



Alex Barden KC

Call 2005 | Silk 2025

"An absolutely staggering intellect and a true advocate."

Chambers & Partners

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Alex is a “*real superstar*” who is “*one of the absolute go-tos*” with “*the sort of commercial vision solicitors and clients value highly*” (Chambers & Partners). He is widely recognised as a leading practitioner in commercial matters, especially corporate cases, fund and LLP law, and civil fraud.

Prior to taking silk he was ranked as a Band 1 Junior for Commercial Disputes and Company law, and was shortlisted twice for Chambers & Partners’ Commercial Junior of the Year (2020 and 2024). The directories have also recognised his expertise in Commercial Chancery, Civil Fraud, Banking & Finance, Insolvency and Group Litigation.

In the last two years Alex has appeared as sole advocate in the Supreme Court, in the Court of Appeal and in multiple Commercial Court trials. He regularly acts for major listed companies, investment funds and officeholders. His recent clients include the US government in the *FDIC* litigation, the successful bondholders in the *Republic of Argentina* sovereign debt dispute, *TP ICAP* in disputes arising from its acquisition of businesses from Tullett Prebon and *British American Tobacco* in ongoing group litigation.

Alex has particular experience of complex litigation and arbitration involving financial institutions, often with an international element or a regulatory dimension. He has a strong reputation in the specialist company and insolvency field (where he acted in the major *Edwardian Hotels* shareholder dispute and in the *Stobart Group* boardroom dispute) and of asset recovery proceedings involving injunctive relief.

Recent Highlights

Palladian v Republic of Argentina [2024] EWCA Civ 641

Acted for successful bondholders in EUR 1.3bn claim against Argentina for misstatement of its GDP figures under its GDP-linked bonds (with Sue Prevezer KC). Appeared as sole counsel in Court of Appeal hearing to obtain EUR 300m security for the Republic’s appeal.

Re LA Micro Group Limited [2024] UKSC 42

Appeared as sole counsel for Mr Frenkel in the Court of Appeal and in 2-day Supreme Court appeal relating to the



application of the Law of Property Act 1925 to constructive trusts arising on share transfers.

Federal Deposit Insurance Corporation (FDIC) v LIBOR Panel Banks (ongoing)

Acting for US government body (as receiver for closed US banks) in proceedings against UK Panel banks relating to alleged “lowballing” of USD LIBOR during the financial crisis (with Andrew Green KC).

Group Litigation

Acting for claimants and defendants in several pieces of ongoing group litigation, including acting for BAT in defending claims relating to tobacco production in Malawi, and for investors in FSMA s.90A proceedings against Reckitt and Indivior.

Kinled v Zopa [2022] EWHC 1194

Sole counsel for challenger bank Zopa in Commercial Court trial, successfully resisting an intermediary’s claim for an introduction fee in relation to the financing for Zopa’s banking licence application.

Expertise

Banking & Finance

Alex has particular expertise in banking and structured finance, where he acts for major institutions, governments and funds, both on traditional banking disputes and in the areas of sovereign debt and listed securities. He has extensive experience in s.90 and 90A claims, and in noteholder litigation.

Notable Banking & Finance cases

Federal Deposit Insurance Corporation (FDIC) v LIBOR Panel Banks (ongoing)

Acting for US government body (as receiver for closed US banks) in Financial List proceedings against UK Panel banks relating to alleged “lowballing” of USD LIBOR during the financial crisis.

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Monex (2023)

Acted as sole counsel in Commercial Court proceedings for FX Broker Monex, defending claims relating to close-out of transactions following regulatory investigations into client activity.

RBS Rights Issue Litigation [2017] EWHC 3443, [2014] EWHC 227

Acting as lead junior for Legal & General, Standard Life, Prudential and others in a £4 billion claim under s.90 of FSMA against RBS arising from its 2008 rights issue and subsequent collapse. This remains the biggest case in the area and one of the leading cases on the management and costs of group actions by investors. Alex has subsequently been instructed in a series of similar matters under s.90 and s.90A.

