

# Isabelle Winstanley

CALL: 2022

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## Overview

Isabelle has a busy practice across Chambers' core areas, including commercial litigation and international arbitration. She is currently instructed in several high-value commercial disputes, as well as in civil fraud, public international law, shipping, and commodities matters.

Isabelle has recently been instructed in *The Czech Republic v Diag Human SE and Josef Stava* [2023-] (Commercial Court), one of The Lawyer's 'Top 20 Cases of 2024' (led by Lord Verdirame KC and Philip Riches KC). She has also acted for a NASDAQ-listed tech company in a c.US\$70 million commercial dispute arising out of a Share Purchase Agreement (led by Paul Lowenstein KC and Sam Goodman).

Isabelle also has experience in acting as sole counsel for high-net-worth individuals. She is currently acting for the charterers of a superyacht and a private jet, in relation to the construction of the charter contracts and the recoverability of losses under them.

Before joining Chambers, Isabelle spent a year working as part of a team at an international commercial law firm with expertise in the arbitration, shipping, and commodities sectors. She also worked as a research assistant for Sir Richard Aikens.

Isabelle studied Classics at Christ Church, University of Oxford. She graduated with a double first class degree and was awarded various scholarships and prizes.

## Professional memberships

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- BILA
- COMBAR
- Gray's Inn
- ICC
- LCLCBA
- LSLC

## Education

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- City University, London: Bar Vocational Studies, Distinction (2022)
- City University, London: Graduate Diploma in Law, Distinction (2021)
- University of Oxford, Christ Church: BA in Classics, Double First Class (2020)

## Prizes/scholarships

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- Bedingfield Scholarship 2021 (Gray's Inn), for the Bar Vocational Studies
- Josephine Barnes Scholarship 2020 (Gray's Inn), for the Graduate Diploma in Law
- Stanley Robinson Prize 2020 (Christ Church, University of Oxford), for best

performance in Final Examinations in Classics

- Marjoribanks Scholarship 2018 (Christ Church, University of Oxford), for best performance in Honor Moderations in Classics

## Example cases

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- *The Czech Republic v Diag Human SE and Josef Stava* [2023-] (Commercial Court) (led by Lord Verdirame KC and Philip Riches KC). Acting for the defendants in Commercial Court litigation in which the Czech Republic brings applications under ss. 67 and 68 of the Arbitration Act to overturn a 2022 BIT award against it in the sum of c.US\$730 million. The underlying dispute relates to the destruction of the defendants' blood plasma business in the 1990s.
- *Greenlade and five others v Everbridge Holdings Ltd and Everbridge Inc.* [2023-] (Commercial Court) (led by Paul Lowenstein KC and Sam Goodman). Acted for NASDAQ-listed tech company Everbridge in its defence of a substantial c.US\$70 million commercial dispute. The dispute involved allegations of breach of contract by alleged delay in providing tradable shares to the sellers as part of the consideration for the sale. Settled in advance of five week trial listed for April-May 2024.
- *Tonstate Group Limited and others v Wojakovski and others* [2023-] (ChD) (led by Andrew Fulton KC and Sam Goodman). Acting for the Claimants, a prominent property investment company, in a long-running fraud claim. Recently succeeded in securing permission to extend an asset disclosure order against a third party to proceedings ([2024] EWHC 1245 (Ch)).

## Arbitration

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- Acting for the charterer in an LCIA arbitration in a dispute concerning the hire of a private jet. The dispute raises questions about the construction of an aircraft charter agreement and the recoverability of losses under that agreement.
- Assisted (as a pupil) with the drafting of pleadings in an LCIA arbitration concerning the disputed sale of an aircraft.

## Banking and finance

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- Advised a high-net-worth individual in relation to restrictions on a bank's receipt of funds.

