



Alan Gourgey QC

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“An unrivalled expert on contractual and commercial matters.”

Chambers & Partners, 2019

Practice Overview

Alan is a prominent and very experienced commercial silk, who was shortlisted for Commercial Litigation Silk of the Year Award at The Legal 500 UK Awards 2019. He is recommended by the legal directories as "a real star" for civil fraud as well as commercial dispute resolution, commercial chancery, insolvency and IT litigation. Regarded as "a brilliant all-rounder" who is truly "outstanding" and a "go to for high value briefs", his areas of practice also cover arbitration, banking litigation and company law.

In addition to appearing/advising the English Courts, Alan also has considerable international experience in commercial disputes particularly in relation to international arbitration.

Clients note "his intellectual agility and strong advocacy skills" as well as the fact that "he is very user-friendly and supportive", "a real team player". They also value the fact that he is "a very impressive cross-examiner who is completely on the ball and has all the facts at his fingertips". He is regarded as "a really great advocate who is absolutely outstanding in court".

The legal directories note that he is a highly respected commercial counsel who is most adept at handling civil fraud matters and has further expertise in IT, company law and insolvency.

The 2019 edition of Chambers & Partners describes Alan as "an unrivalled expert on contractual and commercial matters, who has an excellent brain and who gives clear legal advice". "He's tough and brave and willing to explore difficult avenues of argument." He is also "phenomenal on his feet", has a "second to none work ethic" and has "an excellent commercial mind set".

The 2019 edition of The Legal 500 says that Alan is "an excellent trial advocate and skilled cross-examiner, having him retained is a huge asset". He is "extremely hardworking and approachable, and of great assistance in fraud cases."



Civil Fraud

Civil fraud is one of Alan's main areas of practice and one in which he has been recommended by the legal directories for many years. "**Super bright and very quick**" as well as "**very commercial**"; Alan's experience covers deceit and bribery, misappropriation and claims for breach of duty across a wide variety of subject areas from joint venture disputes to private equity litigation. He is also known for his skill in international asset tracing, where his excellent advocacy skills make him ideal for dealing with freezing injunctions and search orders.

His recent work includes:

- *JSC Bank of Moscow v Kekhman* [2018] EWHC 791 (Comm); acting for bank in successful claims for over \$150m in respect of deceit and unlawful dissipation of assets. Claims brought under article 1064 of Russian Civil Code.
- *IPCO (Nigeria) Limited v Nigerian National Petroleum Corporation*: acting for claimant seeking to resist an arbitration award for US\$152m plus interest being set aside on the grounds that it was allegedly procured by fraud. Action settled at trial early 2018.
- *Gerald Metals SA v Timis* [2017] EWHC 1375 (Comm); acting for claimant in securing and subsequently resisting the discharge of a freezing order in support of unlawful means conspiracy claim for circa \$75m.
- *Interactive Technology Corporation v Ferster* [2016] EWHC 2896 (Ch); claim for breaches of fiduciary duty, misappropriation of assets and other wrong doing in respect of operation of an online gaming business. Together with an unfair prejudice position.
- An ICC arbitration involving fraud claims against a major bank arising out of the Madoff fraud.
- *VTB v Nutritek*: acting for VTB in claims for unlawful means conspiracy and deceit raised issues of applicable law under PILA.