



# Tamara Oppenheimer KC

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*"A great barrister, a great person, and a true role model for the commercial Bar."*

*Legal 500*

✉ [to@fountaincourt.co.uk](mailto:to@fountaincourt.co.uk) ☎ +44 (0)20 7583 3335

Tamara Oppenheimer KC is an experienced advocate who is praised in the directories for having “exceptional judgment when it comes to running commercial litigation” and providing “no-hesitation, fully formed, practical advice on commercial cases”. Tamara has a broad civil practice that spans all aspects of complex commercial litigation.

Areas of expertise include Art & Valuable Items, Aviation, Banking & Finance, Commercial Crime, Commercial Dispute Resolution, Civil Fraud, International Arbitration and Professional Negligence. She has acted in several of the recent leading commercial cases, including acting for the Republic of Argentina in litigation concerning GDP-linked sovereign debt in *Palladian Partners & Ors v the Republic of Argentina & Anr*; acting in a tort/unjust enrichment claim against the British American Tobacco Group and the Imperial Tobacco Group arising out of the conditions on the tobacco farms from which it is alleged that the defendants acquired tobacco; and acting for Barclays in a claim for alleged fraudulent misrepresentation arising out of Barclays’ capital raising in 2008.

Tamara is considered an expert on the law of privilege and has appeared in a number of the recent key Court of Appeal decisions, including *SFO v ENRC*, *Jet2.com v CAA*, *Loreley v Credit Suisse* and *Al-Sadeq v Dechert*. She is regularly instructed to advise major institutions on privilege issues arising in connection with regulatory and/or criminal investigations.

Tamara is co-editor of Thanki’s *The Law of Privilege* and authors the chapters on privilege in GIR’s *Practitioner’s Guide to Global Investigations* and *Lissack & Horlick on Bribery and Corruption*.

Described in the directories as “faultless as a barrister” and “a true role model for the commercial Bar”, Tamara is consistently ranked in both *The Legal 500* and *Chambers & Partners* and won the Junior Barrister of the Year for Banking & Finance at the Chambers Bar Awards 2018. At the Chambers & Partners Bar Awards 2024, Tamara won the award for Outstanding Contribution to Diversity & Inclusion.

## Recent Highlights

### Palladian Partners & others v The Republic of Argentina [2024] EWCA Civ 641

Acting (with David Railton KC, Ben Valentin KC, Samuel Ritchie and Francesca Ruddy) for the Republic of Argentina defending a Euro 1 billion noteholder claim relating to Argentina’s 2005 and 2010 GDP-linked securities, at first

#### London

Fountain Court Chambers  
Fountain Court  
Temple  
London EC4Y 9DH

T: +44 (0)20 7583 3335  
F: +44 (0)20 7353 0329  
E: [chambers@fountaincourt.co.uk](mailto:chambers@fountaincourt.co.uk)  
DX: 5 LDE

#### Singapore

10 Collyer Quay  
Ocean Financial Centre  
#40-38  
Singapore 049315

T: +65 6808 6611



instance ([2023] EWHC 711 (Comm)) and on appeal.

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## Al Sadeq v Dechert LLP [2024] 3 WLR 403

Acting (with Simon Paul) for Karam Al Sadeq in his claim against Dechert LLP and others, in connection with various privilege applications: currently the leading decision on the iniquity exception; it also addresses issue of legal advice privilege and litigation privilege. Tamara also appeared for Mr Al Sadeq at first instance: [2023] 1 WLR 3749.

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## Loreley Financing v Credit Suisse Securities (Europe) Limited [2023] 1 WLR 1425

Acting (with Adam Sher) for Credit Suisse in a privilege challenge concerning the novel question of whether litigation privilege protects the identity of persons authorised by a party to communicate with its solicitors in relation to litigation.

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## R (on the application of Jet2.com Ltd) v CAA [2020] QB 1027

Acting (with Sam Grodzinski KC) for the CAA in raising important issues of legal advice privilege in the context of “multi-addressee communications” and establishing a dominant purpose test for legal advice privilege.

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## Serious Fraud Office v Eurasian Natural Resources Corporation [2019] 1 WLR 791

Acting (with Bankim Thanki KC and Rebecca Loveridge) in the highly anticipated appeal and leading case on legal professional privilege, arising out of a criminal investigation by the SFO.

# Expertise

## Art & Cultural Property

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### Notable Art & Cultural Property cases

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Acting (with Rhodri Davies KC) for Christie’s in a negligence/breach of fiduciary claim concerning the sale at auction of 4 artworks of a prominent sculptor. The claim settled shortly before trial in 2021.

