

# Alexander Halban

Call: 2009

## Barrister

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Alexander specialises in **commercial litigation, civil fraud and asset tracing, insolvency** and **company** disputes. Most of his cases have an international element, originating from a wide range of jurisdictions.

Alexander is a fluent Russian speaker and has a particular expertise in CIS disputes. Amongst many other CIS cases, he appeared in **National Bank Trust v Yurov** [2020] EWHC 100 (Comm), a nine-week Commercial Court trial of a Russian banking fraud claim for US\$900 million. Alexander also speaks fluent French.

Alexander has wide experience of appearing in the High Court (led and as sole counsel) in trials and interlocutory matters, particularly in jurisdictional challenges and applications for injunctive relief. He has also appeared in the Court of Appeal, Privy Council and the Grand Chamber of the European Court of Human Rights.

Alexander read History and Russian at St John's College, University of Oxford, where he graduated with First Class Honours in 2007. He completed the Graduate Diploma in Law and the Bar Vocational Course at City University, London, during which he was awarded a number of scholarships and prizes.

Recent cases include:

- **National Bank Trust v Yurov** [2020] EWHC 100 (Comm): acting for defendants (led by Paul Stanley Q.C. and Tom Poole) in a nine-week Commercial Court fraud claim brought by a Russian bank alleging misappropriation of \$900 million against its former directors and shareholders, raising complex issues of Russian law on directors' and employees' liability and involving detailed scrutiny of forensic accountancy evidence. The case was listed as one *The Lawyer's* Top 20 Cases
- **VTB Bank v Laptev** [2020] EWHC 321 (Ch): acting (as sole counsel) in bankruptcy proceedings for £25 million brought by a Russian bank against a Russian-domiciled individual who is already in Russian bankruptcy proceedings. Alexander successfully secured the dismissal of the petition for lack of jurisdiction and based on expert evidence of Russian law
- **AOS Holdings Ltd v Korotkov** (ongoing): acting (led by Rupert D'Cruz) in a Commercial Court contract and fraud claim for US\$150 million arising out of the purchase of a new cryptocurrency, Grams, launched by the social media app Telegram. The issue of the Grams is currently blocked by the US Securities and Exchange Commission and the US District Court. The case has featured a jurisdiction challenge in the English court and freezing injunction proceedings in Cyprus
- **Russian Airline v Seychelles Company** (ongoing): acting (as sole counsel) for a Russian airline in an LCIA arbitration concerning an attempted corporate raid on the airline by a former joint venture partner, claiming debts of US\$180 million
- **Lefebvre d'Ovidio v Lefebvre d'Ovidio** (2019): acting for the claimants (led by Charles Samek Q.C.) in an application for a freezing order under s. 25 of the Civil Jurisdiction and Judgments Act 1982 in support of Italian proceedings concerning the ownership of Silversea Cruises, valued at €750 million

## RECOMMENDATIONS

### AREAS OF LAW

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#### Russia and CIS

Alexander has a strong interest in cases from Russia and the CIS. He speaks and reads Russian fluently and regularly uses Russian in his practice. CIS cases in which he has acted include:

- **National Bank Trust v Yurov** [2020] EWHC 100 (Comm): acting for defendants (led by Paul Stanley Q.C. and Tom Poole) in a nine-week Commercial Court fraud claim brought by a Russian bank alleging misappropriation of \$900 million against its former directors and shareholders, raising complex issues of Russian law on directors' and employees' liability and involving detailed scrutiny of forensic accountancy evidence. The case was listed as one *The Lawyer's* Top 20 Cases
  - **VTB Bank v Laptev** [2020] EWHC 321 (Ch): acting (as sole counsel) in bankruptcy proceedings for £25 million brought by a Russian bank against a Russian-domiciled individual who is already in Russian bankruptcy proceedings, successfully securing the dismissal of the petition for lack of jurisdiction and based on expert evidence of Russian law
  - **AOS Holdings v Korotkov** (ongoing): acting (led by Rupert D'Cruz) in a Commercial Court contract and fraud claim for US\$150 million arising out of the purchase of a new cryptocurrency, Grams, launched by the social media app Telegram. The issue of the Grams is currently blocked by the US Securities and Exchange Commission and the US District Court. The case has featured a jurisdiction challenge in the English court and freezing injunction proceedings in Cyprus
  - **Russian Airline v Seychelles Company** (ongoing): acting (as sole counsel) for a Russian airline in an LCIA arbitration concerning an attempted corporate raid on a Russian airline by a former joint venture partner, claiming debts of US\$180 million
  - **Sheianov v Sarner International** (ongoing): acting (as sole counsel) in proceedings for recovery of a historic collection of Second World War motorcycles currently held by an exhibition design company, claiming a lien for unpaid debts
  - **Nescare Group v Global Trade Export** (ongoing): acting (as sole counsel) in a Commercial Court claim on a loan agreement arising out of the acquisition of Kazakhstani agricultural companies, raising allegations of illegality under Kazakhstani law
  - **Cossac Holdings v Preferred Management** (2019): acting (as sole counsel) in a shareholders' dispute between two rival factions for control of a major Russian insurance company, in which the minority shareholders accuse the majority of wrongfully taking control of the company, and embezzling money from the company
  - **Re Trefilov** (2016): acting (led by Thomas Roe Q.C.) in the bankruptcy of a Russian businessman, concerning his alleged entitlement under a multi-million-dollar settlement agreement relating to interests in Russian commercial property
  - **Denisov v Ukraine** (2017): acting in an application and hearing in the Grand Chamber of the European Court of Human Rights in the case of a senior Ukrainian judge who was dismissed for political reasons, raising issues of breach of the right to a fair trial, reputation and political interference in the judiciary. The Grand Chamber gave judgment in his favour, finding a large number of violations of the right to a fair trial.
  - **Re Bennet Invest; Hniazdzilau v Vajgel** [2016] EWHC 15 (Ch) acting for the defendant (led by Thomas Roe Q.C.) in a dispute over the beneficial ownership of Belarusian assets held through an English corporate structure and the effects under Russian, Belarusian and English law of illegal transactions.
  - **Barber v Rasco International** [2012] EWHC 269 (QB): acting for the claimants (led by Thomas Roe Q.C.) in a dispute concerning a partnership to operate an oil and gas pipeline protection contract in Azerbaijan and Georgia.
  - Expert opinions on English law (on issues of jurisdiction, contract and sale of goods, company and trusts) for proceedings in the Russian Arbitrazh (Commercial) Court, the Ukrainian and Belarusian Economic Courts, and in the Irish High Court between CIS parties.
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## Commercial and Civil Fraud

