



Nicolas Damnjanovic

Call 2016

"Nic is immensely hard working, an intellectual powerhouse, a good advocate, very well organised and thorough in his research and application of the law and savvy procedurally and tactically."

Legal 500

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Nic has a broad commercial practice with a particular emphasis on civil fraud, aviation, financial services, public law and regulatory matters.

He has been described as an *"outstanding talent"* and *"an intellectual powerhouse"* and routinely represents clients on high-value commercial and civil fraud claims with international dimensions. He has been instructed in significant cases in the Supreme Court and Court of Appeal. He also acts as sole counsel in a range of commercial matters in the High Court and County Court.

He was shortlisted for Shipping, Commodities and Aviation Junior of the Year in 2024 by Legal 500.

Before coming to the bar, Nic was a lawyer in Western Australia, where he acted for government in numerous commercial and public law matters, as both junior and sole counsel in both appeals and at first instance.

Recent Highlights

Lipton v BA City Flyer [2025] A.C. 154 (Supreme Court); [2021] 1 WLR 2545 (Court of Appeal)

Acting for BA City Flyer defending a claim for compensation by a passenger under EC Regulation 261/2004 for flight delay due to the illness of a member of the flight crew, led by Akhil Shah KC. The case is now the first and leading Supreme Court decision on EC Regulation 261/2004. This was also the first case in the Supreme Court to consider the application of retained EU law to causes of action arising pre-Brexit.

Glencore Securities claim (Aabar Holdings S.a.r.l. v Glencore plc & others)

Acting for a claimant in a very large claim against Glencore plc, one of the world's largest mining companies, and two directors under ss90 and 90A of the Financial Services and Markets Act 2000 (led by Bankim Thanki KC and Adam Kramer KC). This includes an important decision concerning whether companies can assert privilege against their shareholders: [2025] 2 W.L.R. 763

PJSC Tatneft v Gennady Bogolyubov & Ors [2021] EWHC 411 (Comm)

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Acting for the claimant in a complex fraud claim against four Ukrainian oligarchs, in a team led by David Railton KC and Henry King KC. The claim concerned the misappropriation of some \$300 million relating to oil deliveries from Russia to the Ukraine and was determined at a 12-week, fully remote trial.

Royal Sun Alliance, Aviva Insurance v Kroll Advisory Limited

Acting as sole counsel for insurers seeking recovery of sums paid out under a professional indemnity insurance policy with respect to criminal defence costs incurred by Kroll and two senior employees in connection with the insolvency of the Glasgow Rangers. Including a successful application for a contested third-party disclosure order: [2024] EWHC 1255 (Comm).

R (on the application of Jet2.com Ltd) v Civil Aviation Authority [2020] Q.B. 1027 (CA) [2018] EWHC 3364 (Admin); [2019] EWHC 336 (Admin)

Seeking judicial review of decisions taken by the CAA to publicly criticise Jet2, including applications for specific disclosure raising important issues of legal professional privilege, led by Charles Béar KC.

Expertise

Administrative & Public Law

Notable Administrative & Public Law cases

R (on the application of Manchester Airports Holdings Ltd) v Secretary of State for Transport [2021] EWHC 2031 (Admin)

Acting as sole counsel for Ryanair as interested party in judicial review proceedings challenging the lawfulness of decisions in relation to the “traffic light system” for international travel.

R (on the application of Jet2.com Ltd) v Civil Aviation Authority [2020] EWCA Civ 35; [2018] EWHC 3364 (Admin); [2019] EWHC 336 (Admin)

Acting in proceedings seeking judicial review of decisions taken by the CAA to publicly criticise Jet2, led by Charles Béar KC.

R (on the application of Monarch Airlines Ltd (In Administration)) v Airport Coordination Ltd [2017] EWCA Civ 1892 and [2017] EWHC 2896 (Admin)

Acting for the regulator at first instance and on appeal in judicial review proceedings concerning the allocation of take-off and landing slots to an insolvent airline, led by Michael Crane KC and Alexander Milner KC.



Thomas Cook Plc in Liquidation

Acting (led by Akhil Shah KC) for the liquidator following the insolvency of Thomas Cook in expedited judicial review proceedings threatened by an airport.

R (on the application of Institute of Chartered Accountants in England & Wales) v Lord Chancellor [2019] EWHC 461 (Admin)

Representing the Legal Services Board as interested party.

