

Edward Gilmore

CALL: 2018 (ENGLAND AND WALES); 2022 (BRITISH VIRGIN ISLANDS)

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Overview

Edward has a broad practice in commercial litigation and arbitration, spanning the range of Chambers' work. He has particular expertise in high value, complex disputes relating to civil fraud, banking, international trade and energy and commodities. Edward is comfortable working as part of counsel teams of different sizes and is regularly instructed as sole counsel in the Commercial Court and Chancery Division.

Edward acted for the Republic in *The Republic of Mozambique v Credit Suisse and others*; Commercial Court proceedings worth at least US\$3 billion concerning the enforceability of sovereign guarantees in the wake of the 'Tuna Bond' scandal, raising issues of conspiracy, bribery, dishonest assistance and knowing receipt, and state immunity. The three-month trial of the dispute was one of *The Lawyer's* Top 20 Cases for 2023.

From January to April 2020, Edward worked as a judicial assistant in the Commercial Court to Mr Justice Andrew Baker and Mr Justice Foxton. He worked on a variety of interlocutory and injunctive hearings as well as applications under the Arbitration Act and a full trial (e.g. *Pipia v BGEO Group* [2020] 1 WLR 2582; *Mohamed v Breish* [2020] EWHC 696 (Comm), *School Facility Management Ltd v Governing Body of Christ the King College* [2020] PTSR 1913). He has also spent six months on secondment at a leading City litigation boutique.

Education

- University of Oxford, New College: Politics, Philosophy and Economics, First Class (2015)
- Shanghai Jiao Tong University: Visiting Student, LLM program (2016)
- City, University of London: GDL, BPTC (2018)

Awards / prizes / scholarships

- Winner, Magna Carta Moot
- Lord Denning Scholarship (Lincoln's Inn)
- Winner, Inner Temple Inter-Varsity Moot
- Hardwick Entrance Scholarship (Lincoln's Inn)
- Finalist, Maitland Advocacy Prize
- Lord Bowen Scholarship (Lincoln's Inn)
- Academic Scholarship (City University)
- Generation UK Scholarship (British Council & Shanghai Jiao Tong University)
- Academic Prize for performance in Final Examinations (New College)

Example cases

- *The Republic of Mozambique v Credit Suisse and others* (2020-23): (Commercial Court) acted for Republic in US\$3 billion civil fraud dispute concerning the enforceability of sovereign guarantees, issues of state immunity and claims in conspiracy, bribery, deceit, dishonest assistance and knowing receipt. The three-month trial of the dispute was one of *The Lawyer's* Top 20 Cases for 2023. Earlier judgments include: [2023] 1 WLR 2428; [2023] EWHC 514 (Comm). With (variously) Joe Smouha KC, Jonathan Adkin KC, Jeremy Brier KC, Ciaran Keller, Richard Blakely, Charlotte Tan and Zahler Bryan.
- LCIA arbitration (2024) – acted for minority shareholder in an unfair prejudice petition. The dispute was worth over £100 million and raised issues unlawful means conspiracy and fraudulent misappropriations. Led by Andrew Fulton KC.
- Ad hoc arbitration (2022): acted for the yard in US\$500 million arbitration concerning the termination of a contract for the construction of a semi-submersible drilling rig. With Duncan Matthews KC, Siddharth Dhar KC, John Snider, Catherine Jung, Luke Tattersall.
- *Alfa-Bank v Kipford Ventures* (2021-22): for the claimant bank in US\$180 million fraudulent conspiracy claim relating to the financing of the acquisition of a Siberian coal mine (EC Court of Appeal and BVI Commercial Division). Led by Paul Lowenstein KC and Tony Beswetherick KC.
- *Country Gold v Farm Investments Corporation SA* (2021): (Commercial Court) instructed as sole counsel on behalf of the successful applicant for default judgment, raising novel issues as to the proper construction of a jurisdiction clause in favour of “Great Britain” (a case note on the decision can be found [here](#)).
- LCIA Arbitration (2021): acted for successful buyers in US\$40 million claim for undelivered quantities of crude oil against state- owned oil producer. Led by Christopher Hancock KC.
- SCMA Arbitration (2021): acted for successful claimant in wrongful termination of a long-term bareboat charter in three-week trial worth- over US\$27 million. Led by Tim Hill KC, Tom Corby and Michal Hain.

Banking and financial services

- *The Republic of Mozambique v Credit Suisse and others* (2020-23): (Commercial Court) acted for Republic in US\$3 billion civil fraud dispute concerning the enforceability of sovereign guarantees, issues of state immunity and claims in conspiracy, bribery, deceit, dishonest assistance and knowing receipt. The three-month trial of the dispute was one of *The Lawyer's* Top 20 Cases for 2023. Earlier judgments include: [2023] 1 WLR 2428; [2023] EWHC 514 (Comm). With (variously) Joe Smouha KC, Jonathan Adkin KC, Jeremy Brier KC, Ciaran Keller, Richard Blakely, Charlotte Tan and Zahler Bryan.
- *Alfa-Bank v Kipford Ventures* (2021-22): for the claimant bank in US\$180 million fraudulent conspiracy claim relating to the financing of the acquisition of a Siberian coal mine (EC Court of Appeal and BVI Commercial Division). Led by Paul Lowenstein KC and Tony Beswetherick KC.
- Acting on behalf of Citigroup defending various County Court consumer claims over alleged PPI mis-selling, including issues concerning deliberate concealment and reliance on section 32 of the Limitation Act 1980.
- Assisted in Chancery Division dispute concerning an allegedly fraudulent alteration of loan and interest-rate swap transaction documents.

