



Bobby Friedman

Call: 2011

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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
- Contributing author, Kerr & Hunter on Receivers and Administrators
- The Commercial Court: a guide to the Guide

Practice Overview

Bobby is, as described in the legal directories, a **"rising star"** who is **"staggeringly clever"** and **"noted for his advocacy capabilities and the practical approach he takes to cases."**

He has a very busy practice focusing on commercial disputes (including civil fraud – with extensive experience of freezing injunctions – and company and insolvency), pensions, and trusts appearing frequently in both the Chancery and Commercial Courts as well as in arbitrations. He has also undertaken work in a number of offshore jurisdictions.

Bobby works well both as sole counsel and when being led as a junior. He frequently appears unled in the High Court, often against silks, in high-value and complicated matters, and has also acted in a junior in numerous difficult and high-profile disputes. Bobby recognises the importance of a detailed and analytical approach, and combines this with pragmatism and tenacity.

Bobby has been recognised in the legal directories for a number of years (unusually so for someone of his call). As Chambers & Partners notes, he is **"unafraid to make difficult calls and he portrays a confidence that belies his years"**; is **"very consistent and authoritative"** in his advice; and has a **"tenacious advocacy style."** Other comments include that Bobby **"is fun to work with, super clever and incredibly responsive"**; and that **"He is a very good junior who gives very efficient and effective service, and has strong advocacy skills."**



Practice Overview continued

A snapshot of ongoing and recent cases includes:

- Acting in a major Commercial Court claim for a client seeking damages in deceit and unlawful means conspiracy. Bobby is part of a team that has successfully obtained a number of freezing injunctions (**Gerald Metals v Timis** [2017] EWHC 1375)
- Acting as sole counsel in a Chancery Division claim arising from a commercial contract worth £60 million, which settled shortly before trial in 2017 (**Frogmore v Nationwide**).
- Acting as a junior in **Re ARM Asset Backed Securities**, a significant High Court insolvency claim concerning the distribution of assets on the insolvency of a bond provider, which settled immediately prior to trial in 2017.
- Acting as a junior in a significant LCIA arbitration concerning a Russian commercial dispute. This is due to be heard in summer 2018.
- Bobby has particular expertise in pensions regulatory proceedings. He has acted for the targets in some of the most notable regulatory cases of recent years, including moral hazard proceedings such as **GPG, Staveley and Brunel** (and others that remain confidential). He has recently been acting for a company resisting the exercise of the Regulator's powers under s.231 PA 04.
- Bobby is particularly noted for his experience with pensions liberation, where he has been involved in most of the significant cases in recent years.
- **Alberto Chang Abate** (2017 and ongoing). Bobby is acting for the Chilean liquidator following the bankruptcy of a well-known Chilean businessman amidst allegations of a widespread international "Ponzi" type fraud, perpetrated within the Arcano Group, in Chile, the US and the BVI. Bobby obtained recognition of the Chilean bankruptcy in the UK (thought to be the first such order ever to be obtained).
- Successfully acting for a fixed charge-holder resisting an injunction sought against a receiver, and then obtaining the appointment of an administrator on a contested application (**Re SS Agri Power Limited** [2017] EWHC 2431 (Ch))
- A seven-week High Court pensions trial (as a junior) (**IBM v Dalgleish**).
- Acting as a junior in a High Court civil fraud and professional negligence claim worth over £50m.
- As junior counsel, acting for the Pensions Regulator in the significant **Pollock v Reed** litigation.
- Acting for the company in the **Shannan v Viavi**, a pensions case which is shortly to be heard in the Court of Appeal.
- Successfully arguing in a High Court Part 8 claim for a novel construction of the provisions of the Companies Act 2006 concerning a reduction of capital.
- 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 the Pension Schemes Act 1993.
- Bobby has appeared in numerous other freezing injunctions as sole counsel, successfully obtaining or opposing relief.
- Bobby also frequently appears in a wide range of procedural hearings.



