



Nikki Singla QC

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QC: 2018

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Clerks' Details

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Qualifications and Appointments

- Winchester College and New College, Oxford (Law, BA Hons, First Class, BCL, First Class)
- Recorder of the Crown Court

Memberships

- Commercial Bar Association
- Chancery Bar Association
- Professional Negligence Bar Association

“He is really impressive on his feet and gets under the skin of the case really quickly. He sees the commercial side of the case not just the legal matters.”

Chambers & Partners, 2021

Practice Overview

- Business Litigation Barrister of the Year – Corporate LiveWire
- Business Litigation Barrister of the Year – Lawyer Monthly Legal Awards
- Private Client Barrister of the Year – Corporate LiveWire

Nikki is recognised as one of the leading advocates at the Bar in commercial and business litigation and arbitration. He is a very experienced cross-examiner: *“He is really impressive on his feet and gets under the skin of the case really quickly. He sees the commercial side of the case not just the legal matters. He is always on top of the detail and is a very good trial advocate”* (Chambers and Partners 2021).

His experience is broad, covering a wide range of commercial and business disputes particularly in the fields of complex contracts, company valuation, joint ventures, director and shareholder disputes, trustee and fiduciary disputes, professional negligence and media and entertainment.

He specialises in complex commercial, company and trusts cases particularly those with professional negligence and indemnity issues.

He has been instructed for many years as the lead advocate in complex and high-value claims in the High Court and overseas. He is recognised in the directories as one of the leading names: *“a very effective, robust and ferocious advocate whose elevation to silk was entirely to be expected”* and *“incredibly commercial with clients and speaks their language”* (Chambers and Partners); and *“his drafting skills are top notch, his knowledge of trusts and offshore litigation second to none”* and *“a class act and someone to look to whenever the opportunity arises”* (The Legal 500).

He taught contract and trusts law at Oxford University and brings additional depth to his commercial cases with his expertise in equity, equitable remedies including asset tracing, trusts and trusts litigation, and company and partnership law.

He is an experienced trial advocate and has appeared in a number of reported cases in the High Court (Chancery Division, Queen's Bench Division and Commercial Court) and in other jurisdictions, including Mauritius, Bermuda and the Cayman Islands. He has extensive experience of leading teams in arbitrations, both domestic and international. Many of his cases have a strong international element particularly in the Caribbean, the Channel Islands and the Middle East.

He is happy to take appointments as expert or arbitrator. He has been appointed a Recorder of the Crown Court.



Practice Overview continued

The Legal 500 and Chambers & Partners recommend him as a leading name at the Bar in a number of practice areas:

Commercial Litigation

- *A "skilful, strategic advocate" with the ability to "cut through the complexities to the core issues"*
- *"knowledgeable and user friendly", a "rising star" and "an able communicator and litigator for any size of case"*
- *"A real star; very capable indeed and lovely to work with"*
- *"He provides sensible and commercial advice and his written work has been excellent."*

Commercial Chancery Litigation

- *"He's absolutely delightful to be against as he's utterly fair and charming"*
- *"He gets under the skin of the case and is a very good team player"*
- *"Calm in the face of a storm"*

Company and Partnership Litigation

- *"He is exceptional in court and with clients and turns out excellent work."*
- *"Speedy, analytical and honest in his opinion, which is appreciated by the client"*

Offshore Litigation

- *"A silk unafraid to roll up his sleeves, get stuck in to the detail and deliver some home truths when necessary."*
- *"He takes a very practical and adaptable approach and is very user-friendly and responsive."*
- *"He is excellent with clients, very calm, and he has a great manner to him"*
- *"Very easy to work with, very knowledgeable and very efficient."*

Professional Negligence

- *"Committed, thoughtful, intense and thoroughly committed to winning"*
- *"He really gets stuck into the details."*

Media and Entertainment

- *"He has very good judgement and is definitely someone you want on your team in a difficult case"*

His recent cases include:

- *Otello Corp ASA v Moore Frères and Co LLC (Chancery Division): Trial determining the valuation of a minority shareholding and other related valuation matters in a shareholder's unfair prejudice petition.*
- *Singularis Holdings Limited (in official liquidation) v Chapelgate Credit Opportunity Master Fund Limited (Chancery Division): Trial determining the construction of a litigation funding agreement and whether damages deducted for contributory negligence were to be added back in for the purpose of ascertaining the funder's share of damages.*
- *Reliantco Investments Ltd v Dr Craig Wright (Commercial Court): Non-party disclosure application.*
- *Penta Ultimate Holdings Ltd v Storrier (Chancery Division): Setting aside default judgment on liability in a negligence claim against a former financial director.*
- *Robins v Furniss (Chancery Division): Urgent application to determine the right of a solicitor partner to withhold inspection of client files amidst a partnership dispute in a firm of solicitors.*



