



Chambers UK

Leading Set 2012

In the last couple of years or so it has been all change at 11 Stone Buildings. The set has acquired a new clerk in Michael Couling, a new marketing and business development manager, and has sought to extend itself beyond its traditional heavily insolvency-oriented base. It has succeeded in doing this to a certain extent and now involves itself in an increased share of the fraud market. Examples of cases it has handled in recent times include *Rosenberg v Nazarov* and a £500 million Kazakhstani gold mining fraud.

Alan Gourgey QC is "a bright professional who fully understands that speed is frequently of the essence," according to solicitors. He recently acted on the Chancery Division fraud claim of *Cadogan v Tolley*.

Max Mallin brings considerable real-world experience to bear on his cases as he is a former investment banker. Sources were quick to praise him as "generous with his time, friendly, and someone who comes across well to judges and clients alike." They also commended **Iain Pester**, who recently advised the claimant in *Abbey Forwarding v Hone*. His Russian language skills are particularly welcome in this era of Russian and CIS-dominated litigation, and he is universally regarded as "an accomplished and impressive performer." Former solicitor **Ian Smith** has a broad practice that takes in POCA litigation as well as general civil fraud matters. Interviewees point to his "commercial outlook and ease of use" as reasons to retain him. He is a frequent sight in High Court fraud claims, and recently handled a matter worth more than £10 million. He is at the same set as **Tim Penny**, who is well liked for his "broad knowledge of injunctive relief" and is known for his "commercially minded application of the law." His recent highlights include the *Jenington v Assaubayev* dispute.

Leading Junior 2012 (POCA Work & Asset Forfeiture: All Circuits)

The "skilled and pleasant" **Ian Smith** of 11 Stone Buildings has a general civil fraud practice, but has also carved out a real niche for himself as a POCA adviser. He advises a number of individuals in SFO confiscation proceedings and is someone who knows the ins and outs of this area more than most.

Leading Set 2011

Members of this set are frequently instructed in fraud matters as part of a wider commercial and chancery workload. The team is particularly renowned for its work in the field of insolvency, and many of the barristers are well versed in relation to the fraudulent elements that can arise from bankruptcy proceedings. The clerks at the set are led by the "very efficient and very helpful" Michael Couling.

Alan Gourgey QC is acclaimed for his impressive work on high-profile international fraud cases. "Very bright, very quick and a purveyor of clear advice, he really dives into the detail of a case." Additionally, Gourgey consistently wows with his ability to turn around high-quality paperwork swiftly and accurately. His recent work highlights are plentiful in the fraud arena, and include his representation of a broker in the recovery of funds following a fraud claim arising from a share brokerage contract. He also represented one of the defendants in the Cadogan case. **Iain Pester** has fast become a favourite amongst clients in Ukraine and Russia for fraud-related work. This "confident, approachable and professional" Pester was also instructed in the Abbey Forwarding case concerning alleged excise duty fraud. He is ranked alongside former solicitor **Ian Smith**, a hugely experienced practitioner who is said to "combine the practicality and decisiveness of a solicitor with the thoroughness and academic ability of a barrister." His expertise in proceeds of crime adds another string to his bow. **Alan Gourgey QC** recently led him in the 4 Eng v Harper matter. **Max Mallin** brings a penetrating insight into the financial world, having worked as a merchant banker prior to his call to the Bar. Solicitors warm to him as he is "hard-working, very clever and driven." Mallin has been acting for the liquidators of Convergence Group in relation to a number of actions against former directors. Lastly here, **Tim Penny** is "an excellent team player with a fine head on his shoulders." His recent cases include Cadogan Petroleum & Others v Tolley.

Leading Junior 2011 (POCA Work & Asset Forfeiture: All Circuits)

The "outstanding" **Ian Smith** of 11 Stone Buildings has a "very commercial and responsive" approach, according to sources. Top-ranked in this guide for his civil fraud work, Smith is a recognised expert in the asset recovery elements of fraud cases and is applauded for his business-savvy mentality.

Leading Set 2010

The members at 11 Stone Buildings "bring a clever thinking process to complex issues and offer excellent support throughout." Backed by an improved clerking team, they handle fraud cases as part of their general commercial and chancery caseload. Leading the pack here is **Alan Gourgey QC**, who, having recently emerged from the high-profile EDS and Sky dispute, has now turned his attention to various other pieces of litigation. These include a property fraud involving offshore companies and trusts, a luxury cars fraud and a fraud arising out of a share brokerage contract. He is celebrated for being "excellent on his paperwork, a clear thinker and a pleasure to work with."

Max Mallin's former career as a banker assists him greatly in handling financial markets disputes and commercial fraud matters. In court, he is "quick on his feet, bullish and forthright," say interviewees. Lately he has been engaged in Rosenberg v Nazarov, a case relating to damages for conspiracy and breach of fiduciary duty in a partnership and joint venture. ... **Iain Pester's** skill belies the relatively short time he has been at the Bar. He is a favoured junior counsel in many fraud matters, and has recently obtained a freezing injunction in a matter that involved cheque fraud. He is rated along with **Ian Smith**, a former

solicitor, whose “commercial, hands-on approach is in tune with clients' goals.” He is particularly favoured for his expertise in proceeds of crime and money-laundering matters, and is a frequent writer and speaker on these issues. Smith was recently led in *4 Eng v Harper*, securing damages in excess of £8 million.