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Acting for Christie’s in Commercial Court proceedings concerning disputed provenance of a 15th century artefact sold at auction in 2020.

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Acting for an insured in connection with its insurance claim relating to lost and damaged jewellery following a robbery at an art fair.



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## Thomson v Christie Manson & Woods Limited & Others [2005] PNLR 38

Acting for Christie's (with Jonathan Sumption QC and Andrew Onslow KC) concerning duties of care of auctioneers. Also acted for Christie's (with Andrew Onslow KC) at first instance: [2004] PNLR 42.

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## Aviation & Travel

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### Reported Aviation & Travel cases

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## Pinewood Technologies Asia Pacific Ltd v Pinewood Technologies PLC [2023] EWHC 2506 (TCC)

Acting (with Max Kasriel) for the Defendant in a \$312 million claim arising out of the termination of reseller agreements relating to the distribution of motor vehicle dealer management software in the Asia Pacific region. Successfully obtained reverse summary judgment; see also the related decisions at [2024] EWHC 580 (TCC) and [2024] Costs LR 573.

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## R (on the application of Jet2.com Ltd) v CAA [2020] QB 1027

Acting (with Sam Grodzinski KC) for the CAA in this case which raised important issues of legal advice privilege in the context of a specific disclosure application.

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### Notable Aviation & Travel cases

Acting (with Wee-An Tan) for Bombardier in proceedings involving a disputed aircraft lease and possessory liens.

Acting for an airline in an LCIA arbitration in connection with the termination of a wet lease agreement.

Acting for defendant placing brokers in a claim brought by an insured seeking an indemnity from insurers under a hull, spares and equipment policy, and an alternative negligence claim against the producing and placing brokers in the event of there being no cover.

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## Ethiopian Airlines v Honeywell and others

Acting (with Michael Crane KC) for Honeywell in a product liability/negligence claim arising out of a fire on board a Boeing 787 at Heathrow caused by the short circuiting within the emergency locator transmitter device.

Acting (with Michael Crane KC, Vernon Flynn KC and Nathan Pillow KC) for a major airline manufacturer in a claim concerning alleged misuse of confidential information.

Acting (with Akhil Shah KC) for the claimant in an arbitration against a major airline manufacturer for royalty

#### London

Fountain Court Chambers  
Fountain Court  
Temple  
London EC4Y 9DH

T: +44 (0)20 7583 3335  
F: +44 (0)20 7353 0329  
E: [chambers@fountaincourt.co.uk](mailto:chambers@fountaincourt.co.uk)  
DX: 5 LDE

#### Singapore

10 Collyer Quay  
Ocean Financial Centre  
#40-38  
Singapore 049315

T: +65 6808 6611



payments under a contract.

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Acting (with Michael Crane KC) for insurers of a major manufacturer in a 4-week arbitration in connection with a multi-million dollar claim by an airline company arising out of a mid-air plane collision.

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Acting (with Michael Crane KC) for the defendant in a claim by a major airline in connection with an IT services agreement.

## Banking & Finance

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Tamara frequently acts for banks (both retail and investment) and provides advice in a wide variety of disputes and matters.

### Reported Banking & Finance cases

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#### **Palladian Partners & others v The Republic of Argentina [2023] EWHC 711 (Comm); and on appeal [2024] EWCA Civ 641**

Acting (with Ben Valentin KC, Samuel Ritchie and Francesca Ruddy) for the Republic of Argentina at trial defending a Euro 1 billion noteholder claim relating to Argentina's 2005 and 2010 GDP-linked securities. (See also related decisions at [2022] EWHC 2059 (Comm) and [2020] EWHC 1946 (Comm)). Also acted on appeal (with David Railton KC): see related decision concerning permission at [2024] EWCA Civ 139.

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#### **Chocolate City Ltd v WEA International Inc [2023] EWHC 2874 (Comm)**

Acting (with Gillian Hughes) for the Warner Music Group in connection with a claim relating to the right to prepay a loan facility and a counterclaim concerning information rights; successfully obtained summary judgment.

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#### **Richard Dixon v Santander Asset Finance Plc [2021] EWHC 1044 (Ch)**

Acting for Santander on a successful strike out of the claimant's breach of contract/negligence claim on limitation grounds.

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#### **CGL Group Ltd v RBS [2016] EWHC 281**

Acting for Natwest/RBS in successfully striking out a swap mis-selling claim on limitation grounds and resisting the claimant's application for permission to amend to plead a claim based on an alleged duty of care arising out of the Review of interest rate hedging products conducted by RBS pursuant to an agreement with the FCA. The decision was upheld on appeal, where Tamara was led by Andrew Mitchell KC [2018] 1 WLR 2137).