Civil fraud

- LCIA arbitration (2024) – acted for minority shareholder in an unfair prejudice petition. The dispute was worth over £100m and raised issues unlawful means conspiracy and fraudulent misappropriations. Led by Andrew Fulton KC.
- *The Republic of Mozambique v Credit Suisse and others* (2020-23): (Commercial Court) acted for Republic in US\$3 billion civil fraud dispute concerning the enforceability of sovereign guarantees, issues of state immunity and claims in conspiracy, bribery, deceit, dishonest assistance and knowing receipt. The three-month trial of the dispute was one of *The Lawyer's* Top 20 Cases for 2023. Earlier judgments include: [2023] 1 WLR 2428; [2023] EWHC 514 (Comm). With (variously) Joe Smouha KC, Jonathan Adkin KC, Jeremy Brier KC, Ciaran Keller, Richard Blakely, Charlotte Tan and Zahler Bryan.
- *Alfa-Bank v Kipford Ventures* (2021-22): for the claimant bank in US\$180 million fraudulent conspiracy claim relating to the financing of the acquisition of a Siberian coal mine (EC Court of Appeal and BVI Commercial Division). Led by Paul Lowenstein KC and Tony Beswetherick KC.
- *A v B* (2022-): (Commercial Court) Confidential letter of request application brought by Silicon Valley billionaire hedge

fund manager for evidence in support of Californian proceedings.

- *A v B* (2021-): (Commercial Court) acted for US investment fund in Norwich Pharmacal and pre-action disclosure application brought in the Commercial Court against blue-chip insurance brokerage concerning its role in a fraudulent scheme conducted against the applicant.
- *Equity Real Estate and others v Verdi Construction* (in liquidation) (2020-2021): acted for successful applicants in application under s. 130(2) of the Insolvency Act and Norwich Pharmacal application against insolvent defendant for disclosure in relation to substantial fraud conducted against applicants.
- *A v B* (2020-): ongoing billion-dollar joint venture dispute in BVI relating to Russian businessmen.
- Advised on liability of and extradition of Singapore resident for contempt of court, following breaches of Commercial Court orders by company of which he is a director.
- Advised on and drafted the settlement agreement for a complex multi-million-pound dispute involving seven parties and four separate proceedings involving claims in contract, for breaches of fiduciary and directors' duties and common intention constructive trust.
- Assisted in Commercial Court application seeking an inquiry into damages following the successful discharge of a US\$3 billion worldwide freezing and proprietary injunction.
- Assisted in LCIA-MIAC arbitration acting on behalf of a number of African private equity funds in a dispute raising issues of fraud and partnership law.

Commercial dispute resolution

- *The Republic of Mozambique v Credit Suisse and others* (2020-23): (Commercial Court) acted for Republic in US\$3 billion civil fraud dispute concerning the enforceability of sovereign guarantees, issues of state immunity and claims in conspiracy, bribery, deceit, dishonest assistance and knowing receipt. The three-month trial of the dispute was one of *The Lawyer's* Top 20 Cases for 2023. Earlier judgments include: [2023] 1 WLR 2428; [2023] EWHC 514 (Comm). With (variously) Joe Smouha KC, Jonathan Adkin KC, Jeremy Brier KC, Ciaran Keller, Richard Blakely, Charlotte Tan and Zahler Bryan.
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- *A v B* (2022-): (Commercial Court) Confidential letter of request application brought by Silicon Valley billionaire hedge fund manager for evidence in support of Californian proceedings.
- *A v B* (2021-): (Commercial Court) acted for US investment fund in Norwich Pharmacal and pre-action disclosure application brought in the Commercial Court against blue-chip insurance brokerage concerning its role in a fraudulent scheme conducted against the applicant.
- *Country Gold v Farm Investments Corporation SA* (2021): (Commercial Court) Instructed as sole counsel acting on behalf of the successful applicant for default judgment in claim worth over US\$1.8million, raising novel issues as to the proper construction of a jurisdiction clause in favour of "Great Britain" (a case note on the decision can be found [here](#)).
- *A v B* (2021): Sole counsel in London Circuit Commercial Court claim worth c. £500,000 for breach of contract and negligence against blue-chip security company for failure to prevent damage to cars stored at the Claimant's vehicle storage facility.