Practice Overview continued

- *Al-Dowaisan v Al-Salam & Others* (Chancery Division): Lead counsel at the trial of a Kuwaiti investor's claim for an account of his substantial investments in the UK and overseas.
- *Trustees of 3 Settlements v A Firm* (Expert Determination): Acting for the claimant trustees in their negligence claim against former solicitors who had drafted invalid deeds of retirement and appointment. Complex dispute over what heads of loss are recoverable in law.
- *In the matter of a Trust* (Supreme Court of Bermuda): Acting for a class of beneficiaries in contested Beddoe proceedings objecting to the decision of trustees to enter into a highly leveraged acquisition of shares for several million dollars based on expert valuations and projections based on the price of oil.
- *Re a Company* (ICC Arbitration): Acting for claimant shareholders seeking damages for conspiracy and relief for unfair prejudice against defendant directors and shareholders of a BVI joint venture investment company.
- *Re a Bank* (in liquidation): Advising on obtaining evidence in England for use in a large foreign insolvency proceeding commenced overseas.
- *Ripples Homeland Security v Osborne Clarke Solicitors* (Mercantile Court): Acting for claimant in a professional negligence claim against former solicitors for their role in a failed share sale transaction depriving the claimant of investment capital to take the claimant's technology to market.
- *A v B* (Stockholm Chamber of Commerce Arbitration): Acting for the defendant in the trial of a several billion dollar gas transit arbitration between state parties in relation to one of the world's largest transit pipelines.
- *Re a Company* (Grand Court of the Cayman Islands): Acting for directors and shareholders to ascertain "fair value" under Cayman companies' legislation for minority shares in a management buy-out. Case concerns intricate matters of share valuation and discounted cash flow valuation techniques.
- *Re Dishoom Limited* (Ch Div): Acting for the company that operates the Dishoom restaurants in a shareholders' dispute concerning the application of a shareholders' agreement and proper corporate governance by shareholder-nominated directors.
- *E v D* (Football Association Arbitration, Rule K): Acting for Premiership footballer in the trial of claims of breach of contract by a former football agent.
- *T v D* (Ad hoc Arbitration): Acting for solicitor excluded from a firm of solicitors in the trial of claims for breach of contract, good faith and other partnership duties.
- *The Light Touch Clinic v Forrester* (Chancery Division): Acting for cosmetic clinic company seeking to enforce restraint of trade clauses against former director and employee setting up competing business and using confidential information.
- *Jenington v Assaubayev and Others* (Chancery Division): Acting for the defendant directors defending claims of £200million for alleged fraud on AIM investors in respect of mineral ventures in Kazakhstan. Contested applications for worldwide freezing orders, search orders, gagging and passport orders.
- *eGain v (1) RBS (2) Lloyds TSB and 14 others* (Commercial Court): Large internet banking fraud against US company – acted for company obtaining a series of asset tracing orders to locate the money, freezing injunctions and disclosure orders against fraudulent defendants and several banks and contested interpleader proceedings.
- *In the Matter of a Trust* (Supreme Court of Bermuda): Acted for a member of one of the wealthiest Canadian families in the trial of a dispute between him and his father over the application of trust provisions in a complex Bermudian trust and corporate structure. Case was one of the first to consider the application of trust "jurisdiction" clauses.
- *In the Matter of the H Trust* (Royal Court of Jersey): Acted for a corporate fiduciary services provider defending beneficiary claims against several defendants for over £30million for alleged fraudulent and negligent investment advice. Allegations made against well-known accountant and adviser for fraud and breach of trust which led to criminal proceedings.



