a debt claim in the Commercial Court (unled).
- *Harbour Fund III LP v Kazakhstan Kagazy*: dispute in relation to a litigation funding agreement arising out of a £300 million civil fraud claim (led by Tom Adam QC).
- Advising two major beverages companies on contractual issues arising from a potential acquisition (led by Robert O'Donoghue QC).
- Acting for a major pharmaceuticals manufacturer in LCIA proceedings concerning a contract dispute with a purchaser worth in excess of US$1 million (unled).
- *Leighton Offshore v Unaoil* [2014] EWHC 2965 (Comm) , acting for Leighton (while at Herbert Smith Freehills).

Civil fraud

Many of Tom's cases involve serious allegations of fraud and dishonesty, and he has extensive experience of the different aspects of fraud litigation including urgent applications for interim relief. Relevant instructions include:

- *Republic of Mozambique v Credit Suisse and others* [2023] EWHC 1650 (Comm): acting for three banks which provided syndicated lending to the Republic of Mozambique in the multi-party proceedings relating to the substantial $2 billion 'tuna bonds' scandal involving allegations of bribery, corruption and conspiracy involving a number of Government officials. A 12-week trial is due to commence in October 2023.
- Acting for a shareholder in a multi-million US$ property business in LCIA proceedings against his JV partner (involving allegations of dishonest misappropriation of assets and unfair prejudice) including two successful applications for interim relief to the LCIA (led by Alec Haydon QC).
- *Sakab Saudi Holding Co v Al Jabri & Ors, Re: HSBC & Ors [2021] EWHC 3390 (QB)*: acted for the successful applicants on an application to the English Court pursuant to a letter of request from the Canadian Court in connection with a US€3.47 billion fraud claim.
- Advising a conglomerate on potential claims for fraudulent and negligent misstatement against a JV partner in relation to a multi-million dollar property development (led by Harry Matovu QC).
- Acting for an Italian business in connection with claims against a former director and his associates for dishonest breach of directors' duties, misappropriation of assets, knowing receipt and dishonest assistance (unled).
- Acting for Norilsk Nickel on various claims relating to the acquisition by a Botswanan company of mining interests, including reckless trading proceedings against the government of Botswana (while at Herbert Smith Freehills).
- Acting for an IT business in substantial LCIA proceedings concerning a JV dispute involving

allegations of dishonesty, and ancillary relief proceeding in Cyprus (while at Herbert Smith Freehills).
- Advising beneficiaries on a multi-billion US$ claim for breach of trust and a *Norwich Pharmacal* Application (while at Herbert Smith Freehills).

Insurance

Tom regularly advices on insurance matters and was listed as a 'Rising Star' in the Legal 500 2023 Insurance and Reinsurance category. Recent insurance instructions include:

- Acting for a number of Museums and Art Galleries on substantial business interruption claims arising out of the COVID-19 pandemic, some of which involved issues arising out of the Supreme Court's judgment in the FCA test case.

- Advising on coverage in respect of potential product liability claims relating to a defective paint product.

Advising a major insurer on substantial business interruption claims by an aircraft manufacturer.

International Arbitration

Tom has extensive experience of arbitral proceedings, in particular in the LCIA where he has appeared led, unled and as an instructing solicitor. He also regularly advises on matters involving jurisdictional disputes concerning arbitration agreements and ancillary proceedings before national courts. Recent instructions include:

- Acting for a shareholder in a multi-million US$ property business in LCIA proceedings against his JV partner (involving allegations of dishonest misappropriation of assets and unfair prejudice) including two successful applications for interim relief to the LCIA (led by Alec Haydon QC).
- Acting unled for a major international generics manufacture in LCIA proceedings concerning claims for breach of contract worth US$2m and cross-claims for loss of profits and revenue for alleged breach of warranty worth US $2m, involving issues concerning the FDA regime.
- *Kim v Republic of Uzbekistan* – ICSID arbitration against Uzbekistan by investors in two cement plants (led by Michael Swainston QC and Stephen Midwinter QC).
- Acting for Norilsk Nickel on various claims relating to the acquisition by a Botswanan company of mining interests, including a claim before the LCIA under an SPA (while at Herbert Smith Freehills).
- Acting for an IT business in substantial LCIA proceedings concerning a JV dispute involving

allegations of dishonesty, and ancillary relief proceeding in Cyprus (while at Herbert Smith Freehills).

