

JONATHAN ALLCOCK

CALL: 2007

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OVERVIEW

Jonathan specialises in commercial and commercial-chancery litigation and arbitration. His practice has a particular focus on contractual claims; civil fraud; company, director and shareholder disputes; and mortgages and other banking litigation.

He is recognised as a leading junior for commercial chancery work in the Chambers UK directory, in which recent entries have described him as “*in huge (and well-deserved) demand*”; “*great to work with*”; “*an extremely good lawyer*”; “*terrific*”; “*phenomenally bright, charming, hard-working and approachable*”; and “*everything you want in a junior and a barrister*”. He has a thriving practice as sole counsel, often appearing against silks, but is also often instructed as junior counsel in high-value international commercial claims and arbitrations.

Jonathan appears most often in the Commercial Court and Chancery Division. In addition to experience of trials both short and multi-week, he has advised and appeared on a wide range of interim applications, including for freezing and proprietary injunctions; committal orders; security for costs; cross-examination regarding assets; civil restraint orders; disclosure orders and jurisdiction applications. He also has appellate experience in the Court of Appeal and Privy Council and has worked on cases in the Channel Islands and the Cayman Islands, the latter while on secondment to Appleby.

Before he was called to the Bar, Jonathan read Modern Languages at Trinity College, Oxford, where he was a scholar and was awarded a distinction in his preliminary examinations and a first in his final examinations. He

subsequently completed the Diploma in Law (CPE) at City University, gaining a distinction and winning the Maitland Advocacy Prize, and was classed as outstanding at Bar School.

EXPERTISE

COMMERCIAL LITIGATION & ARBITRATION

Commercial litigation and arbitration are the core of Jonathan's practice. He has been (and is) involved, as junior counsel, in many high-profile and high-value commercial claims, but he also has a thriving and increasingly high-value business litigation practice as sole counsel.

His work is most often in the Commercial Court and the Chancery Division, but also encompasses arbitration and appellate work, and his experience covers not only trials but also all of the common interim disputes and remedies (e.g. jurisdiction disputes, freezing and proprietary relief, security for costs and disclosure applications).

His work in this field over the last few years has included the following:

- ***Department for Health and Social Care v Primer Design Limited & Novacyt SA*** (2022 -): Junior Counsel for the Defendants in a £130m+ dispute over Covid-19 PCR testing equipment supplied during the pandemic
- ***JSC BTA Bank v Monstrey & others*** (2022 -): Representing the Defendants in a substantial fraud and conspiracy claim in the Commercial Court
- ***Rassmal Investments LLC v Mubarak Abdullah Al Suwaiket & Sons*** (2022 -): Instructed on behalf of defendants to Jersey Court proceedings relating to the ownership and financing of a substantial property development in London
- ***Dynamo Recoveries & Emerdata v Alexander Nix*** (2021 -): Representing Alexander Nix, the former CEO of Cambridge Analytica, in two Commercial Court claims relating to that business and its failure in 2018
- ***Civica (UK) Limited v Equiniti Holdings Limited & others*** (2021 -): Representing the claimant in a share warranty claim relating to the purchase of a payroll/outsourcing business
- ***A very substantial pharmaceutical arbitration*** (2021-2023): Junior Counsel for the Respondent to this reference under WIPO rules, which commenced in late 2021 and concluded with a final hearing in London in January 2023
- ***Emirates NBD Bank PJCS v Al Makhawi & others*** (2021-2022): Instructed by the Defendants to proceedings in both England and Jersey concerning the potential enforcement of a substantial judgment of the Courts of Dubai.
- ***Mastermelt Limited v Siegfried Evionnaz SA*** (2020): Sole Counsel for the Claimant in a jurisdiction dispute in which the Commercial Court considered the relationship between the Lugano II Convention and the Recast Brussels Regulation and the meaning of "in writing or evidenced in writing" in Article 23(1)(a) Lugano.
- ***Raiffeisen Bank International AG v Asia Coal Energy Ventures Limited & Ashurst LLP*** (2020): Junior Counsel for the Claimant at a three-week Commercial Court trial of one of the Lawyer's Top 20 cases of 2020, concerning a sale by the Claimant bank of defaulted loans and associated security and the enforcement

of an associated “solicitor’s confirmation”.