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#### **O'Hare v Coutts [2016] EWHC 2224(QB)**



Acting for Coutts (leading Giles Robertson) in a claim for negligent financial advice/portfolio management. Tamara successfully defeated the claim at the trial before Kerr J.

## Nomura International Plc v Banca Monte dei Paschi di Siena [2014] 1 WLR 1584

Acting (with Richard Handyside KC) for Nomura in a high-profile claim brought against Monte dei Paschi di Siena, concerning a complex and high value set of derivative transactions. Nomura successfully resisted an application by the Italian bank to stay the English proceedings before Eder J.

## FSA v Sinaloa Gold Plc & Others [2011] EWHC 144 (Ch)

Acting for Barclays who successfully intervened in an application by the FSA to remove the undertaking in damages given to third parties in a freezing order obtained by the FSA against the defendants. The decision was reversed on appeal, where Tamara was led by Richard Handyside KC (FSA v Sinaloa Gold plc [2011] EWCA Civ 1158). The case went to the Supreme Court ([2013] UKSC 11; [2013] 2 WLR 678) where Barclays' appeal was dismissed.

## Barclays v Orlandofin BV [2015] EWHC 582 (Comm)

Acting for Barclays in a claim under a syndicated loan agreement.

## Tael One Partners Ltd v Morgan Stanley & Co International Plc [2012] EWHC 1858 (Comm)

Acting for the claimant in connection with a claim for payment premium under standard Loan Market Association Terms. Successfully obtained summary judgment before Popplewell J. Morgan Stanley was successful on appeal ([2013] 1 CLC 879) at which Tamara also appeared for Tael, led by Richard Handyside KC. (The case subsequently went to the Supreme Court, where Tael's appeal was dismissed: [2015] UKSC 12.)

## Notable Banking & Finance cases

Acting for Macquarie Bank in a £22 million ISDA dispute concerning non-settlement of an FX swap.

Acting for various defendants forming part of the Bluestone Group of companies in claims brought by Rizwan Hussain arising out of securitisation.

Acting for a finance house (with Raymond Cox KC) in a claim concerning commercial real estate finance.

Acting for Santander (leading Samuel Rabinowitz) in a £10 million interest rate swap mis-selling claim.

## Stuart Wall v RBS



Acting (with Andrew Mitchell KC, Jeremy Goldring KC, James Cutress KC and Adam Sher) for RBS in a multi-million-pound claim for the alleged mis-selling of an interest rate swap in the context of a securitisation. The claim, which involved LIBOR related allegations, settled shortly before trial in 2017.

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## PCP Capital Partners v Barclays

Acting (with Bankim Thanki KC) for Barclays in a claim for alleged fraudulent misrepresentation arising out of Barclays' capital raising in 2008.

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Acting for the National Bank of Greece in connection with a claim for mis-selling of bonds.

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Acting (with Guy Philipps QC) for the claimant in a multi-million-pound claim against an investment bank and an investment advisory firm for alleged negligence and breach of regulatory duties in connection with the mis-selling of structured products.

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Acting for Natwest in a claim for breach of contract/negligence arising out of the registration of defaults with credit agencies.

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Acting (with Andrew Mitchell KC) for Clydesdale Financial Services in connection with over 200 claims brought by consumers under s.75 and s.56 of the Consumer Credit Act 1974 arising out of alleged mis-selling of timeshares.

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Acting for Barclays in a claim for recovery of loan repayments in connection with a film finance scheme.

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Acting for/advised Barclays in relation to various claims arising out of the sale of payment protection insurance.

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Acting for a fund manager (with Timothy Howe KC and Patrick Goodall) in arbitration proceedings in connection with claims arising out of the "credit crunch".

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## Financial Services Compensation Scheme v Abbey National Treasury Services and NDF Ltd

Acting for the Financial Services Compensation Scheme (with David Railton KC and Richard Handyside KC) in a negligence/breach of statutory duty claim relating to the alleged mis-selling of structured capital at risk products to retail investors.

## Civil Fraud

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### Reported Civil Fraud cases

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## **Palladian Partners & others v The Republic of Argentina [2023] EWHC 711 (Comm); and on appeal [2024] EWCA Civ 641**

Acting (with Ben Valentin KC, Samuel Ritchie and Francesca Ruddy) for the Republic of Argentina at trial defending a Euro 1 billion noteholder claim relating to Argentina's 2005 and 2010 GDP-linked securities, involving allegations of bad faith/wilful misconduct on the part of the Republic. (See also related decisions at [2022] EWHC 2059 (Comm) and [2020] EWHC 1946 (Comm)).

