

ANNA LINTNER

CALL: 2009



OVERVIEW

Anna is a commercial and chancery practitioner specialising in commercial litigation and arbitration, civil fraud, banking and finance disputes and insolvency and company law matters. Anna has particular expertise in disputes arising at the intersection between her disciplines, such as banking or civil fraud matters involving an insolvency aspect. Anna is frequently led in substantial disputes but is equally confident being instructed as sole counsel and often appears as such against significantly more senior opponents including silks. She has considerable courtroom experience and is highly regarded for her engaging advocacy style and robust cross-examination skills. Anna is on the Attorney General's B Panel of Junior Counsel to the Crown.

MEMBERSHIPS

- COMBAR
- ChBA
- FSLA

QUALIFICATIONS

- 2010 - 2011 / University College London / LLM / Distinction: Ranked 1st in cohort of 440
- 2007 - 2008 / Inns of Court School of Law / Bar Vocational Course
- 2004 - 2007 / University of Cambridge / MA (Hons) Law

DIRECTORY QUOTES

"A real star who has outstanding technical ability and enviable advocacy skills that are a match for any opposing counsel."

Legal 500 (2024)

"Anna is the complete barrister – enormously intelligent yet grounded, completely responsive with an ability to turn work of the highest quality around very quickly, adept at distilling very complicated facts into clear and simple arguments, whilst being great fun to work with."

Legal 500 (2023)

"She is very hard working. She is an excellent drafter requiring detailed hard information to be understood and dealt with urgently. A fine advocate: she has the ear of the court already."

Legal 500 (2023)

"Absolutely one of my favourite commercial juniors and a star in the making."

Legal 500 (2022)

"A go-to barrister on banking and financial services claims – she has a deep understanding of complex financial products and inspires confidence among clients."

Legal 500 (2022)

"An excellent team player and a very impressive academic lawyer – she is incredibly insightful and also tactful in the delivery of her views to a wider team. Her advocacy on paper is succinct, persuasive and elegant."

Legal 500 (2021)

EXPERTISE

CIVIL FRAUD

Anna is regularly instructed in civil fraud and tracing claims and has extensive of making and resisting applications for urgent freezing and proprietary injunctions, Norwich Pharmacal orders and search orders. Given her complementary insolvency expertise, Anna is well-placed to act in civil fraud matters involving an insolvency angle, including proceedings under s423 Insolvency Act 1986 and actions on behalf of provisional liquidators.

Cases of note

- ***Abell and Ors v Locke Lord (UK) LLPs and Ors*** (2022, Business List) - Instructed on behalf of 37 claimants in a claim against seven defendants arising out of an allegedly fraudulent investment scheme. The defendants included a city law firm in which the primary defendant had practised as a partner. Instructed by Keystone Law and led by Marion Smith KC.
 - ***Umbrella Care Limited (In Liquidation) v Nisa and Ors*** [2022] EWHC 86 (Ch) - Instructed by the liquidators of a payroll company in a £36m tax fraud claim against the company's former directors and others. Successfully obtained summary judgment against five of the defendants in relation to the company's claims for breach of fiduciary duty, dishonest assistance and knowing receipt. Subsequent assessment of damages reported at [2023] BTC 2. Instructed by Wedlake Bell LLP and led by Christopher Brockman.
 - ***Mercy Global Consult Ltd (In Provisional Liquidation) v Adegbuyi-Jackson and Ors*** (2023, Insolvency and Companies List) – Instructed by the provisional liquidators of a payroll company to obtain without notice freezing and proprietary injunctions and a search order in support of a £12 million payroll fraud claim. Instructed by Wedlake Bell LLP and led by Clara Johnson.
 - ***Kazakhstan Kagazy plc and Ors v Zhunus & Ors*** (interlocutory hearing reported at [2021] EWHC 521 (Comm)) - Instructed on behalf of the defendant trust entities in enforcement proceedings (relying on s423 Insolvency Act 1986 and tracing claims) relating to a US\$300m judgment arising from a claim in conspiracy and breach of fiduciary duty. Involved issues of Swiss and Cypriot law. Instructed by Prieskel & Co LLP. Led by William McCormick KC, with Joe-han Ho.
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COMMERCIAL LITIGATION & ARBITRATION

