



Bobby Friedman

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Clerks' Details

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Qualifications and Appointments

- First Class Degree from Emmanuel College, Cambridge
- GDL, City University, 1st in year and awarded the 3 Verulam Buildings Prize
- Bar Professional Training Course, City University: graded "Outstanding"
- Visiting tutor, contract law and EU law, City University (2010-2011)
- Awarded the Lord Atkin Senior Scholarship by Gray's Inn (the Inn's highest award for students) as well as a Prince of Wales Scholarship and a David Karmel Award
- President, Cambridge Union (2004)
- Previously, worked as a presenter, investigative reporter and producer for the BBC's news and current affairs output. He is also a successful author.

"He is staggeringly clever"

Chambers & Partners, 2016

Memberships

- Association of Pension Lawyers
- Chancery Bar Association
- Commercial Bar Association

Publications

- Pensions Liberation: Not So Easy as Pi (talk to the Association of Pension Lawyers)
- The Duty of Good Faith post-IBM (talk to the Association of Pension Lawyers)
- Defences in Tort: Ex Turpi Causa

Practice Overview

Bobby is, as described in Chambers & Partners, an **"up-and-coming junior who is noted for his advocacy capabilities and the practical approach he takes to cases."**

He has a very busy practice across Chambers' core practice areas, in particular: pensions; trusts; general commercial disputes (domestic and international); civil fraud; contractual disputes; wills and probate; professional negligence; private client; real property; landlord and tenant; partnership; and company and insolvency. He has also undertaken work in a number of offshore jurisdictions.

Bobby works well both acting on his own account and being led by others. He has been instructed as a junior on a number of major disputes, with recent work including a seven-week High Court pensions trial; a two-week commercial expert determination; acting for the Targets in very significant pensions moral hazard proceedings; and a two-week probate trial.

As Chambers & Partners notes, he has a **"tenacious advocacy style"** and he has appeared as sole counsel in a wide range of matters, from trials to day-long applications before a High Court Judge in the Chancery Division.

Chambers & Partners, 2015 reported that **"he takes a very thorough approach to matters and is a charming and friendly character."**

Recent cases of note include being instructed:

- As sole counsel in the High Court, successfully obtaining worldwide freezing injunctions over more than £10 m of assets and also trustee appointments in respect of a large number of pensions schemes suspected of being involved in pensions liberation.
- Acting as a junior in the High Court cases of *Pi v The Pensions Regulator and Ors* and *Dalriada v Nidd Vale Trustees Limited* and Ors determining whether a number of pension schemes were occupational pension schemes within Pension Schemes Act 1993.



Practice Overview continued

- Acting as a junior in the IBM pension litigation *IBM UK Holdings Ltd and Anor v Dalgleish and Ors*.
- Acting as a junior in a High Court civil fraud and professional negligence claim worth over £50m.
- Successfully obtaining freezing injunctions and then obtaining judgment in a claim relating to civil fraud in a commercial context.
- Acting as sole counsel in a major commercial breach of contract claim worth £60m.
- Acting as a junior in a significant claim concerning the distribution of assets on the insolvency of a bond provider.
- Providing advice to a third party in respect of numerous matters relating to freezing injunctions.
- Acting as a junior to Henry Legge QC in writing an expert report on English pensions law for the long-running Nortel litigation.
- Providing advice on a wide range of pension matters, including advising a number of companies in respect of proposed scheme closures and advising members on good faith claims.
- Acting as a junior in respect of a \$650m civil fraud claim.
- Contractual disputes; bankruptcy and winding-up; charging orders; possession (both residential and commercial); enforcement of judgments; procedural matters; and leasehold valuation.
- Acting for a Representative Beneficiary in a Beddoe Claim.
- Drafting a response in a significant regulatory action for an investment fund in respect of a Warning Notice issued by the Pensions Regulator.
- Bobby also frequently appears in a wide range of procedural hearings.



Pensions

A large part of Bobby's practice is focused on pensions work and he is a member of the APL. He has significant experience of pension matters and has acted both on his own account and as a junior. Chambers & Partners states that "**he offers experience of pensions liberation schemes and regulatory matters**".

Matters of note include:

- Acting as sole counsel for a Representative Beneficiary in a Beddoe Claim.
- Drafting a response in a significant regulatory action for an investment fund in respect of a Warning Notice issued by the Pensions Regulator.
- Advising and drafting settlement agreement in relation to a pension scheme administrator that mistakenly made purportedly unauthorised payments to members.
- Advising a pension scheme administrator on the release of funds under a freezing injunction.
- Being instructed as a junior in *IBM UK Holdings Ltd and Anor v Dalgleish and Ors* [2014] EWHC 980 (Ch). Bobby was part of the team that successfully represented the representative beneficiaries in a major, seven-week High Court good faith trial.
- Acting as a junior to Henry Legge QC in writing an expert report on English pensions law for the long-running Nortel litigation.
- Being instructed by the company as a junior in relation to a significant dispute regarding the British Airways Pension Scheme.
- Providing advice to companies and trustees, both in England and Wales and offshore, in respect of proposed closure/changes to a pension scheme. Bobby has also advised members on potential claims in respect of scheme closure/changes.
- Resisting a claim brought against a major pension provider in respect of payments under a with profits pension.
- Drafting a defence for the administrator of a SSAS in a professional liability claim.
- Advising a member of a SSAS in respect of potential breaches of trust.
- Acting on a number of cases involving professional negligence in a pensions context.
- Advising the Pensions Regulator and drafting in respect of its restitutionary powers.
- Bobby has particular experience of pensions liberation. He appeared as a junior in the trial *Pi v The Pensions Regulator and Ors and Dalriada v Nidd Vale Trustees Limited and Ors* determining whether a number of pension schemes were occupational pension schemes within Pension Schemes Act 1993. He has also acted for the Pensions Regulator obtaining worldwide freezing injunctions and trustee appointments under the Regulator's powers and the court's inherent jurisdiction. He has also provided written advice to trustees on liberation matters and to professional advisers facing liabilities as a result of liberation. Bobby's work has encompassed not just drafting warning notices, but also making applications to the Upper Tribunal. He has also spoken to the APL about pensions liberation.
- Advising trustees in respect of a number of potentially defective pension deeds.
- Advising a company in respect of pensions liberation in the context of a contractual claim, and successfully resisting an application for expert evidence relating to pensions liberation.



Pensions continued

- Successfully acting in respect of a proposed suspension of trustees in the Upper Tribunal.
- Advising on a claim for breach of trust against pension scheme trustees.
- Advising on the winding up of a pensions scheme.
- Advising pension scheme administrators on the transfer of a pension in cases of suspected pensions liberation.
- Advising and acting for a member of a pension scheme whose pension had been incorrectly applied.