## Notable Civil Fraud cases

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### **Stuart Wall v RBS**

Acting (with Andrew Mitchell KC, Jeremy Goldring KC, James Cutress KC and Adam Sher) for RBS in Stuart Wall v RBS, a multi- million-pound claim for the alleged mis-selling of an interest rate swap in the context of a securitisation. The claim, which involved LIBOR related allegations and allegations of fraud, settled shortly before trial in 2017.

### **PCP Capital Partners v Barclays**

Acting (with Bankim Thanki KC) for Barclays in a claim for alleged fraudulent misrepresentation arising out of Barclays' capital raising in 2008.

Acting for the National Bank of Greece in connection with a claim for mis-selling of bonds involving allegations of fraud.

### **Tajik Aluminium Plant v Ermatov and others**

Acting with Brian Doctor KC, Patrick Goodall KC, Paul Sinclair and Rosalind Phelps KC in a multi-million-dollar claim involving allegations of fraud and conspiracy relating to the aluminium industry in Tajikistan.

Acting for executor claimants in a professional negligence/fraud claim against a firm of solicitors.

## **Commercial Crime**

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### Reported Commercial Crime cases

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### **Al Sadeq v Dechert LLP [2023] EWHC 795 (KB)**

Acting (with Simon Paul) for Karam Al Sadeq in his claim against Dechert LLP and others, in connection with various privilege applications: currently the leading decision on the iniquity exception; it also addresses issue of legal advice privilege and litigation privilege. Tamara also appeared for Mr Al Sadeq at first instance: [2023] 1 WLR 3749.



## Director of the Serious Fraud Office v Eurasian Natural Resources Corporation [2019] 1 WLR 791

Acting (with Bankim Thanki KC and Rebecca Loveridge) in the highly anticipated appeal and leading case on legal professional privilege, arising out of a criminal investigation by the SFO. Tamara also acted for ENRC at first instance (with Richard Lissack KC): [2017] 1 WLR 4205.

## Notable Commercial Crime cases

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Advising a corporate on privilege claims arising out of a potential criminal investigation.

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Advising a major financial institution on privilege claims arising out of a criminal investigation.

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Acting (with Nicholas Purnell KC) for a large corporate in connection with a criminal investigation.

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Acting (with Bankim Thanki KC, Richard Lissack KC and Eleanor Davison) for a financial institution in connection with an investigation by the SFO.

## Commercial Disputes

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Tamara acts in a wide range of commercial disputes and has appeared in a number of leading commercial cases.

## Reported Commercial Disputes cases

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### Columbia Pictures Corporation Limited v Wanda Kids Culture Development [2024] EWHC 291 (Comm)

Acting (with Kit Holliday) for Columbia Pictures in a claim concerning the defendant's failure to complete a put and call option agreement to purchase shares.

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### Chocolate City Ltd v WEA International Inc [2023] EWHC 2874 (Comm)

Acting (with Gillian Hughes) for the Warner Music Group in connection with a claim brought by a Nigerian music company concerning the provision of finance by Warner and Warner's option to convert outstanding sums under the loan agreement into equity.

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### Pinewood Technologies Asia Pacific Ltd v Pinewood Technologies PLC [2023] EWHC 2506 (TCC)

Acting (with Max Kasriel) for the Defendant in a \$312 million claim arising out of the termination of reseller agreements relating to the distribution of motor vehicle dealer management software in the Asia Pacific region. Successfully obtained reverse summary judgment on the basis of the application of an exclusion clause; see also the related decisions at [2024] EWHC 580 (TCC) and [2024] Costs LR 573.

#### London

Fountain Court Chambers  
Fountain Court  
Temple  
London EC4Y 9DH

T: +44 (0)20 7583 3335  
F: +44 (0)20 7353 0329  
E: [chambers@fountaincourt.co.uk](mailto:chambers@fountaincourt.co.uk)  
DX: 5 LDE

#### Singapore

10 Collyer Quay  
Ocean Financial Centre  
#40-38  
Singapore 049315

T: +65 6808 6611





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**Josiya v British American Tobacco Plc [2021] EWHC 1743 (QB)**

Acting (with Richard Hermer KC, Edward Craven and Kate Boakes) for thousands of Malawian tobacco farmers in a tort/unjust enrichment claim against the British American Tobacco Group and the Imperial Tobacco Group arising out of the conditions on the tobacco farms from which it is alleged that the defendants acquired tobacco. The defendants' applications to strike out the claims on the basis they disclosed no reasonable basis for bringing the claims and/or were an abuse of process were dismissed.