Leading Set 2009

11 Stone Buildings enjoys a steady stream of fraud cases to nicely complement the manifold insolvency instructions it receives. It has on offer “highly approachable” barristers who are exceptionally user-friendly. As one interviewee said, “from the clerks right up to the senior members, all are incredibly amiable and will bend over backwards to make sure things are done.” Of their number, **Alan Gourgey QC** remains a silk to turn to for complex fraud matters. He is described as a “fantastic advocate” who is popular with both judges and peers. “Terrific advocate” **Max Mallin** inspires confidence in his clients. His practice focuses on major commercial and company disputes, with particular emphasis on commercial fraud, financial markets issues and general contract litigation. Mallin engenders further praise for his “ability to see the bigger picture” and the fact that “he leaves the ostentatious stuff at the door and focuses on the core issues.” **Iain Pester** has recently been acting for the defendant in a large-scale fraud case in the Commercial Court where the claimants are claiming USD69 million. Interviewees commend him for his “ability to explain potentially complicated matters with clarity.” Despite being only eight years' call, he is said to be “developing into a well-rounded chancery barrister who's prepared to roll up his sleeves and get involved.” His cross-examination skills are of particular note, as they are of “a quality more usually seen in barristers of much greater experience.”

Leading Set 2008

This set often acts on matters at the interface between fraud and insolvency and has **Alan Gourgey QC**, a barrister of “skill and approachability” who is a popular choice amongst instructing solicitors. He is involved in an ongoing matter concerning a tax avoidance scheme. ... whilst fellow junior **Max Mallin** obtains plaudits for “always being on his A-game.” He was instructed on behalf of British Airways and other major airlines in relation to a travel agency fraud worth several million dollars. The action settled just before trial. Debuting in this year's *Chambers* tables is **Iain Pester**, who is described as being a “fantastic junior who has skills well beyond his call year.”

Leading Set 2007

... He shares a set with **Alan Gourgey QC** who, whilst not one of the first names that comes to mind for civil fraud work, is a notable presence who has acted in such matters as *Cable & Wireless & Pender Insurance v Dille*. His “phenomenal legal skills and vast intellect” are more than enough to handle the complexities that arise in the area, agree sources. **Max Mallin** recently acted in *Shaw v Palmer* on behalf of 200 claimants defrauded in a timeshare scheme. His “agile mind” and “prowess in the art of litigation” impressed clients and also ensured the attainment of freezing orders and a judgement for USD4 million.

Legal 500

Leading Set 2011

Leading Silk: Alan Gourgey QC
Leading Juniors: Max Mallin, Tim Penny, Iain Pester

At 11 Stone Buildings, **Alan Gourgey QC** is “not afraid to roll up his sleeves and immerse himself in a case”. **Iain Pester** “gives considerable strategic thought to his drafting and advice”, and **Tim Penny** is “capable of taking on the toughest of challenges”.

Leading Set 2010

Leading Silk: Alan Gourgey QC
Leading Juniors: Max Malin, Tim Penny, Iain Pester

Alan Gourgey QC of 11 Stone Buildings is “always willing to roll his sleeves up and dive into the detail”. **Max Mallin** has considerable experience, and **Tim Penny** is “ideal for cases involving freezing orders and ancillary relief”. **Iain Pester** is “very hardworking”.

Leading Set 2009

Leading Silks: Alan Gourgey QC
Leading Juniors: Tim Penny, Max Mallin, Iain Pester

Alan Gourgey QC of 11 Stone Buildings was also in 4ENG, and is “understated, but brilliant” Fraud specialist **Max Mallin** is “strikingly good, thorough, hard working and straight”. **Iain Pester's** “fluency in Russian has proved helpful in recent fraud cases”.

Leading Silk and Junior 2008

Leading Silk: Alan Gourgey QC
Leading Juniors: Max Mallin, Tim Penny, Iain Pester

11 Stone Buildings breaks into the rankings this year. “Excellent advocate” **Max Mallin**, formerly an investment banker, garners significant accolades, along with the “very clever, very hard-working” **Iain Pester**.

Leading Silk and Junior 2003 - 2007

Leading Silk: Alan Gourgey QC
Leading Junior: Max Mallin

Max Mallin of 11 Stone Buildings is “very competent and has excellent advocacy skills”, and **Alan Gourgey QC** is also recommended. (2007)

Max Mallin of 11 Stone Buildings is “very competent and has excellent advocacy skills” (2006)

Alan Gourgey QC recently took silk. A new addition to the table is **Max Mallin**, who is building a reputation in commercial fraud. Recent experience includes acting on behalf of a company that has been the subject of a complex £3m accounting fraud. (2003)