Acting for the Financial Services Compensation Scheme defending an application for judicial review concerning the award of compensation for losses arising from advice to enter a mortgage, led by James Cutress KC

Acting (led by Monica Carss-Frisk KC and Robin Barclay KC), in judicial review proceedings challenging decisions taken by the Secretary of State in relation to international requests for mutual legal assistance and search warrants obtained by the NCA.

Aviation & Travel

Notable Aviation & Travel cases

Lipton v BA City Flyer [2025] A.C. 154 (Supreme Court); [2021] 1 WLR 2545 (Court of Appeal)

Acting for BA City Flyer defending a claim for compensation by a passenger under EC Regulation 261/2004 for flight delay due to the illness of a member of the flight crew, led by Akhil Shah KC. The case is now the first and leading Supreme Court decision on EC Regulation 261/2004. This was also the first case in the Supreme Court to consider the application of retained EU law to causes of action arising pre-Brexit.

Ryanair v NATS (en route) plc

Acting for Ryanair in a claim in negligence against National Air Traffic Services (the monopoly provider of air traffic services in the UK), led by Akhil Shah KC. The claim is for economic loss caused by a major air traffic control system failure in the UK on 28 August 2023.

R (on the application of Jet2.com Ltd) v Civil Aviation Authority [2020] EWCA Civ 35; [2018] EWHC 3364 (Admin); [2019] EWHC 336 (Admin)

Seeking judicial review of decisions taken by the CAA to publicly criticise Jet2, including applications for specific disclosure raising important issues of legal professional privilege, led by Charles Béar KC.

On The Beach and ors v Ryanair [2023] EWHC 2694 (Comm); Travel Republic Limited v Ryanair UK Limited and



Ryanair DAC

Acting for Ryanair in two claims brought by online travel agents under the Package Travel and Linked Travel Arrangements Regulations 2018 and in unjust enrichment, led by Brian Kennelly KC and Niamh Cleary.

R (on the application of Manchester Airports Holdings Ltd) v Secretary of State for Transport [2021] EWHC 2031 (Admin)

Acting as sole counsel for Ryanair as interested party in judicial review proceedings challenging the lawfulness of decisions in relation to the “traffic light system” for international travel.

Odyssey Aviation Ltd v GFG 737 Ltd [2019] EWHC 1927 (Comm); [2019] EWHC 1980 (Comm)

Acting in a dispute over the failed sale of an aircraft in which summary judgment was successfully obtained, led by Michael McLaren KC.

R (on the application of Monarch Airlines Ltd (In Administration)) v Airport Coordination Ltd [2017] EWCA Civ 1892 and [2017] EWHC 2896 (Admin)

Acting for the regulator at first instance and on appeal in judicial review proceedings concerning the allocation of take-off and landing slots to an insolvent airline, led by Michael Crane KC and Alexander Milner KC (see also Thomas Cook in liquidation under Administrative & Public Law).

Acting (led by Akhil Shah KC) for a private jet operator in a CAA panel hearing relating to the continuing airworthiness regulation (Regulation 1321/2014) as it applies to parting out aircraft.

Instructed as sole English counsel in relation to a multi-jurisdictional dispute concerning an agent’s commission on the sale of aircraft.

Acting for an international airline in a dispute over aircraft maintenance charges (initially as sole counsel and then led by Akhil Shah KC).

Acting as sole counsel defending a claim against a private jet charter company for breach of contract and breach of confidence in relation to a flight which the passengers were unable to board in Saudi Arabia because they lacked the necessary travel permits.

Appearing as sole counsel for airlines in the County Court in claims by passengers for compensation under Regulation 261/2004, the Montreal Convention and the common law.



Banking & Finance

Notable Banking & Finance cases

Fairweather Stephenson v Barclays Bank

Led by Nicholas Medcroft KC, acting for a solicitors' firm who were victims of 'vishing' frauds, in a claim for failure to refund unauthorised payments and breach of the *Quincecare* duty.

Acting for the Financial Services Compensation Scheme defending an application for judicial review concerning the award of compensation for losses arising from advice to enter a mortgage, led by James Cutress KC

Premier Motor Auctions v Lloyds Bank

Acting for Lloyds Bank in the defence of a £40 million+ claim for conspiracy to defraud and breach of contract (led by Stephen Rubin KC and Adam Zellick KC), which settled before trial.

Acting as sole counsel for retail banks in a variety of matters, including claims to rescind loan agreements and guarantees, claims in respect of fraudulently induced bank payments, and claims under the Consumer Credit Act 1974.

As sole counsel, advising on and defending claims relating to the sale of PPI policies.