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**Barclays & Anor v Barclays & Ors [2020] EWHC 1179 (QB)**

Acting for Sir Frederick Barclay and Amanda Barclay in the Barclays Brothers litigation, concerning the defendants' claims to privilege over various items sought under doorstep delivery up orders.

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**Excalibur Ventures LLC v Texas Keystone and others [2011] 2 Lloyd's Rep 289**

Acting (with Michael Crane KC and Richard Power) for the first defendant (Texas Keystone) in a billion-pound claim concerning the granting of oil concessions in Iraqi Kurdistan. In June 2011 Texas Keystone, together with the other defendants successfully resisted the claimant's application for the stay (and the other defendants successfully obtained an anti-suit injunction). The trial took place between October 2012 and March 2013. The defendants successfully defeated the entirety of the claim (see [2013] EWHC 2767) and were awarded indemnity costs (see [2014] EWHC 94 (Comm)).

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**Mitsui Sumitomo Insurance Co (Europe) Ltd v Mayor's Office for Policing and Crime [2014] 3 WLR 576 and [2016] UKSC 18**

Acting (with Michael Crane KC, Charles Dougherty KC and Marianne Butler) for insurers in the Court of Appeal and the Supreme Court, concerning an claim under the Riot Damages Act 1886 arising out of the 2011 London riots.

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**Eurasian Natural Resources Corp v Dechert LLP [2015] 1 WLR 4621**

Acting (with Lord Pannick KC, Richard Lissack KC and Benjamin Williams KC) for the claimant in an application for contested cost proceedings against the claimant's former solicitors to be held in private. Roth J's decision was upheld by the Court of Appeal: [2016] 1 WLR 5027.

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**Georgian American Alloys Inc v White and Case LLP [2014] EWHC 94 (Comm)**

Acting (with Bankim Thanki KC) for the defendant solicitors, concerning solicitors' duties of confidentiality to former clients and conflicts of interest.

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**Ageas (UK) Ltd v Kwik-Fit (GB) Ltd and others [2014] EWHC 2178**

Acting (with Patricia Robertson KC) for defendant insurers, concerning a claim for breach of warranty under a sale



and purchase agreement.

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**Sheikh v Beaumont [2015] EWHC 1923**

Acting for Mr Beaumont in an application for the continuation of a general civil restraint order.

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**Solvo Biotechnologia ZRT v Xenotech [2014] EWHC (Comm) (12 December 2014)**

Acting for the respondent in an application for pre-action disclosure.

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**Boris Berezovsky and others v Edmiston & Co Ltd and others [2010] EWHC 1883 (Comm), [2010] 2 CLC 126**

Acting (with Timothy Howe KC) for the claimants in a claim relating to unpaid brokerage in connection with the sale of a yacht.

**Notable Commercial Disputes cases**

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Acting for Columbia Pictures (leading Kit Holliday) in a claim against a Hong Kong company for failure to complete a put and call option agreement.

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Acting for the claimant (leading Frederick Wilmot-Smith) in a dispute concerning the construction of luxury yachts.

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Acting (with Paul Lowenstein KC) in a series of LCIA arbitrations arising out of a natural resources joint venture dispute.

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Acting in Commercial Court proceedings for a company and its directors in connection with claims for breach of confidence and breach of fiduciary duty.

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Acting (with Max Kasriel) in a claim for breach of warranty under an SPA.

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Acting (with Ben Valentin KC) for a private equity investor and its directors in connection with proceedings relating to the sale of a leading fashion retailer.

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Acting for a company in connection with a joint venture dispute concerning deep sea mining.

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Acting (with Michael Crane KC) for Honeywell in a product liability/negligence claim arising out of a fire on board a Boeing 787 at Heathrow caused by the short circuiting within the emergency locator transmitter device.



Acting (with Timothy Howe KC) for the Claimants in a multi-million pound claim relating to audit and inspection rights under a joint venture agreement concerning innovative printer technology.

Acting in a Commercial Court claim for the claimant broker against solicitors in relation to un-paid ATE insurance premiums.

Acting (with Michael Crane KC) for the defendant in a claim by a major airline in connection with an IT services agreement.

Acting (with Michael Crane KC) for insurers of a major manufacturer in a 4 week arbitration in connection with a multi million dollar claim by an airline company arising out of a mid-air plane collision.

## Commercial Disputes - Conflicts of Law

### Reported Commercial Disputes - Conflicts of Law cases

#### Columbia Pictures Corporation Limited v Wanda Kids Culture Development [2024] EWHC 291 (Comm)

Acting (with Kit Holliday) for the claimant in an application challenging the method of service of proceedings in Hong Kong.