Practice Overview continued

- *In the Matter of a Company* (Royal Court of Guernsey): Acted for the defendant corporate fiduciary services provider and director defendants with local leading advocates in the defence of breach of trust proceedings and alleged negligence in respect of investment policy for approximately £10million. Case required consideration of the duties of non-executive directors and offshore corporate services providers.
- *A v B* (DIAC arbitration in Dubai): Acted in the trial for the claimant company building the world's largest theme park in Dubai against contractors and designers alleged to have acted in breach of the design contract and defending counterclaim for lost profits arising on termination.
- *Arrow Group ApS v Gelmedic Holding ApS* (Chancery Division): Acted for claimant licensor against large pharmaceutical licensee in breach of contract claim for failing to develop a patent into a lozenge and bring it to market. Consideration of the application of the Limitation Act to a "best endeavours" clause in the contract.
- *Ackerman v Ackerman* (Chancery Division): Acted for the claimant in the trial of a large complex shareholders' dispute where a challenge was made to an expert QC's determination of the division of family corporate assets between two sides of a family.
- *Reeves v Sprecher* (Chancery Division): Acted for the majority shareholder in a large hedge fund established in London and Nevis in a dispute against the minority shareholder who sought partnership remedies of dissolution and account. Case involved foreign proceedings and considered the jurisdiction of the Court over foreign incorporated companies.
- *British Midland Tool v Midland International Tooling* (Chancery Division): Acting for the claimant company in the lengthy trial of a large conspiracy claim against former directors who set up competing business and breached duties of confidence and other fiduciary duties.
- *Reachlocal UK v Bennett* (Queen's Bench Division): Acting for NASDAQ listed company in the trial of its claims against competitors using social media, Twitter and Facebook, to defame and attack the business.

Professional Liability

"Incredibly commercial with clients and speaks their language. He gets the balance right between impressing clients, working with solicitors, and understanding the commercial realities of day-to-day business." Chambers & Partners

He acts for claimants against a variety of professionals, in particular, solicitors, directors, and trustees; and he acts for defendants (and insurers who insure them). He has acted in a number of cases concerning the construction and coverage of insurance policies including the minimum terms and EL policies in light of the Trigger litigation. He is one of the appointed counsel on the Prosecution Panel of the Bar Standards Board that prosecutes barristers in breach of the Handbook.

His recent cases include:

- *Penta Ultimate Holdings Ltd v Storrer* (Chancery Division): Setting aside default judgment on liability in a negligence claim against a former financial director.
- *Trustees of 3 Settlements v A Firm* (Expert Determination): Acting for the claimant trustees in their negligence claim against former solicitors who had drafted invalid deeds of retirement and appointment. Complex dispute over what heads of loss are recoverable in law.
- *Ripples Homeland Security v Osborne Clarke Solicitors* (Mercantile Court): Acting for claimant in a professional negligence claim against former solicitors for their role in a failed share sale transaction depriving the claimant of investment capital to take the claimant's technology to market.
- *Symrise v Baker McKenzie* (Commercial Court): Acted for the defendant solicitors' firm in its defence against professional negligence claims arising out of a corporate debt pushdown transaction that resulted in a tax investigation in Mexico.



Professional Liability continued

- *In the Matter of the H Trust (Jersey)*: Acted for a corporate fiduciary services provider defending beneficiary claims against several defendants for over £30million in fraudulent and negligent investment advice. Allegations made against well-known accountant and adviser for fraud and breach of trust which led to criminal proceedings.
- *In the Matter of a Company (Guernsey)*: Acted for the defendant corporate fiduciary services provider and director defendants with local advocates in the defence of breach of trust proceedings and professional negligence in respect of investment policy for approximately £10million. Case required consideration of the duties of non-executive directors and offshore corporate services providers.
- *Re R Solicitors (Ch Div)*: Acted for a former client of a solicitors' firm in its claim for breach of trust, professional negligence and fraud in the conduct of managing the probate and distribution of a very substantial estate and the handling of the client account. Claims for negligence and fraud commenced against the solicitors concerned and compensation sought from the SRA's compensation fund.
- *A v B (DIAC arbitration in Dubai)*: Acted in the trial for the claimant company building the world's largest theme park in Dubai against contractors and designers alleged to have acted in breach of the design contract and defending counterclaim for lost profits arising on termination.
- *IEGL v Zurich Insurance plc (Court of Appeal)*: Acted for defendant insurer seeking the development of new law that would permit equitable contribution from other EL insurers on risk under EL insurance policies for the expanded liability created by the decision of *Fairchild v Glenhaven*.
- *Re a Hong Kong Bank (Hong Kong)*: Advising on the application of insurance policies to loss caused to a well-known and large commercial and retail Hong Kong bank arising out of fraudulent activities of a senior executive at the bank. Consideration of adequacy of investigation by the bank and whether compensation given to customers was an insured loss.
- *Re A Company (Commercial Court)*: Advising a large firm of accountants in respect of claims brought against it for allegedly negligent audits and advice.