Professional negligence

- *Watchstone v KPMG* : acting for KPMG in its defence of claims said to be worth £14m centered on allegations of breach of duty in connection with an audit.
- *The Financial Reporting Council v Deloitte and others*: acting for Deloitte in its defence of the FRC's Formal Complaint concerning audits of Autonomy Corporation plc prior to its US$11 billion acquisition by Hewlett Packard.

Publications

- "Privy Council confirms availability of backward tracing", Herbert Smith Freehills Litigation Notes, 10 August 2015
- "Court of Appeal clarifies jurisdiction to order disclosure in support of freezing injunctions", Herbert Smith Freehills Litigation Notes, 19 March 2015
- "Supreme Court corrects 'wrong turn' in English law, holding that bribes received by an agent are held on trust for the principal", Herbert Smith Freehills Litigation Notes, 21 July 2014
- "Court of Appeal confirms account of profits available as remedy for dishonest assistance" (with Robert Hunter), Herbert Smith Freehills Litigation Notes, 17 July 2014
- "Supreme Court finds trustee fraud exception under Limitation Act does not apply to claims for dishonest assistance / knowing receipt", Herbert Smith Freehills Litigation Notes, 20 February 2014

Education & Qualifications

Professional experience

2017-2018: Pupillage, Brick Court Chambers

2017: Called to the Bar of England and Wales

2013-2015, 2016-2017: Solicitor Advocate and Associate, Herbert Smith Freehills LLP, London (Dispute Resolution)

2015-2016: Judicial Assistant to Lord Wilson and Lord Hodge, Supreme Court of the United Kingdom

2013: Legal Assistant, BP Legal Dispute Resolution

2012: Judicial Assistant to the Commercial Court and Chancery Division

2011-2013: Trainee Solicitor, Herbert Smith Freehills LLP

Education

2014: Higher Rights of Audience, Herbert Smith Freehills LLP (top of cohort)

2011: Legal Practice Course, BPP Law School (Distinction)

2009-2010: Graduate Diploma in Law, BPP Law School (Distinction)

2007-2008: Master of Studies, Christ Church, University of Oxford (Distinction)

2004-2007: BA in Music, Christ Church, University of Oxford (First Class, top of year)

Scholarships and prizes

Pupillage

Lord Reid Senior Scholarship, Gray's Inn (2018)

Bar European Group Phoenicia Scholarship (2018)

As a Solicitor

City of London Solicitors' Company Prize (2013)

Herbert Smith Freehills LPC Prize (2011)

University of Oxford

Arts and Humanities Research Council Award (2007)

University Gibbs Prize for top first (2007)

Christ Church Finals Prize (2007)

Clifford Smith Prize (2007)

Dixon Scholarship (2006)

Academic and Instrumental Exhibition Awards (2005-2006)

Directory Quotes

"An outstanding young barrister, who is able to deal with the most complex matters for the most difficult clients." (Chambers & Partners 2024)

"Tom Wood is a brilliant advocate. He is thoughtful, clever and determined." (Chambers & Partners 2024)

"Tom Wood is calm, bright, analytical and diligent." (Chambers & Partners 2024)

"Tom is a tremendously hard working junior, who is excellent for banking and commercial disputes." (Chambers & Partners 2024)

"His written work is first rate and he interacts with clients very well." (Chambers & Partners 2024)

"He is very perspicacious, rapidly grasping the essential elements in any dispute. Tom is highly responsive and has a global view of any legal dispute, assessing the commercial elements as well as the legal aspects." (Legal 500 2024)

"One of the Bar's ascendant stars. Besides being a first-rate lawyer, he is articulate, clever, level headed and persuasive. He can vary his tone from aggressive to mild, depending on the needs of the moment, and has a fantastic feel for the mood of the court." (Legal 500 2024)

"Tom is simply first rate. He is extremely intelligent, his drafting is clear and precise, and he has a very nice manner with clients. He is very easy to work with." (Legal 500 2024)

"Tom is a true star. He has immense technical knowledge, as well as being very easy to work with. His experience as a solicitor also means he is incredibly well versed in the procedural aspects of arbitration and knows his way round the arbitration rules." (Legal 500 2023)

"Tom is a superb junior. He provides clear and commercially valuable advice, and he is someone who quickly cuts to the heart of a matter. He is one for the difficult cases." (Legal 500 2023)

"Tom is a rising star for Brick Court. He is exceptionally hard working and diligent, plus an astute litigation strategist." (Legal 500 2023)