#### Nomura International plc v Banca Monte dei Paschi di Siena [2014] 1 WLR 1584

Acting (with Richard Handyside KC) for the claimant in an application by the defendant to stay the proceedings under Article 28 of the Judgments Regulation.

#### Excalibur Ventures LLC v Texas Keystone and others [2011] 2 Lloyd's Rep 289

Acting (with Michael Crane KC) for the first defendant, concerning an application by the claimant for a stay and a cross application for an anti-suit injunction.

#### Corrizen Limited and others v Silverbrook Research Property and Others [2012] EWHC 119 (Comm)

Acting (with Timothy Howe KC) for the claimants, concerning an application by two Australian defendants to challenge the jurisdiction of the English Court with respect to a claim for inducing breach of contract.

#### Carvill America Incorporated and another v Camperdown UK Ltd and others [2005] 2 Lloyd Rep 457

Acting for reinsurers (with Timothy Howe KC).

## Notable Commercial Disputes - Conflicts of Law cases

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Acting (with Ben Valentin KC) in a claim for an anti-suit injunction in connection with a breach of an arbitration agreement.

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Acting (with Timothy Howe KC) for a foreign telecommunications company in connection with breach of contract claims brought by two major investment banks; including acting in connection with the defendant company's jurisdiction challenge.

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Acting for the European Bank of Reconstruction and Development (with Timothy Howe KC) in connection with various jurisdiction applications.

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Acting for Cricket Sri Lanka (with Timothy Howe KC) in connection with multi-jurisdictional litigation and arbitration concerning TV rights in respect of Sri Lanka international cricket matches; included resisting enforcement of an arbitration award in the UK.

## International Arbitration

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### Notable International Arbitration cases

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Acting (with Paul Lowenstein KC) in a series of LCIA arbitrations arising out of a natural resources joint venture dispute.

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Acting for an airline in an LCIA arbitration in connection with the termination of a wet lease agreement.

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Acting for the defendant in an LCIA arbitration concerning a multi-million-dollar claim arising out of an alleged breach of a settlement agreement.

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Acting (with Michael Crane KC, Vernon Flynn KC and Nathan Pillow KC) for a major airline manufacturer in a claim concerning alleged misuse of confidential information.

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Acting for the claimant in an ICC arbitration in a claim relating to unpaid commission under an agency agreement.

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Acting (with Michael Crane KC) for insurers of a major manufacturer in a four-week arbitration in connection with a multi-million dollar claim by an airline company arising out of a mid-air plane collision.

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Acting for a fund manager (with Timothy Howe KC and Patrick Goodall) in arbitration proceedings in connection



with claims arising out of the “credit crunch”.

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Acting (with Mark Simpson KC) in arbitration proceedings for a major insurer in connection with a claim under a business interruption policy.

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Acting (with Timothy Howe KC) for Cricket Sri Lanka in connection with multi-jurisdictional litigation and arbitration concerning TV rights in respect of Sri Lanka international cricket matches.

## Privilege, Confidentiality & Conflicts of Interest

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Tamara is considered an expert on the law of privilege, and is regularly instructed to advise on privilege issues, including those arising in connection with regulatory and/or criminal investigations.

### Reported Privilege, Confidentiality & Conflicts of Interest cases

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#### Al Sadeq v Dechert LLP [2024] 3 WLR 403

Acting (with Simon Paul) for Karam Al Sadeq in his claim against Dechert LLP and others, in connection with various privilege applications: currently the leading decision on the iniquity exception; it also addresses issue of legal advice privilege and litigation privilege. Tamara also appeared for Mr Al Sadeq at first instance: [2023] 1 WLR 3749.

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#### Loreley Financing v Credit Suisse Securities (Europe) Limited [2023] 1 WLR 1425

Acting (with Adam Sher) for Credit Suisse in a privilege challenge concerning the novel question of whether litigation privilege protects the identity of persons authorised by a party to communicate with its solicitors in relation to litigation. Tamara was successful for Credit Suisse on appeal as well as at first instance before Robin Knowles J: at [2022] EWHC 1136 (Comm)

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#### Barclays & Anor v Barclays & Ors [2020] EWHC 1179 (QB)

Acting for Sir Frederick Barclay and Amanda Barclay in the *Barclays Brothers* litigation, concerning the defendants' claims to privilege over various items sought under doorstep delivery up orders.