Re Titan Europe Plc [2016] EHCW 969, [2016] EWCA Civ 1293

Acted for successful appellant hedge fund in noteholder litigation arising from the collapse of a structured investment vehicle. Alex has subsequently been instructed in a number of other structured finance and sovereign debt claims.

Re Lehman Brothers Europe (2018)

Acting for funds holding equity and subordinated debt in LBIE. Application involves issues relating to administration set-off, statutory interest and the CASS regime. Case settled shortly before trial.

Civil Fraud

Civil fraud litigation is a central part of Alex's practice, particularly where cases arise from breaches of directors' duties, bribery and money laundering. He has extensive experience of cases involving jurisdiction disputes and interim remedies, including freezing, search and passport orders and *Norwich Pharmacal* relief.

Notable Civil Fraud cases

GLAS v ETS (ongoing)

Acting as sole counsel for GLAS (as trustee for Bondholders) in Commercial Court asset recovery proceedings relating to the alleged misappropriation of shares in French listed company SMCP with a value of EUR 80m. Obtained partial summary judgment for return of the shares from Singapore.



Gemini v Watson and others (ongoing)

Acting for major Egyptian investment group in US\$100m civil fraud and conspiracy claim against NZ businessman and established fraudster Eric Watson and others. Successfully obtained freezing order and asset disclosure relief against a number of defendants.

Terre Neuve v HSBC, El Maleh [2020] EWHC 772

Acted in Commercial Court claim against HSBC Switzerland and others in claims arising from alleged money laundering.

Republic of Nigeria v Shell and Eni [2020] EWHC (Comm) 1315

Acted for Italian oil giant Eni resisting \$1 billion bribery claim by the Nigerian government in relation to an off-shore oilfield, including allegations against the former President. Successful jurisdiction application brought an end to English proceedings.

Claims Fraud (in private)

Acted as sole counsel for a FTSE 100 company in private Commercial Court proceedings relating to alleged claims frauds. Obtained Norwich Pharmacal relief identifying wrongdoers and tracing funds.

Private Jet Finance (in private)

Acted as sole counsel for private aviation provider in Commercial Court proceedings against aircraft lessor, involving freezing and other injunctive relief (in private).

Commercial Disputes

Alex has a wide-ranging commercial litigation practice and was shortlisted for *Chambers & Partners'* Commercial Junior of the Year 2020 and 2024. He has substantial experience of injunctive relief and civil fraud claims, of jurisdiction disputes and of litigation with a regulatory angle, as well as matters relating to banking, structured finance, aviation and mergers & acquisitions.

Notable Commercial Disputes cases

Re LA Micro Group Limited [2024] UKSC 42

Appeared as sole counsel for Mr Frenkel in the Court of Appeal and in 2-day Supreme Court appeal relating to the application of the Law of Property Act 1925 to constructive trusts arising on share transfers.

Federal Deposit Insurance Corporation (FDIC) v LIBOR Panel Banks (ongoing)



Acting for US government body (as receiver for closed US banks) in Financial List proceedings against UK Panel banks relating to alleged “lowballing” of USD LIBOR during the financial crisis.

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Acted for successful bondholders in EUR 1.3bn claim against Argentina for misstatement of its GDP figures under its GDP-linked bonds. Appeared as sole counsel in Court of Appeal hearing to obtain EUR 300m security for the Republic’s appeal.

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Kinled v Zopa [2022] EWHC 1194

Sole counsel for challenger bank Zopa in Commercial Court trial, successfully resisting an intermediary’s claim for an introduction fee in relation to the financing for Zopa’s banking licence application.

TP ICAP v NEX Group [2022] EWHC 2700

Acted for FTSE-listed broker TP ICAP in warranty and indemnity claims relating to its £1.2bn acquisition of ICAP’s voice-broking business, including issues relating to potential liability in Germany arising from alleged cum-ex tax fraud. Successfully resisted strike-out application relating to notification of claims.

Republic of Nigeria v Shell & Eni [2020] EWHC (Comm) 1315

Acted for Italian oil giant Eni resisting \$1 billion bribery claim by the Nigerian government in relation to an off-shore oilfield, including allegations against the former President. Issues related to jurisdiction under the Brussels Regulation and alleged material non-disclosure by the Republic.