Civil Fraud & Commercial Crime

Notable Civil Fraud & Commercial Crime cases

Glencore Securities claim (Aabar Holdings S.a.r.l. v Glencore plc & others)

Acting for a claimant in a very large claim against Glencore plc, one of the world's largest mining companies, and two directors under ss90 and 90A of the Financial Services and Markets Act 2000 (led by Bankim Thanki KC and Adam Kramer KC).

PJSC Tatneft v Gennady Bogolyubov & Ors [2021] EWHC 411 (Comm)

Acting for the claimant in a complex fraud claim against four Ukrainian oligarchs, in a team led by David Railton KC and Henry King KC. The claim concerned the misappropriation of some \$300 million relating to oil deliveries from Russia to the Ukraine and was determined at a 12-week, fully remote trial.

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Renova Industries Limited & Ors v Emmerson International Corporation & Ors

Acting in the BVI Commercial Court (led by Stephen Rubin KC) for certain defendants in a \$1 billion+, long-running fraud claim by Russian energy sector interests. One of the largest cases currently litigating in the BVI.

Nopporn Suppipat & Ors v Nop Narongdej & Ors

Acting for two of seventeen defendants in a high-value claim alleging unlawful means conspiracy, misrepresentation, breach of contract and other causes of action in relation to the sale of shares in a Thai wind energy business, led by John Taylor KC.

Led by Robin Barclay KC and Richard Lissack KC, for claimants in a multi-jurisdictional civil fraud claim, including obtaining worldwide freezing injunctions, Norwich Pharmacal and Bankers' Trust

Initially led by Robin Barclay KC and now acting as sole English counsel for claimants in multi-jurisdictional civil fraud proceedings in Guernsey.

Led by Nicholas Medcroft KC, for victims of 'vishing' frauds (see Banking & Finance).

Acting (led by Monica Carss-Frisk KC and Robin Barclay KC), in judicial review proceedings challenging decisions taken by the Secretary of State in relation to international requests for mutual legal assistance and search warrants obtained by the NCA.

Commercial Disputes

Notable Commercial Disputes cases

Glencore Securities claim (Aabar Holdings S.a.r.l. v Glencore plc & others)

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Renova Industries Limited & Ors v Emmerson International Corporation & Ors



Acting in the BVI Commercial Court (led by Stephen Rubin KC) for certain defendants in a \$1 billion+, long-running fraud claim by Russian energy sector interests. One of the largest cases currently litigating in the BVI.

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Acting for Ryanair in a claim in negligence against National Air Traffic Services (the monopoly provider of air traffic services in the UK), led by Akhil Shah KC. The claim is for economic loss caused by a major air traffic control system failure in the UK on 28 August 2023.

Odyssey Aviation Ltd v GFG 737 Ltd [2019] EWHC 1927 (Comm); [2019] EWHC 1980 (Comm)

Acting in a dispute over the failed sale of an aircraft in which summary judgment was successfully obtained, led by Michael McLaren KC.

Acting in relation to multiple disputes arising from a £2 billion PFI contract for the repair and maintenance of the Birmingham road network (led by Anneliese Day KC and George McDonald).

Acting (led by Henry King KC) to advise in relation to the enforcement of an English judgment for \$86 million in Greece.

Acting (led by Ben Lynch KC) to seek and hold injunctive relief and bring claims in relation to the alleged theft of high value classic motor cars.

Regularly instructed as sole counsel to advise and draft pleadings in commercial disputes including finance leasing, telecommunications agreements, share sale agreements, guarantees and indemnities, provision of pre-paid debit cards and unfair prejudice petitions.



Acting as sole counsel in relation to winding-up and bankruptcy petitions, possession orders, and in interlocutory applications, including seeking Norwich Pharmacal / Bankers' Trust orders.

As a lawyer in Western Australia, acting as junior counsel (led by Peter Quinlan SC) for the Public Transport Authority of Western Australia defending a claim in private nuisance: *Shogunn Investments Pty Ltd v Public Transport Authority of Western Australia* [2016] WASC 42.

As a lawyer in Western Australia, acting as sole counsel defending the Department of Education of Western Australia in a civil claim for assault and battery.

As a lawyer in Western Australia, acting as instructing solicitor with day-to-day conduct of a construction arbitration claiming A\$15 million.

International Arbitration

Notable International Arbitration cases

Acting as Tribunal Secretary with Leigh-Ann Mulcahy KC in five related LCIA arbitrations in a European banking context.

