

Profile: Overview

Paul Burton represents clients in business-critical commercial, company law and trust disputes, often involving allegations of fraud. He has extensive trial advocacy experience and his cases frequently start with urgent pre-emptive remedies. His practice encompasses drafting and advisory work and he regularly works with domestic and international lawyers, and other professionals, to assist in the drafting of complex documents. In addition to his court practice, Paul represents parties before a number of different arbitral tribunals, including the ICC and SCC. He is recognised by *Chambers UK Bar*.

Commercial, fraud and asset tracing

Paul is an experienced advocate in litigation and arbitration involving international and domestic transactions, and fraud and asset recovery, including the English law principles of deceit and misrepresentation, and foreign law delict.

A significant portion of his work involves transnational elements and multi-jurisdictional disputes, and he has extensive experience of issues relating to conflicts of law and the application of foreign law in English proceedings. He often works directly with international law firms.

Paul's recent cases of note include:

- *Roman Pipia v BGEO Group Limited* – Acting for the claimant Georgian businessman in a case with quantum in excess of \$290 million, which raises complex issues under both Georgian and English law, including choice of law, breach of delictual obligations and Georgian banking and finance law
- Representing clients accused of fraud arising out of major Gulf infrastructure project in an SCC arbitration, which is subject to English law but involves issues of arbitrability and the extent of the arbitration agreement
- Acting for the Swiss, Danish and Bulgarian defendants of a claim brought by a Hong Kong investor, concerning the validity of a purported agreement to purchase shares' in their online gaming platform
- *JSC Mezhdunarodniy Promyshlenniy Bank & Anor v Pugachev & Ors* [2017] EWHC 2426 – Representing the defendant beneficiaries in the high profile Pugachev litigation, which centred around the validity of trusts worth tens of millions of pounds (in the context of fraud allegations made by the claimant bank) and involved issues relating to the Insolvency Act 1986
- *Blue Tropic Ltd & Anor v Chkhartishvili* [2016] EWCA Civ 1259 – Acting for the defendant/appellant in an appeal determining whether the trial judge was right to grant permission for a late amendment to a claim relating to the estate of Georgian businessman Arkady Patarkatsishvili
- *Metropolitan Housing Trust Ltd v Taylor & Anor* [2015] EWHC 2897 (Ch) – Representing the claimant housing association in a claim alleging fraud on the part of an employee and supplier, and involving both a prohibitory injunction and worldwide freezing order
- *Al Nehayan v Kent* [2015] EWHC 1176 (QB) – Acting for the claimant/appellant Sheikh (an Emirati national) appealing the amendment of the defence and counterclaim in a contract dispute concerning loans made in connection with a real estate investment.

Company and insolvency

Paul has wide-ranging experience in company and insolvency law, and is often called upon to act in cross-border disputes or advise on cross border transactions.

His recent experience of note includes:

- *Dark Knight Ventures LLC v Shirlaws Group PLC* – Representing investors in claims against the directors of a global business coaching and consultancy, involving complex issues concerning the valuation of non-traditional intellectual property and the extent of directors’ liability for fraudulent misrepresentation or negligent misstatement when subscribing for shares in a company
- *Mondi Coatings BV v King & Others* – Defending a multi-million claim arising from the sale of a business pursuant to a share purchase agreement, which alleged misrepresentation by failure to disclose a guarantee in circumstances where the underlying indebtedness was being serviced and the bank had no present intention of calling in the guarantee
- Drafting detailed termination and default notices in relation to a holding company incorporated in Cyprus to be served pursuant to a shareholders’ agreement between nine individual and corporate shareholders and joint venturers for the purposes of triggering various agreed ‘break-up’ mechanisms, agreed payments and weighted voting procedures
- Representing an investor in a high-value and complex ICC arbitration between Russian and Cypriot personal and corporate shareholders, involving the construction of complex default, compulsory sale and notice provisions of a shareholder agreement in the context of allegations of falsely engineered default situations
- *JSC Mezhdunarodniy Promyshlenniy Bank & Anor v Pugachev & Ors* [2017] EWHC 2426 – Representing the defendant beneficiaries in the high profile Pugachev litigation, which centred around the validity of trusts worth tens of millions of pounds (in the context of fraud allegations made by the claimant bank) and involved issues relating to the Insolvency Act 1986

Trusts and estates

Paul often represents high net worth individuals in complex disputes centred on trusts and estates.

His recent cases of note include:

- *Sargeant v Sargeant & Anor* [2018] EWHC 8 (Ch) – Acting for the defendant in a multi-million pound claim for provision under the Inheritance Act 1975 concerning a farming estate in Northamptonshire
- *JSC Mezhdunarodniy Promyshlenniy Bank & Anor v Pugachev & Ors* [2017] EWHC 2426 – Representing the defendant beneficiaries in the high profile Pugachev litigation, which centred around the validity of trusts worth tens of millions of pounds (in the context of fraud allegations made by the claimant bank) and involved issues relating to the Insolvency Act 1986
- *Re: The Sehmi Family Settlement, Hanspaul v Ward and Others* [2016] EWHC 1358 (Ch) – Representing the claimants in a dispute over costs consequences arising out of an application to remove trustees and the correct approach for the court to take
- *Poole & Anor v Everall & Ors* [2016] EWHC 2126 (Ch) – Acting for the claimants in a claim alleging that a will was invalid on the grounds that the deceased lacked testamentary capacity, did not know or approve of its contents, or was procured by undue influence.

Recognition

- *“Makes a frequent appearance in complex cross-border cases, standing out in particular for his trial advocacy. He is particularly adept at advising on issues relating to the administration of insolvent estates.”* (Restructuring/Insolvency, *Chambers UK Bar 2019*)
- *“He is a fearless advocate.” “He is very approachable and a very safe pair of hands.”* (Restructuring/Insolvency, *Chambers UK Bar 2019*)
- *“He’s very honest, really bright, very modest and gets to the nub of the issues very quickly. He is a fearsome advocate – his advocacy is powerful and very persuasive.”* (Restructuring/Insolvency, *Chambers UK Bar 2018*)

- *“Paul is a tough, no-nonsense advocate who can cut through complex issues with ease.”* (Restructuring/Insolvency, Chambers UK Bar 2017)
- *“He’s absolutely brilliant on his feet”* (Restructuring/Insolvency, Chambers UK Bar 2016)
- *“A robust and steady presence in the court room, who is valued for his pragmatic advice.”* (Restructuring/Insolvency, Chambers UK Bar 2015)
- *“A heavyweight guy for contentious matters”. “Sufficiently tenacious, he knows how far he can push the boundaries.” “He plugs holes in a case and we go to trial knowing the documents are strong enough.”* (Restructuring/Insolvency, Chambers UK Bar 2014)

Qualifications

- Accredited Mediator
- Member Chartered Institute of Arbitrators

Memberships

- Commercial Bar Association