## Civil fraud and asset tracing

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- *Tonstate Group Limited and others v Wojakovski and others* [2023-] (ChD): acting for the claimants, a prominent property investment company, in a long-running civil fraud claim (led by Andrew Fulton KC and Sam Goodman). Recently succeeded in securing permission to extend an asset disclosure order against a third party to proceedings ([2024] EWHC 1245 (Ch)).
- Assisted (as a pupil) with the drafting of a skeleton argument in an application for the recusal of a judge from contempt proceedings.
- Prepared an opinion (as a pupil) on the reflective loss rule in company law in a claim for unlawful means conspiracy.

## Commercial disputes

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- *The Czech Republic v Diag Human SE and Josef Stava* [2023-] (Commercial Court): acting for the defendants in Commercial Court litigation in which the Czech Republic brings applications under ss. 67 and 68 of the Arbitration Act to overturn a 2022 BIT award against it in the sum of c.US\$730 million (led by Lord Verdirame KC and Philip Riches KC). The underlying dispute relates to the destruction of the defendants' blood plasma business in the 1990s.
- *Greenlade and five others v Everbridge Holdings Ltd and Everbridge Inc.* [2023-] (Commercial Court): acted for NASDAQ-listed tech company Everbridge in its defence of a substantial c.US\$70 million commercial dispute (led by Paul Lowenstein KC and Sam Goodman). The dispute involved allegations of breach of contract by alleged delay in providing tradable shares to the sellers as part of the consideration for the sale. Settled in advance of five week trial listed for April-May 2024.

## Commodities and international trade

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- Acting for buyers in a dispute with sellers in relation to the non-delivery of a petroleum product, led by Oliver Caplin KC.
- Acted for sellers in a c.US\$72m dispute with buyers in relation to non-payment under a contract for the sale of grain, led by Matthew McGhee.
- Drafted pleadings (as a pupil) and undertook research for an LCIA arbitration representing a leading commodities trading house. The matter involved a contract for the sale of LNG cargo.

## Jurisdiction, conflicts and enforcement

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- *Eternity Sky Investments Ltd v Zhang* [2023] EWHC 1964 (Comm): (as a pupil) assisted David Lewis KC with research and written submissions opposing a challenge to an arbitral award on grounds of public policy. The court considered a novel point about whether the enforcement of a Hong Kong arbitral award under the New York Convention could be set aside on the basis that the arbitration/applicable law clause in the underlying contract breached UK statutory consumer legislation.
- Drafted a skeleton argument (as a pupil) in a Part 11 jurisdiction challenge relating to a claim made under a reinsurance contract.

## Shipping

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- Acting for the owners of a vessel against the charterers in a dispute arising out of a time charterparty, led by Chris Hancock KC and Susannah Jones. The dispute concerns a stow collapse and the loss of cargo.
- Acting for the owners of a vessel against the charterers in a dispute arising out of a voyage charterparty, led by Chris Hancock KC and Susannah Jones. The dispute concerns damage to the vessel during a period of heavy weather.
- Drafted opinion advising on the recoverability of losses under a contract for the hire of a superyacht. Advised the charterer of the superyacht in relation to settlement.
- *Fastfreight v Bulk Trident* [2023] EWHC 105 (Comm): (as a pupil) assisted Patrick Dunn-Walsh on an appeal under s.69 of the Arbitration Act 1996 concerning the proper interpretation of an anti-deduction clause under a time charter and the decision of Bingham J in *The Lutetian* [1982] 1 Lloyd's Rep 140.
- Assisted (as a pupil) with the drafting of pleadings and written submissions in several LMAA ship sale arbitrations.
- Assisted (as a pupil) with the drafting of pleadings in LCIA arbitrations including: a *force majeure* dispute arising out of a government ban on coal exports; and a dispute involving a fire on board a vessel.
- Assisted (as a pupil) with the drafting of a skeleton argument to oppose an application for an extension of time under s.12 of the Arbitration Act 1996 on the grounds that the claim was time-barred.