Energy and natural resources

- Ad hoc arbitration (2022): acted for the yard in US\$500 million arbitration concerning the termination of a contract for the construction of a semi-submersible drilling rig. With Duncan Matthews KC, Siddharth Dhar KC, John Snider, Catherine Jung, Luke Tattersall.
- *Alfa-Bank v Kipford Ventures* (2021-22): for the claimant bank in US\$180 million fraudulent conspiracy claim relating to the financing of the acquisition of a Siberian coal mine (EC Court of Appeal and BVI Commercial Division). Led by Paul Lowenstein KC and Tony Beswetherick KC.
- LCIA Arbitration (2021-2022): acted for successful buyers in US\$40 million claim for undelivered quantities of crude oil against state-owned oil producer. Led by Christopher Hancock KC.
- Advised on alleged wrongful termination of joint venture agreement for the supply of renewable energy to the UK retail market.
- Assisted in advising on termination of long-term joint venture agreement for the on-shore and off-shore exploration and development of hydrocarbons.

- Assisted in advising hull & machinery underwriters in relation to the accidental sinking of an oil rig off the coast of India.

International arbitration

- LCIA arbitration (2024) – acted for minority shareholder in an unfair prejudice petition. The dispute was worth over £100m and raised issues unlawful means conspiracy and fraudulent misappropriations. Led by Andrew Fulton KC.
- Ad hoc arbitration (2022): acted for the yard in US\$500 million arbitration concerning the termination of a contract for the construction of a semi-submersible drilling rig. With Duncan Matthews KC, Siddharth Dhar KC, John Snider, Catherine Jung, Luke Tattersall.
- LCIA Arbitration (2020-2021): acted for successful buyers in US\$40 million claim for undelivered quantities of crude oil against state-owned oil producer.
- LMAA Arbitrations (2019-2022): Advised on a number of issues in arbitration claims brought against state defendants worth €4.5 billion arising out of major oil spill, including issues of State Immunity.
- SCMA Arbitration (2019-2020): acted for successful claimant in wrongful termination of a bareboat charter in three-week trial worth over US\$27 million.
- Assisted in LCIA-MIAC arbitration acting on behalf of a number of African private equity funds in a dispute raising issues of fraud and partnership law.
- Assisted in dispute concerning the enforcement of a £100 million BIT arbitration award against a state raising issues of public policy, issue estoppel and state immunity, as well as the application of the CJEU's significant decision in *Slovak Republic v Achmea BV* (Case C-284/16).

Offshore litigation

Edward is admitted to the bar of the Eastern Caribbean Supreme Court, BVI and has a significant offshore practice. Recent instructions include:

- *Alfa-Bank v Kipford Ventures* (2021-22): for the claimant bank in US\$180 million fraudulent conspiracy claim relating to the financing of the acquisition of a Siberian coal mine (EC Court of Appeal and BVI Commercial Division). Led by Paul Lowenstein KC and Tony Beswetherick KC.
- *A v B* (2020-): ongoing billion-dollar joint venture dispute in BVI between Russian businessmen.

Public international law

Edward has experience of a range of public international law issues, with particular experience of jurisdictional immunities and related issues in the English Courts. Recent instructions include:

- *Republic of Mozambique v Credit Suisse and others* (2020-23): (Commercial Court) acted for Republic in US\$3 billion dispute which raised a range of issues under s. 2 and s. 3 of the State Immunity Act 1978. The three-month trial of the dispute was one of *The Lawyer's* Top 20 Cases for 2023. With (variously) Joe Smouha KC, Jonathan Adkin KC, Jeremy Brier KC, Ciaran Keller, Richard Blakely, Charlotte Tan and Zahler Bryan.
- *The Prestige* (2020-22): (Commercial Court) assisted Christopher Hancock KC and Alexander Thompson advising the P&I club in relation to its well-known US\$1 billion dispute with the Republic of France and Kingdom of Spain on issues of sovereign immunity and attribution of conduct to sovereign states.
- Advising (with Philip Riches KC) on the enforcement of c. US\$100 million US judgment against assets of a sovereign state in London, raising issues of sovereign immunity, attribution and issues under applicable sanctions legislation.
- *Diag Human SE and Mr. Josef Stava v Czech Republic* (PCA Case No. 2018-20): Assisted (during pupillage) Lord Veridame KC, Philip Riches KC and Jonathan Ketcheson in regard to the underlying arbitration, and related enforcement proceedings in the Commercial Court.

Shipping and Commodities

Edward has substantial experience advising and acting in a variety of shipbuilding, charterparty, bill of lading and cargo disputes. Notable recent and ongoing experience includes:

- Ad hoc arbitration (2022): acted for the yard in US\$500 million arbitration concerning the termination of a contract for the

construction of a semi-submersible drilling rig. With Duncan Matthews KC, Siddharth Dhar KC, John Snider, Catherine Jung, Luke Tattersall.

- The Histria Giada (2020-2022): (Commercial Court) acting for owners in claim against charterers for repayment of a customs fine and for time and expenses incurred on a voyage. Led by Julian Kenny KC.
- LCIA Arbitration (2021-2022): acted for successful buyers in US\$40 million claim for undelivered quantities of crude oil against state- owned oil producer. Led by Christopher Hancock KC.
- SCMA Arbitration (2019-2020): acted for successful claimant in wrongful termination of a bareboat charter in three-week trial worth over US\$27 million. Led by Tim Hill KC and Tom Corby.