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#### R (on the application of Jet2.com Ltd) v CAA [2020] QB 1027

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#### Director of the Serious Fraud Office v Eurasian Natural Resources Corporation [2018] 1 WLR 2137

Acting (with Bankim Thanki KC and Rebecca Loveridge) in the highly anticipated appeal and leading case on legal



professional privilege, arising out of a criminal investigation by the SFO. Tamara also acted for ENRC at first instance (with Richard Lissack KC): [2017] 1 WLR 4205.

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## Eurasian Natural Resources Corp v Dechert LLP [2015] 1 WLR 4621

Acting (with Lord Pannick KC, Richard Lissack KC and Benjamin Williams KC) for the claimant in an application for contested cost proceedings against the claimant's former solicitors to be held in private. Roth J's decision was upheld by the Court of Appeal: [2016] 1 WLR 5027.

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## Georgian American Alloys Inc v White and Case LLP [2014] EWHC 94 (Comm)

Acting (with Bankim Thanki KC) for the defendant solicitors, concerning solicitors' duties of confidentiality to former clients and conflicts of interest.

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## Notable Privilege, Confidentiality & Conflicts of Interest cases

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Acting for respondents in litigation in the Court of Protection as part of a wider family dispute, involving issues of privilege.

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Acting for ENRC in privilege related aspects of its claim against Dechert LLP for negligence and breach of fiduciary duty.

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Advising a corporate on privilege claims arising out of a potential criminal investigation.

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Advising a major financial institution on privilege claims arising out of a criminal investigation.

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Acting (with Nicholas Purnell KC) a suspect in a criminal investigation in relation to privilege issues.

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Advising on privilege issues in the context of various matrimonial disputes.

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## Professional Negligence

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### Reported Professional Negligence cases

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## Richard Dixon v Santander Asset Finance Plc [2021] EWHC 1044 (Ch)

Acting for Santander on a successful strike out of the claimant's breach of contract/negligence claim on limitation grounds.

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## O'Hare v Coutts [2016] EWHC 2224 (QB)

Acting for Coutts (leading Giles Robertson) in a claim for negligent financial advice/portfolio management. Tamara successfully defeated the claim at the trial before Kerr J.

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## CGL Group Ltd v RBS [2016] EWHC 281

Acting for Natwest/RBS in successfully striking out a swap mis-selling claim on limitation grounds and resisting the claimant's application for permission to amend to plead a claim based on an alleged duty of care arising out of the Review of interest rate hedging products conducted by RBS pursuant to an agreement with the FCA. The decision was upheld on appeal, where Tamara was led by Andrew Mitchell KC (*CGL Group Ltd v RBS* [2018] 1 WLR 2137).

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## Thomson v Christie Manson & Woods Limited & Others [2005] PNLR 38

Acting for Christie's (with Jonathan Sumption KC and Andrew Onslow QC), concerning duties of care of auctioneers. Also acted for Christie's (with Andrew Onslow KC) at first instance: [2004] PNLR 42.

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## Notable Professional Negligence cases

Acting (with Rhodri Davies KC) for Christie's in a negligence/breach of fiduciary claim concerning the sale of 4 artworks of a prominent sculptor.

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Acting for ENRC in aspects of its claim against Dechert LLP for negligence and breach of fiduciary duty.

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Acting for Santander (leading Samuel Rabinowitz) in a £10 million interest rate swap mis-selling claim.

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Acting for the National Bank of Greece in connection with a claim for mis-selling of bonds.

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Acting (with Guy Philipps QC) for the claimant in, a multi-million-pound claim against an investment bank and an investment advisory firm for alleged negligence and breach of regulatory duties in connection with the mis-selling of structured products.

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Acting (with Fenner Moeran KC) for the defendant actuaries in *Ballinger v Mercer Limited*, a pensions negligence case brought by pension trustees.

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Acting (with Mark Simpson KC) for defendants in a professional negligence claim by the Bank of Ireland against surveyors.

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## Financial Services Compensation Scheme v Abbey National Treasury Services and NDF Ltd



Acting for the Financial Services Compensation Scheme (with David Railton KC and Richard Handyside KC) in a negligence/breach of statutory duty claim relating to the alleged mis-selling of structured capital at risk products to retail investors. Also acted for the Financial Services Compensation Scheme (with Richard Handyside KC) in *Financial Services Compensation Scheme v GE Life*, arising out of similar facts.

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Acting for Natwest in a claim for breach of contract/negligence arising out of the registration of defaults with credit agencies.

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Acting for claimants in a professional negligence claim against solicitors and insurance brokers for negligent advice in relation to the suitability of life insurance policies.