Commercial

Bobby has a very busy and successful commercial practice, with commercial disputes forming a major part of his work. He is currently instructed in a number of significant commercial cases, both as sole counsel and as a junior. He has a particular interest in and experience of civil fraud and is frequently called on to obtain or resist freezing injunctions. He has also worked in numerous offshore jurisdictions and is happy to accept instructions globally.

Bobby is well-suited to the demands of commercial work, and combines intellectual rigour with the tenacity needed to deal with high-value and complex claims.

Recent matters of note include:

- Acting in a major Commercial Court claim for a client seeking damages in deceit and unlawful means conspiracy. Bobby is part of a team that has successfully obtained a number of freezing injunctions (*Gerald Metals v Timis* [2017] EWHC 1375)
- Acting as sole counsel in a High Court claim arising from a commercial contract worth £60 million, which settled shortly before trial in 2017 (*Frogmore v Nationwide*).
- Acting as junior counsel in a 3-week Commercial Court trial concerning the termination of a contract on the National Express network (*DMT v National Express*, ongoing)
- Acting for the defendant in a Commercial Court claim alleging breach of fiduciary duty (ongoing)
- Resisting a freezing injunction sought in the Chancery Division in respect of a claim in deceit.
- Acting as a junior in a significant LCIA arbitration concerning a Russian commercial dispute. This is due to be heard in summer 2018.
- Acting for a trustee in a £50m High Court civil fraud claim (as a junior) (settled shortly before trial).
- Acting for a trading company resisting proceedings brought against it in Sierra Leone (ongoing).
- Acting for the lessee of an aircraft in a claim seeking declarations that the lessor is not entitled to require redelivery of the aircraft (ongoing).
- Acting for a major newspaper bringing a High Court claim for sums due to it under a commercial contract (ongoing).
- Acting for a trade financing company seeking recovery of sums due to it under a guarantee.
- Acting for a Greek businessman resisting enforcement of a Greek judgment.
- Resisting the enforcement of a Florida judgment.
- Successfully striking out an appeal brought in a commercial contract claim.
- Acting for the company, a successful tech start-up, in an unfair prejudice petition.
- Acting for the defendant trader resisting a claim concerning alleged wrongful trading, concerning the entering into of trades beyond his authority and related matters.
- Acting for the claimant seeking recovery of sums paid under a contract. The sums were due to be invested in contracts for difference and other derivative products but these were wrongly/incorrectly invested.
- Acting for a litigation funder seeking the variation of a freezing injunction.
- Acting for the claimants against a major high street bank in a misselling claim involving an interest rate hedging product.
- Successfully arguing in a High Court Part 8 claim for a novel construction of the provisions of the Companies Act 2006 concerning a reduction of capital.
- Acting for the claimant in a major breach of contract claim arising from a redevelopment.



Commercial continued

- Acting for a director in the Isle of Man facing regulatory proceedings.
- Acting for an introducer seeking payment of unpaid fees.
- Obtaining a freezing order against a fraudulent employee of a significant company.
- Successfully obtaining a freezing injunction in a claim for unjust enrichment and dishonest assistance and then successfully obtaining judgment in favour of the claimant.
- Advising a third party on the release of funds under a freezing injunction.
- Acting as sole counsel for a major financial organisation in a significant claim arising out of the construction of a facility agreement.
- Successfully seeking (as sole counsel) worldwide freezing injunctions against a number of parties in the High Court in respect of a number of instances of fraud.
- Acting for a company seeking to enforce its charge against a fraudster in the context of the fraudster's divorce.
- Acting for a contractor in a major Middle Eastern dispute alleging fraud and bad faith.
- Acting for a businessman who is owed sums by a hedge fund manager pursuant to an advisory contract.
- or a venture capital firm in respect of resisting a claim for payment by professional advisers.
- Advising on arrest of an aircraft.
- Advising and drafting in respect of numerous commercial contracts.
- Acting for a company in resisting claims for the payment of sums under a consultancy contract.
- Acting for a major bank in respect of claims arising from a contractual agreement.