Anna's practice covers all aspects of commercial litigation, including commercial contractual disputes, commercial fraud, banking and finance and professional negligence matters. Anna has experience of acting in commercial arbitrations and is familiar with all of the major institutional rules. Anna is recommended as a leading junior in Commercial Litigation by The Legal 500 2024 and as a leading junior in Chancery: Commercial by Chambers 2024.

Cases of note

- ***Naghshineh v Bank of Scotland plc*** (2024, Business List) – Instructed on behalf of a property development company in a £1.3 billion fraudulent misrepresentation claim arising out of Bank of Scotland plc's involvement in GBP LIBOR manipulation. Claim settled on the first day of a 6-week trial. Instructed by Hausfeld LLP and led by Hugh Sims KC.
- ***Umbrella Care Ltd (In Liquidation) v Nisa and Ors*** [2022] EWHC 86 (Ch) - Instructed by the liquidators of a payroll company in a £36m tax fraud claim against the company's former directors and others. Successfully obtained summary judgment against five of the defendants in relation to the company's claims for breach of fiduciary duty, dishonest assistance and knowing receipt. Subsequent assessment of damages reported at [2023] BTC 2. Instructed by Wedlake Bell LLP and led by Christopher Brockman.
- ***Kazakhstan Kagazy plc and Ors v Zhunus & Ors*** (interlocutory hearing reported at [2021] EWHC 521

(Comm)) - Instructed on behalf of the defendant trust entities in enforcement proceedings (relying on s423 Insolvency Act 1986 and tracing claims) relating to a US\$300m judgment arising from a claim in conspiracy and breach of fiduciary duty. Involved issues of Swiss and Cypriot law. Instructed by Prieskel & Co LLP. Led by William McCormick QC, with Joe-han Ho.

- **Ventra Investments Ltd (In Liquidation) v Bank of Scotland plc** [2019] EWHC 2058 (Comm) - Acted for the claimant in a claim arising from the sale of complex interest rate derivatives to a property management company, including a claim for misrepresentation in relation to LIBOR rigging. Involved a heavy disclosure application, one of the first to be decided under Practice Direction 51U (PS51U). Instructed by Hausfeld LLP and led by Stephen Davies, with Michael D'Arcy.
- **LCIA Arbitration** [2018] - Sole counsel for the successful claimant in two joined claims under the LCIA Rules. The claims, which were for in excess of US\$12m, arose out of a dispute between two Ukrainian businessmen. Instructed by Onside Law LLP.
- **Tata Steel UL Ltd v Associated British Ports** [2017] EWHC 694 (Ch) - Represented the respondent in this application for a stay pursuant to section 9 of the Arbitration Act 1996. Instructed by Eversheds Sutherland and led by Zia Bhaloo QC.

COMPANY & PARTNERSHIP

Anna is recommended as a leading junior in Company law by The Legal 500 2024. Anna has expertise in a range of company law matters including shareholder disputes (unfair prejudice petitions under s994 Companies Act 2006, claims for breaches of shareholders' agreements and derivative actions) and proceedings relating to the enforcement of directors' duties. Anna also has extensive experience and expertise in proceedings under the Company Directors Disqualification Act 1986. She was instructed as part of the counsel team on behalf of the Secretary of State in the disqualification proceedings against the former directors of Carillion plc, one of The Lawyer's Top 20 Cases for 2023, which resulted in the longest ever disqualification for a director of a plc.