Rusal Plc [2020] JRC034

Acted for aluminium giant Rusal in litigation in Jersey relating to alleged misuse of intellectual property. Issues relating to jurisdiction and corporate redomiciliation.



Company, Restructuring & Insolvency

Alex's practice spans contentious and non-contentious company and LLP law. He has been instructed in some of the largest shareholder and LLP disputes of recent times and has substantial experience of derivative actions and technical company-related litigation. He also has broad experience of advising in relation to the structuring of, and challenges to, corporate transactions and on claims arising from business acquisitions and valuation disputes.

He has a wide-ranging insolvency practice including cases arising from the insolvency of financial institutions, disputes under the Cross-Border Insolvency Regulations, and administration cases. Alex is a contributor to *Buckley* and to *Lightman and Moss*.

Notable Company, Restructuring & Insolvency cases

Big Technologies Plc (ongoing)

Acting for an AIM-listed issuer in proceedings relating to the validity of a "drag-along" acquisition transaction and related allegations against the company's founder and CEO.

Confidential Ad Hoc Arbitration (2023)

Acted for partners of FCA-regulated private debt fund in arbitration proceedings and related litigation arising from removal of partner for fraud, undisclosed private interests and other regulatory breaches.

Profile Partners (2021)

Acted for Norwegian football agent Rune Hauge in s.994 dispute relating to business interests in the sports rights industry.

Edwardian Group [2019] 1 BCLC 171, [2017] EHC 3112

Appeared for successful minority shareholder in four-week trial of s.994 petition relating to £1 billion hotel group. This is the largest recent case in the area and now a leading authority on corporate opportunities, directors' remuneration and discounts for minority shareholdings. Alex regularly appears in shareholder disputes of this type, including derivative claims.

Stobart Group Limited [2019] EWHC 258

Appeared for shareholder and former CEO Andrew Tinkler in proceedings arising from boardroom dispute in this FTSE 250 company.

Re MF Global Limited [2019] Bus LR 40, [2018] EWCA Civ 1327



Acted for successful creditor opposing Administrators' proposed Creditors' Voluntary Arrangement on grounds of change of circumstances.

Re Lehman Brothers Europe (2018)

Acting for funds holding equity and subordinated debt in LBIE. Application involves issues relating to administration set-off, statutory interest and the CASS regime. Case settled shortly before trial.

Comet Plc

Acted for Darty in relation to its defence to £80 million preference claim relating to the sale and subsequent insolvency of Comet plc.

Zinc Hotels (Fortress v Tchenguiz) [2018] BCC 968, [2018] EWHC 1936

Acted for Fortress investment fund, successfully resisted challenge by Vincent Tchenguiz to appointment of administrators and proposed sale of hotels.

Re Polly Peck

Acting as sole counsel for Administrators of Polly Peck in relation to wind-down and closure of one of the longest-running administrations of recent decades.

Re LDK Solar

Acted in a challenge to parallel schemes of arrangement in Hong Kong and Cayman Islands, relating to investments in mainland China.

Re Isis Investment Limited

Acted as sole counsel on successful recognition application in the BVI Courts for English scheme of arrangement, under the UNCITRAL model law.

Awaze v Wyndham

Acted as sole counsel for private equity purchaser in Commercial Court dispute arising from acquisition of a vacation rental business.

Flanagan v Liontrust [2015] EWHC 2171

Appearing for the claimant in the leading case on LLP Agreements.

Financial Services

Alex's practice in the field of financial services includes acting for FCA-regulated entities on matters arising from alleged conduct and supervisory breaches, for listed issuers in relation to corporate governance and transactions, and for claimants and defendants in claims under FSMA (including s.90 and 90A).

Notable Financial Services cases

Big Technologies Plc (ongoing)

Acting for an AIM-listed issuer in proceedings relating to the validity of a “drag-along” acquisition transaction and related allegations against the company's founder and CEO.

Confidential LCIA Arbitration (2023)

Acted for partners of a London-based private debt fund in arbitration proceedings and related litigation arising from removal of partner for fraud, undisclosed private interests and other regulatory breaches.