- **Blue Power Group & Others v ENI Norge AS & Others** (2016-2020): Junior Counsel for the Claimant – working extensively on the case for around four years - in an extremely high value claim arising out of agreements to supply engineering and technical services for the development of a large offshore oil and gas field in the Barents Sea.
- **Confidential arbitrations and associated proceedings** (2019): Several linked LCIA arbitrations seated in London concerning disputes between various Russian and Cypriot shareholders in a large Russian company, arising under a suite of merger documents governed by English law. The case included ancillary proceedings in the courts of England, Cyprus and Russia, as well as additional Russian ICAC arbitrations.
- **JSC BTA Bank v Mukhtar Ablyazov & Ors (Claremont Proceedings)** (2017): Junior Counsel for Respondents to applications made by the Claimant in the long-running Ablyazov fraud proceedings in the Commercial Court. The applications concerned the ownership of a substantial and very valuable shareholding in a FTSE 250 oil and gas company.
- **Davies / Cawdor Cars v Davies** (2018-2019): A dispute concerning ownership of a car dealership in South Wales and associated properties
- **Levchenko v Abbott** (2018-2019): Litigation between former business partners relating to the ownership of a number of luxury properties and classic cars
- **BTG International v Genzyme Corporation** (2016-2017): Junior Counsel for the Claimant in a Commercial Court claim for circa. \$25 million in royalties due under an agreement which licensed the development and sale of drugs containing an antibody called Campath-1H.
- **Re: A Company** (2016-2017): Junior Counsel for the Claimant in a claim seeking payment of commission due in respect of a financing transaction related to an oil and gas development project in Romania
- **AB International (HK) Holdings Plc Ltd v AB Clearing Corp Ltd** (2015): Represented the defendants to an arbitration claim, resisting applications in the Commercial Court for relief in connection with a pending LCIA Arbitration. Also instructed in related LCIA arbitration.
- **Rawlinson & Hunter Trustees SA (as trustee of the Tchenguiz Discretionary Trust) v the Director of the Serious Fraud Office & Others** (2015): Appeared for the Claimant/Applicant in a series of applications in the Tchenguiz litigation in the Commercial Court. Appeared as sole advocate for parts of the applications and led by Lord Pannick KC, **Catherine Newman KC** and **Mark Cunningham KC** for other parts.
- **JSC BTA Bank v Mukhtar Ablyazov & Ors (Dregon Land proceedings)**(2014-2015): Appeared in the Court of Appeal (with Catherine Newman KC) in 2014 on an appeal from an interlocutory order in complex and high value proceedings on behalf of third parties in dispute with the Claimant bank regarding the ownership of a Russian logistics park. During 2015 appeared in a number of interlocutory hearings in the Commercial Court.
- **E v F** (2014): Instructed in proceedings concerning sponsorship agreements between a Formula One team and a driver.

CIVIL FRAUD

Jonathan’s civil fraud practice has involved, in recent years, important roles in the **JSC BTA Bank v Ablyazov** litigation as well as instructions as sole Counsel in many cases involving allegations of dishonesty of one kind or another. He has experience obtaining and resisting freezing injunctions and has been involved in committal

applications and other interim applications in fraud litigation.

Recent cases include:

- **JSC BTA Bank v Monstrey & others** (2022 -): Representing the Defendants in a substantial fraud and conspiracy claim in the Commercial Court
- **Dynamo Recoveries & Emerdata v Alexander Nix** (2021 -): Representing Alexander Nix, the former CEO of Cambridge Analytica, in two Commercial Court claims relating to that business and its failure in 2018
- **JSC BTA Bank v Mukhtar Ablyazov & Ors (Claremont Proceedings)** (2017): Junior Counsel for Respondents to applications made by the Claimant in the long-running Ablyazov fraud proceedings in the Commercial Court. The applications concerned the ownership of a substantial and very valuable shareholding in a FTSE 250 oil and gas company.
- **Pearson v Primeo Fund** (2017): An appeal from the Cayman Islands Court of Appeal heard by the Privy Council in May 2017 concerning the rights of various categories of shareholders and former shareholders in Herald Fund SPC, a major 'feeder fund' for Bernard L. Madoff Investment Securities LLC. Appeared as Junior Counsel for Natixis SA (representing the class of "Later Redeemers"), led by Stephen Atherton KC of 20 Essex Street Chambers.
- **JSC BTA Bank v Mukhtar Ablyazov & Ors (Dregon Land proceedings)**(2014-2015): Appeared in the Court of Appeal (with **Catherine Newman KC**) in 2014 on an appeal from an interlocutory order in complex and high value proceedings on behalf of third parties in dispute with the Claimant bank regarding the ownership of a Russian logistics park. During 2015 appeared in a number of interlocutory hearings in the Commercial Court.