Cases of note

- **Re. NRLB Ltd, Brown v Competition and Markets Authority** [2024] EWHC 206 (Ch) – Instructed by the Competition and Markets Authority in relation to an application for permission to act brought by a director of a demolition company who had given a 7-year competition disqualification following his admitted involvement in an illegal cartel. The application for permission to continue to act as a director of two companies, including the economic successor to the company involved in the breaches of competition law, was refused. Led by Catherine Addy KC.
- **Secretary of State for Business, Energy and Industrial Relations v Adam and 7 Ors** [2022] EWHC 922 (Ch) – One of The Lawyer's Top 20 Cases for 2023. Instructed on behalf of the Secretary of State in the director disqualification proceedings against eight former directors of Carillion plc, the largest director disqualification claim ever brought. Instructed by Womble Bond Dickinson and led by Mark Cunningham KC and David Mohyuddin KC. The case resulted in lengthy disqualification undertakings given by each of the executive directors, including the longest ever disqualification period for a director of a plc.
- **McKeown v Langer** [2021] EWCA Civ 1792 - Appeared as sole counsel for the successful respondent in the Court of Appeal, against a silk and junior. The appeal dealt with a novel point of costs law, namely whether the existence of an undisclosed global without prejudice save as to costs (WPSATC) offer in

split trial proceedings – in this case an unfair prejudice petition pursuant to s994 Companies Act 2006 – required the court to reserve the costs of the liability stage until the conclusion of proceedings when the WPSATC offer could be considered by the court. The Court of Appeal held that it did not and dismissed the appeal. Instructed by Russells Solicitors.

- **Re. The Stratos Club Limited, Langer v McKeown** [2020] EWHC 3485 (Ch) - Appeared unled for the successful petitioner in this unfair prejudice petition pursuant to s994 Companies Act 2006, relating to the Sophisticats adult entertainment business. Following a two-week trial against a silk and junior, Anna succeeded in establishing all of the pleaded grounds of unfairly prejudicial conduct and obtained a share buyout order for her client on very favourable terms. At a subsequent hearing ([2021] EWHC 1008 (Ch)) Anna succeeded in obtaining an interim payment on account of the price to be paid by the respondent for the petitioner's shares. Instructed by Russells Solicitors.
- **Brake and Ors v Lowes and Ors** [2020] EWCA Civ 1491 - Appeared unled against a silk and junior in the Court of Appeal in an appeal relating to the test for standing under s168(5) Insolvency Act 1986. Also appeared unled at first instance: [2020] EWHC 538 (Ch).
- **HMRC v Foster** [2019] EWHC 2077 (Ch) - Instructed by HMRC in the first High Court case to consider whether public law challenges to an accelerated payment notice under the Finance Act 2014 can be raised by taxpayers by way of defence to civil law enforcement proceedings. Succeeded in establishing that such defences may be raised only by way of judicial review or appeal to the First-tier Tribunal (FTT).
- **Re. St John Law Ltd, Secretary of State for Business, Energy and Industrial Strategy v Murphy** [2019] EWHC 459 (Ch) - Instructed by the Secretary of State in director disqualification proceedings against a practising solicitor. Obtained an eight-year disqualification order.

INSOLVENCY & ASSET RECOVERY

Anna acts for creditors, officeholders and debtors in a wide range of contentious corporate and personal insolvency matters and asset tracing and recovery actions. She frequently acts in Insolvency Act applications brought by or against officeholders, including breach of duty and misfeasance claims against directors, transactional avoidance proceedings, disclosure and delivery up orders, challenges against officeholders and administration-related applications.

Anna has particular expertise in fraud proceedings in an insolvency context, including provisional liquidations, obtaining freezing and proprietary orders and search and imaging orders on behalf of officeholders and companies in liquidation, s.423 IA proceedings and asset tracing and recovery actions. Anna is a contributor to Tolley's Insolvency Law Service.