Monex (2023)

Acted as sole counsel in Commercial Court proceedings for FX Broker Monex, defending claims relating to close-out of transactions following regulatory investigations into client activity.

SFO v Barclays and others [2019] EWCA Crim 1074

Acted for the Serious Fraud Office in relation to its prosecution of Barclays executives arising from the Bank's 2008 Rights Issue – successfully resisting “half-time” application to dismiss the case on legal grounds.

Cattles Rights Issue Litigation

Acted for Standard Life in its £20 million claim against former directors of Cattles Plc, who had been disciplined by the FSA.

Re Brightside Insurance

Acted in a claim against former director and auditors of a well-known insurance company, alleging (inter alia) breaches of FCA CASS Rules.

Confidential Takeover Panel Proceedings

Acted for Fund Manager in confidential Takeover Panel proceedings relating to alleged conspiracy to manipulate

share price.

Group Litigation

Alex is recognised for his expertise in the area of group litigation, where he is regularly instructed in large group actions, for both claimants and defendants, in matters spanning the financial services, human rights and ESG fields.

Notable Group Litigation cases

Malawi Tobacco Litigation

Acting for British American Tobacco in respect of widely publicised group action claims by Malawian tobacco farmers.

Ghanaian Labourers v Olam

Acting as first junior on the team acting for Olam in defending threatened proceedings brought by Leigh Day on behalf of Ghanaian labourers, involving supply chain-related allegations.

Wirral Council v Reckitt and Indivior

Acting for investors in proceedings under CPR 19.8 (representative claims) – the first claim of its type brought as a bifurcated representative class action claim under the structure described in *Lloyd v Google*.

Federal Deposit Insurance Corporation (FDIC) v LIBOR Panel Banks (ongoing)

Acting for US government body (as receiver for closed US banks) in Financial List proceedings against UK Panel banks relating to alleged “lowballing” of USD LIBOR during the financial crisis.

Investors v Barclays

Acted for a group of funds and other investors (including pension funds, hedge funds and others) who invested in Barclays, in relation to claims under s.90 and s.90A of FSMA, regarding its “dark pool” trading and the role of High Frequency Traders.

RBS Rights Issue Litigation [2017] EWHC 3443, [2014] EWHC 227

Acting as lead junior for Legal & General, Standard Life, Prudential and others in a £4 billion claim under s.90 of FSMA against RBS arising from its 2008 rights issue and subsequent collapse. This remains the biggest case in the area and one of the leading cases on the management and costs of group actions by investors. Alex has subsequently been instructed in a series of similar matters under s.90 and s.90A.



Insurance & Reinsurance

Notable Insurance & Reinsurance cases

Confidential LCIA Arbitration

Acting for insurer in dispute arising from alleged failure to disclose liabilities and impairments in a corporate acquisition.

Re Enermech (2023)

Acted for W&I insurers in Commercial Court claim arising from acquisition of natural resources engineering business.

Re IMTI (2022)

Acted for W&I insurers in Commercial Court claim relating to acquisition of medical engineering business.

Re Brightside Insurance

Acting in a claim against former director and auditors of a well-known insurance company, alleging (inter alia) breaches of FCA CASS Rules.

International Arbitration

Alex has extensive arbitration experience across all his fields of practice, including shareholder and valuation cases, sovereign debt and contractual disputes and in various forms of arbitration and other ADR including expert determination.

Notable International Arbitration cases

Confidential LCIA Arbitration

Acting for insurer in dispute arising from alleged failure to disclose liabilities and impairments in a corporate acquisition.

Confidential Ad Hoc Arbitration (2023)

Acted for partners of FCA-regulated private debt fund in arbitration proceedings and related litigation arising from removal of partner for fraud, undisclosed private interests and other regulatory breaches.



Confidential LCIA Arbitration

Acted for substantial shareholder in a large Russian media company in arbitration relating to shareholders' information rights.

Confidential Ad Hoc Arbitration

Acted in a matter relating to rights of members in a large investment management fund.

