



## Tim Penny QC

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### Clerks' Details

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### Memberships

- Tim is a member of the LCIA and COMBAR

***“An outstanding advocate whose charm and sound judgement inspire confidence in clients and court alike.”***  
The Legal 500, 2020

## Practice Overview

Tim has a strong commercial and chancery litigation practice, specialising in the areas of commercial fraud, shareholder disputes, court-appointed receiverships, financial services related claims and breach of confidence, 'soft' intellectual property and sports disciplinary disputes.

Tim has a particular expertise in worldwide freezing orders and search orders, and much of his work involves injunctions and/or complex jurisdiction and conflicts of laws issues in England and Wales as well as in a variety of common law jurisdictions. He has been instructed to advise and act in many high profile commercial cases, including acting for a number of the defendants in *National Trust Bank v Yurov*, and for the wife the high value divorce case *Akhmedova v Akhmedov*. He has been involved in a number of important recent cases in the developing area of receiverships by way of equitable execution and cross-border recognition of court appointed receivers, and he is the author of the chapter of *Kerr and Hunter on Receivers and Administrators on Recognition of Foreign Court-Appointed Receivers (2020)* dealing with cross-border recognition. He has also been involved in the leading recent cases on collective investment schemes in the Supreme Court and Court of Appeal. Most recently, during 2020 he has completed a course on *Cryptocurrency and Disruption at LSE*, has delivered a lecture on litigation involving cryptocurrencies and is currently instructed on a fraud claim involving the misappropriation of cryptocurrency.

Tim is called to the Bar in the BVI, and is currently instructed in various high value cases in the BVI, the Turks & Caicos Islands and the Cayman Islands.

Tim is ranked in the directories in both commercial chancery and civil fraud.

Chambers and Partners 2021 describes Tim as ***"A really brilliant, thoughtful and compelling advocate. His written work is excellent, and he's a pleasure to work with." "He's extremely thorough and capable of getting through a lot of material while maintaining the quality of his drafting. In his oral submissions he's able to represent some very dense and factually intricate material in a really clear and persuasive way. An excellent leader." "He is incredibly knowledgeable on civil fraud and freezing orders and has an assured advocacy style."***

The Legal 500 2021 notes that Tim is ***"an impressive and charming advocate who has excellent judgement in choosing the points to run and the way to put them - he is particularly strong on jurisdictional issues and complex trust and tracing points."*** Tim is also described as having a ***"deep knowledge of the law, persuasive advocate, excellent in conference, a tremendous team player and a go-to QC for complex civil fraud"***.

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## Practice Overview continued

Chambers and Partners 2020 describes Tim as "*extremely user-friendly and has sound judgement. He's an impressive advocate and very likeable. He brings a lot of weight to proceedings, and he makes a huge difference.*" Furthermore, he is described as being "*bright, determined and supportive. He's always willing to fight his client's corner*" and is "*very persuasive in court and judges like and respect him*". The Legal 500 2020 describes him as "*very diligent and thoughtful - he treats every case as if he himself was a party to the litigation*". He is also described as "*an outstanding advocate whose charm and sound judgement inspire confidence in clients and court alike*".

## International Arbitration

Tim's commercial practice also involves domestic and international Arbitration. He is a member of the *London Court of International Arbitration (LCIA)*.

### Recent work:

- During 2019 and 2020, Tim has been advising funders in relation to a substantial ICC arbitration.
- In 2017/2018, Tim was instructed in a Russian shareholder arbitration in the LCIA involving allegations of corporate raid and economic duress.
- During 2015/2016, Tim acted for a well-known British vehicle manufacturer in an ICC arbitration against a foreign franchisee.
- Tim has appeared in the Court of Arbitration for Sport in Lausanne on behalf of the British Nations Cup team, having previously appeared in Geneva before the world governing body in Geneva.
- He has successfully acted for the British Equestrian Federation in a sports disciplinary dispute arbitration, and has appeared in the British Archery Federation internal tribunal.
- Tim acted for the claimant who endeavoured to enforce a USVI arbitration award in various offshore jurisdictions in particular the Cayman Islands.