Cases of Note:

- **Umbrella Care Ltd (In Liquidation) v Nisa and Ors** [2022] EWHC 86 (Ch) - Instructed by the liquidators of a payroll company in a £36m tax fraud claim against the company's former directors and others. Successfully obtained summary judgment against five of the defendants in relation to the company's claims for breach of fiduciary duty, dishonest assistance and knowing receipt. Subsequent assessment of damages reported at [2023] BTC 2. Instructed by Wedlake Bell LLP and led by Christopher Brockman.
- **Mercy Global Consult Ltd (In Provisional Liquidation) v Adegbuyi-Jackson and Ors** (2023, Insolvency and

Companies List) – Instructed by the provisional liquidators of a payroll company to obtain without notice freezing and proprietary injunctions and a search order in support of a £12 million payroll fraud claim. Instructed by Wedlake Bell LLP and led by Clara Johnson.

- ***Kazakhstan Kagazy plc and Ors v Zhunus & Ors*** (interlocutory hearing reported at [2021] EWHC 521 (Comm)) - Instructed on behalf of the defendant trust entities in enforcement proceedings (relying on s423 Insolvency Act 1986 and tracing claims) relating to a US\$300m judgment arising from a claim in conspiracy and breach of fiduciary duty. Involved issues of Swiss and Cypriot law. Instructed by Prieskel & Co LLP. Led by William McCormick QC, with Joe-han Ho.
- ***Brake and Ors v Lowes and Ors*** [2020] EWCA Civ 1491 - Appeared unled against a silk and junior in the Court of Appeal in an appeal relating to the test for standing under s168(5) Insolvency Act 1986. Also appeared unled at first instance: [2020] EWHC 538 (Ch).

BANKING & FINANCIAL SERVICES

Anna is recommended by The Legal 500 as a leading junior in Banking and Finance. She is regularly instructed as sole or junior counsel in claims involving banks and other lenders, brokers and financial advisers, including proceedings relating to fraudulent investment schemes, mortgages, charges, debentures and bonds, guarantee and indemnity claims and consumer credit matters. Anna has been instructed in a large number of claims arising from the sale of financial products, including complex interest rate derivatives and the manipulation of LIBOR. She is currently instructed on behalf of the All Party Parliamentary Group on Fair Business Banking in its judicial review challenge of the FCA's decision to refuse to take action to procure redress for sophisticated customers who were mis-sold interest rate hedging products, one of The Lawyer's Top 20 Cases for 2024.

Cases of note

- ***Naghshineh v Bank of Scotland plc*** (2024, Business List) - Instructed on behalf of a property development company in a £1.3 billion fraudulent misrepresentation claim arising out of Bank of Scotland plc's involvement in GBP LIBOR manipulation. Claim settled on the first day of a 6-week trial. Instructed by Hausfeld LLP and led by Hugh Sims KC.
- ***All Party Parliamentary Group on Fair Business Banking v Financial Conduct Authority*** [2023] EWHC 1616 (Admin) – One of The Lawyer's Top 20 Cases for 2024. Currently instructed on behalf of the All-Party Parliamentary Group on Fair Business Banking (APPG) in judicial review proceedings against the Financial Conduct Authority (FCA). The APPG has been granted permission to challenge the FCA's decision to refuse to take action to procure redress for sophisticated customers who were mis-sold interest rate hedging products, in light of the findings made by John Swift QC in his Review into the FCA's Supervisory Intervention on Interest Rate Hedging Products. Instructed by Hausfeld LLP and led by Thomas Roe KC.
- ***Abell and Ors v Locke Lord (UK) LLP*** - Instructed on behalf of 37 claimants in a claim against seven defendants arising out of an allegedly fraudulent investment scheme. The defendants included a city law firm in which the first defendant had practised as a partner. Instructed by Keystone Law and led by Marion Smith KC.
- ***Ventra Investments Ltd (In Liquidation) v Bank of Scotland plc*** [2019] EWHC 2058 (Comm) - Acted for the claimant in a claim arising from the sale of complex interest rate derivatives to a property management company, including a claim for misrepresentation in relation to LIBOR rigging. Involved a heavy disclosure

application, one of the first to be heard under the Disclosure Pilot. Instructed by Hausfeld LLP. Led by Stephen Davies KC, with Michael D'Arcy.

NOTABLE CASES