Confidential ICC Arbitration

Acted for major telecoms company in relation to threatened arbitration pleadings relating to contractual arrangements.

Griffin v Wainwright [2017] EWHC 2122

Appeared as sole counsel for the successful applicant challenging an expert determination.

Offshore

Alex is regularly instructed by leading offshore firms in relation to disputes within his areas of expertise. He is called to the Bar of the BVI and has recently been involved in disputes in Jersey, Guernsey, Hong Kong, the Cayman Islands, Dubai and the Isle of Man.

Notable Offshore cases

Re Guanghua

Acting as lead advocate in Eastern Caribbean Court of Appeal (BVI) in proceedings relating to the enforcement of a Hong Kong judgment

Rusal Plc [2020] JRC034

Acted for aluminium giant Rusal in litigation in Jersey relating to alleged misuse of intellectual property. Issues relating to jurisdiction and corporate redomiciliation.

Re LDK Solar

Acted in a challenge to parallel schemes of arrangement in Hong Kong and Cayman Islands, relating to investments in mainland China.

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Re Isis Investment Limited

Acted as sole counsel on successful recognition application in the BVI Courts for English scheme of arrangement, under the UNCITRAL model law.

Stobart v Tinkler

Acted in injunction applications in Guernsey relating to long-running dispute over Guernsey company listed on the London market.

Confidential

Acted in proceedings in camera in the Royal Court of Guernsey relating to alleged breach of confidence and market manipulation.

DIFC

Advising in relation to shareholder dispute arising under the law of the Dubai International Financial Centre.

Directory Quotes

"His advocacy is up there with some of the very top silks."

Legal 500

"He is clearly incredibly intelligent and astute, but also finds an excellent balance between getting stuff done whilst not over-complicating things - you can always be confident that you are getting the absolute best service from him."

Legal 500

"He is an excellent lawyer - his written advocacy is exceptional and he is extremely persuasive on his feet."

Chambers & Partners

"Exudes gravitas, even when he's against silks, and seems to be ten years more experienced than he really is."

Chambers & Partners



"Very bright and completely spot-on when dealing with corporate issues."

Chambers & Partners

"He's very good on the technical side and great at giving guidance as to what the court will or will not most likely care about."

Chambers & Partners

"Alex is a real expert on company shareholder disputes. He knows the law in that area inside and out."

Chambers & Partners

"He is all over the detail of very complex cases and is generally extremely charming and pleasant to work with."

Legal 500

"He is one of the absolute go-tos. He always provides clear advice and brilliant submissions, which he turns around extraordinarily quickly."

Chambers & Partners

Directory Rankings

Chambers & Partners – UK

- Company (Band 1)
- Chancery: Commercial
- Commercial Dispute Resolution (Band 1)
- Fraud: Civil
- Group Litigation

Legal 500 – UK

- Banking & Finance
- Commercial Litigation

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- Company
- Insolvency

Chambers & Partners – Global

- Dispute Resolution: Commercial – UK (Band 1)
- Dispute Resolution: Commercial Chancery – UK

Education

- BA (Law) – St John's College, Cambridge (1st Class)
- LLM (University of Pennsylvania) – Thouron Scholar
- BCL (Oxford) – Distinction
- Princess Royal Scholar for the Bar Vocational Course

International Bar / Court Appointments

- Called to the Bar of the British Virgin Islands

Appointments, Memberships and Prizes

- Commercial Bar Association
- Princess Royal Scholar, Inner Temple
- Thouron Scholar, University of Pennsylvania
- Cambridge University prizes for Constitutional Law, Administrative Law, Company Law

Publications

- Contributor to *Buckley on the Companies Act* (section on members' rights)
- Contributor to *Lightman and Moss on Administrators* (Chapter 6 on appointment of administrators)
- "Legal Privilege and Mandatory Disclosure under the Proceeds of Crime Act 2002" [2005] *LMCLQ* (with Simon Atrill)
- "US Corporate Law Reform Post-Enron – A Significant Imposition on the Private Ordering of Corporate Governance?" (2005) *Journal of Corporate Law Studies*

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Awards



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