Acting as Tribunal Secretary in an LCIA arbitration in a claim relating to intellectual property in the pharmaceutical industry.

Privilege, Confidentiality & Conflicts of Interest

Notable Privilege, Confidentiality & Conflicts of Interest cases

Aabar Holdings SARL v Glencore Plc [2025] 2 W.L.R. 763

Acting for Aabar on an important case concerning whether companies can assert privilege against their shareholders, led by Bankim Thanki KC. Permission to appeal granted.

R (on the application of Jet2.com Ltd) v Civil Aviation Authority [2020] EWCA Civ 35; [2018] EWHC 3364 (Admin); [2019] EWHC 336 (Admin)

Acting for Jet2.com in judicial review proceedings (led by Charles Béar KC), this case established important principles in the law of legal advice privilege, including dominant purpose and multi-recipient communications, and also raised important issues on waiver.



PJSC Tatneft v Bogolyubov [2021] 1 WLR 403

Acting for PJSC Tatneft (led by Henry King KC), this case decided important issues concerning the extension of legal advice privilege to communications with foreign lawyers.

PJSC Tatneft v Bogolyubov [2021] 1 WLR 1612

A further interlocutory decision in the Tatneft proceedings (led by Henry King KC) dealing with waiver of privilege.

Advising an executor of a foreign estate on questions concerning confidentiality and privilege in relation to documents belonging to the deceased.

Professional Discipline & Professional Negligence

Notable Professional Discipline & Professional Negligence cases

Defending (led by Nicholas Medcroft KC) a multi-million-pound solicitor's negligence claim in relation to the conduct of proceedings under the Proceeds of Crime Act 2002.

Fairweather Stephenson v Barclays Bank

Led by Nicholas Medcroft KC, acting for a solicitors' firm who were victims of 'vishing' frauds, in a claim against the bank for failure to refund unauthorised payments and negligence.

Instructed by the Financial Reporting Council as junior counsel on several disciplinary investigations and proceedings against accountants and auditors, including the auditors of a bank.

Defending (led by Michael McLaren KC) a solicitor in proceedings before the Solicitors Disciplinary Tribunal in relation to multiple allegations of misconduct.

SRA v Mansoor Ali

(During pupillage) assisting Marianne Butler acting for the Solicitors Regulation Authority in a disciplinary hearing before the Solicitors Disciplinary Tribunal.

Directory Quotes

"Nicolas is an outstanding lawyer and real star to watch. He has a mature understanding of the aviation industry and



brings razor-sharp analysis to any problem."

Legal 500

"Outstanding talent, with a deep understanding of the regulatory framework of the aviation and travel industries."

Legal 500

"Nothing is too much trouble. He is hard-working, intelligent and produces excellent paperwork."

Legal 500

"A bright and able junior."

Legal 500

"Technically and academically outstanding."

Legal 500

"Nicolas is really clever. He grapples with complex problems very well and breaks them down into manageable chunks."

Chambers & Partners

"An insightful junior, whose written work is superb. He's a really good barrister who is going places."

Chambers & Partners

Directory Rankings

Chambers & Partners

- Aviation



Legal 500

- Aviation
- Fraud: Civil

Education

- Bachelor of Civil Law (Distinction), Wadham College, Oxford University
- Bachelor of Laws (First Class Honours), University of Western Australia
- PhD (Philosophy), Australian National University
- MA (Philosophy), University of Western Australia
- BA (Philosophy, First Class Honours), University of Western Australia

International Bar / Court Appointments

- Called to the Bar of the British Virgin Islands

Appointments, Memberships and Prizes

- Hackney BCL Scholarship, Wadham College, Oxford University
- King & Wood Mallesons Prize (Highest Mark for Honours Thesis in Law), University of Western Australia
- C.F Keall Prize in Law, University of Western Australia
- Jean Rogerson Honours Studentship in Law, University of Western Australia
- Australian Postgraduate Award, PhD Scholarship, Australian National University
- Jean Rogerson Postgraduate Scholarship, University of Western Australia
- University Postgraduate Award, MA Scholarship, University of Western Australia
- A. Grave Prize in Philosophy (best 3rd year Philosophy student, University of Western Australia)

Publications

- With Sir Marcus Smith, Henry King KC and Nico Leslie, 'Restitution' in *Bullen & Leake & Jacob's Precedents of Pleadings*
- 'Criminal Responsibility & Psychopathy in Western Australia', University of Western Australia Law Review 35(2), 2011: 265-86
- Nic has also published numerous articles and chapters in leading philosophy journals and books

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Awards



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