COMPANY & PARTNERSHIP

Jonathan advises and represents clients in shareholder disputes, cases involving allegations of breaches of directors' duties, and other litigation concerning the conduct of the affairs of companies, partnerships and LLPs. He has experience of unfair prejudice petitions and derivative actions, but also frequently deals with company and partnership law issues in his general commercial litigation practice.

Examples of his recent experience are given below:

- **Dynamo Recoveries & Emerdata v Alexander Nix** (2021 -): Representing Alexander Nix, the former CEO of Cambridge Analytica, in a Commercial Court claim brought against him alleging (amongst other things) breaches of duties as a director in connection with the collapse of the business in 2018 and prior transactions
- **Rassmal Investments LLC v Mubarak Abdullah Al Suwaiket & Sons** (2022 -): Instructed on behalf of defendants to Jersey Court proceedings relating to the ownership and financing of a substantial property development in London, involving an alleged partnership and company valuation and security enforcement issues
- **Re a company** (2020-2021): Advising and assisting a 50% shareholder in a property development business in connection with a proposed unfair prejudice petition against his fellow 50% shareholder
- **John O'Donnell v Vordere plc & others** (2020): Representing one of the Defendants in a dispute about

share allocations in the First Defendant said to have been carried out for an improper purpose.

- ***Davies / Cawdor Cars v Davies*** (2018-2019): A dispute concerning ownership of a car dealership in South Wales and associated properties

INSOLVENCY & ASSET RECOVERY

Jonathan has experience of all the major commercial and personal insolvency processes, and has advised and appeared in connection with applications and petitions to commence those processes (e.g. administration applications, contested winding-up petitions, bankruptcy petitions) as well as a variety of applications within the various insolvency processes. He also has experience of directors' disqualification applications and orders for public examination

OFFSHORE & TRUSTS

Many of Jonathan's cases have an international element, but he is also instructed in relation to proceedings in offshore jurisdictions and has both a domestic and offshore trusts litigation practice.

Amongst other matters, he has recently been instructed in connection with two substantial commercial disputes in the Royal Court of Jersey, one concerning the ownership of a property development in London and the other concerning the enforcement (against assets held in Jersey trusts) of a Dubai Court judgment. In England, he is currently instructed for one of the parties to litigation concerning a trust of a multi-million pound distributorship business.

He previously spent time on secondment at Appleby in the Cayman Islands, where he was involved in a number of high-value cases in the Grand Court

BANKING & FINANCIAL SERVICES

Jonathan has substantial experience of mortgage litigation and other claims involving debt and security, several of which are described above under the "Commercial Litigation" heading. He has recently been instructed in high-value financial services litigation with an international element (***Raiffeisen Bank***), as well as an arbitration about the ownership of a foreign Bank. But he also has extensive experience of domestic banking litigation, in particular of complex mortgage litigation, including (at the moment) two long-running cases for the Lloyds Banking Group.

DIRECTORY QUOTES

"Jonathan has a huge brain, and is great to work with. He is efficient and in huge (and well-deserved) demand."

Chambers UK Bar Chancery: Commercial client (2023)

"Charming, delightful and very hard-working, he's a very good junior."

Chambers UK Bar Chancery: Commercial client (2023)

"An extremely good lawyer who does all the things that a good junior should do. He's a good advocate with sound judgement."

Chambers UK Chancery: Commercial (2022)

*"He is very good at understanding the client's commercial sensitivities - his client handling skills are excellent."
"He's always really on top of everything and is very clever and user-friendly."*

Chambers UK Chancery: Commercial (2021)

"He's very thoughtful and very clever, he's everything you want in a junior and a barrister."

Chambers UK Chancery: Commercial (2020)

"Just terrific. He is really, really clever and gets to grips with tricky, technical matters quickly. He has a voracious capacity for being able to devour and get to the heart of documents regardless of their complexity."

Chambers UK Chancery: Commercial (2019)

"Phenomenally bright, hard-working and approachable, he is everything you want in a junior barrister."

Chambers UK Chancery: Commercial (2019)

"He is bright, efficient, committed and hard-working."

Chambers UK Chancery: Commercial (2018)

"Assured and reliable."

Chambers UK Chancery: Commercial (2018)

"His advocacy is excellent."

Chambers UK Chancery: Commercial (2017)

MEMBERSHIPS

- Chancery Bar Association
- COMBAR

QUALIFICATIONS

- BA (Hons): First Class
- Graduate Diploma in Law: Distinction
- Bar Vocational Course: Outstanding