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Acting for a fund manager (with Timothy Howe KC and Patrick Goodall KC) in arbitration proceedings in connection with professional negligence claims by one of its clients arising out of the "credit crunch".

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Acting for defendants in a professional negligence claim against pension advisors.

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Acting for the BMIF in connection with a professional negligence claim against a barrister in connection with the provision of tax advice.

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Acting for executor claimants in a professional negligence/fraud claim against a firm of solicitors.

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## Directory Quotes

*"Tamara takes command of the room, is effortlessly agile as an advocate and has the ear of the judges."*

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Legal 500

*"Super-clever, measured, calm, a good manner when addressing the court, commercial, very responsive, very hard-working, charming, good with clients, collaborative, a real team player."*

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Legal 500

*"An extraordinary barrister. She always thinks strategically and is unafraid to make bold and innovative decisions. She delivers eviscerating cross-examination, that gets at the truth and ultimately wins cases."*

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Legal 500





*"Tamara is exceptionally clever. She reaches a view and gives it clearly, providing no-hesitation, fully formed, practical advice on commercial cases." "Tamara is really brilliant. She is so clever, and so quick and devastating in her advocacy."*

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Chambers & Partners

*"She is extremely sharp and cuts straight to the core of the issues, and she knows instinctively what points the judge will care about. Time and again, her assessments of merits and prospects are proved right."*

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Legal 500

*"Tamara is a really slick operator, who is distinguished in her field. She is a silent assassin type who cuts through detail really quickly."*

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Chambers & Partners

*"Tamara's written advice and commercial awareness are second to none." "She is superb, really incredibly clever but not just academic, applied intelligence too. She can see both sides of the argument."*

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Chambers & Partners

*"Tamara is one of the brightest people I have worked with and she has exceptional judgement when it comes to running commercial litigation."*

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Chambers & Partners

*"Tamara is faultless as a barrister. Tamara has great integrity, her analysis is impeccable and she also brings great commerciality to the table. She has excellent judgement about how the court will view and approach issues and is a persuasive and compelling advocate."*

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Legal 500

## Directory Rankings

### London

Fountain Court Chambers  
Fountain Court  
Temple  
London EC4Y 9DH

T: +44 (0)20 7583 3335  
F: +44 (0)20 7353 0329  
E: [chambers@fountaincourt.co.uk](mailto:chambers@fountaincourt.co.uk)  
DX: 5 LDE

### Singapore

10 Collyer Quay  
Ocean Financial Centre  
#40-38  
Singapore 049315

T: +65 6808 6611



## Chambers & Partners – Global

- Dispute Resolution: Commercial – UK

## Chambers & Partners – UK

- Art & Cultural Property (High Net Worth Guide)
- Art & Cultural Property (UK Bar Guide)
- Banking & Finance
- Commercial Dispute Resolution
- Fraud: Civil
- Professional Negligence

## Legal 500 – UK

- Banking & Finance
- Business & Regulatory Crime (including Global Investigations)
- Commercial Litigation
- Professional Negligence

## Education

- BCL (Distinction), Christ Church, Oxford
- Diploma in Law (Distinction), City University
- BA (Hons) Philosophy Politics & Economics (First Class), Merton College, Oxford

## Appointments, Memberships and Prizes

- Exhibition, Merton College, Oxford
- Duke of Edinburgh Entrance Scholarship, Inner Temple
- Former solicitor at Allen & Overy: trainee and subsequently assistant in the Litigation Department (Banking & Finance Group) (1998-2001)
- Judicial Assistant to Lord Woolf (Master of the Rolls and subsequently Lord Chief Justice) (2000)
- Legal assistant at the Treasury Solicitor (Judicial Review division) (1997/1998)
- Legal assistant in Italian law firm, Tonon e Associati, Rome (1997)

## Publications

- Co-author of *The Law of Privilege* (ed. Thanki) (Third edition, 2018, Oxford University Press)

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F: +44 (0)20 7353 0329  
E: [chambers@fountaincourt.co.uk](mailto:chambers@fountaincourt.co.uk)  
DX: 5 LDE

### Singapore

10 Collyer Quay  
Ocean Financial Centre  
#40-38  
Singapore 049315

T: +65 6808 6611



- Contributor to *Professional Negligence & Liability* (ed. Simpson) (Informa, Looseleaf)
- Contributor to *The Practitioner's Guide to Global Investigations* (GIR, 9th Edition, 2024)
- Contributor to *Lissack & Horlick on Bribery & Corruption* (Third edition, 2020 Butterworth)

## Languages

- Italian (fluent)
- Russian (fluent conversational)

## Awards