Alexander appears in a wide range of commercial and civil fraud disputes from a variety of jurisdictions. Examples include:

- **National Bank Trust v Yurov** [2020] EWHC 100 (Comm): acting for defendants (led by Paul Stanley Q.C. and Tom Poole) in a nine-week Commercial Court fraud claim brought by a Russian bank alleging misappropriation of \$900 million against its former directors and shareholders, raising complex issues of Russian law on directors' and employees' liability and involving detailed scrutiny of forensic accountancy evidence. The case was listed as one *The Lawyer's* Top 20 Cases
- **AOS Holdings Ltd v Korotkov** (ongoing): acting (led by Rupert D'Cruz) in a Commercial Court contract and fraud claim for US\$150 million arising out of the purchase of a new cryptocurrency, Grams, launched by the social media app Telegram. The issue of the Grams is currently blocked by the US Securities and Exchange Commission and the US District Court. The case has featured a jurisdiction challenge in the English court and freezing injunction proceedings in Cyprus
- **Russian Airline v Seychelles Company** (ongoing): acting (as sole counsel) for a Russian airline in an LCIA arbitration concerning an attempted corporate raid on a Russian airline by a former joint venture partner, claiming debts of US\$180 million
- **Augusta Ventures v Younis** (ongoing): acting (led by Sam Neaman) for a major litigation funder in a fraud and conspiracy claim, alleging that a former funded client reached a secret settlement of his claim with the other parties to the litigation and hide the settlement monies from the funder
- **Mesari v SR23 Holdings** (ongoing): acting (led by Adam Solomon Q.C.) in a dispute between property developers over contracts for the acquisition of commercial property, alleging breach of contract, breach of fiduciary duty and misrepresentation
- **Sheianov v Sarner International** (ongoing): acting (as sole counsel) in proceedings for recovery of a historic collection of Second World War motorcycles currently held by an exhibition design company, claiming a lien for unpaid debts
- **Nescare Group v Global Trade Export** (ongoing): acting (as sole counsel) in a Commercial Court claim on a loan agreement between arising out of the acquisition of several Kazakhstani agricultural companies, raising allegations of illegality under Kazakhstani law
- **Vange Consulting v RBOS Shareholders Action Group** (ongoing): acting (as sole counsel) in a claim arising out of the RBS shareholders' class action, claiming commission payments due to a company which recruited shareholders to the class action
- **Lefebvre d'Ovidio v Lefebvre d'Ovidio** (2019): acting (led by Charles Samek Q.C.) in an application for a freezing order under s. 25 of the Civil Jurisdiction and Judgments Act 1982 in support of Italian proceedings for €750 million concerning the ownership of Silverseas Cruises
- **Ali Muhammad v ARY Properties** (2018): acting (led by Aidan Casey Q.C.) in a dispute over security over property in London to secure loan agreements entered into in Dubai
- **Re Bennet Invest; Hniazdzilau v Vajgel** [2016] EWHC 15 (Ch) acting (led by Thomas Roe Q.C.) in a dispute over the beneficial ownership of Belarusian assets held through an English corporate structure and the effects under Russian, Belarusian and English law of illegal transactions
- **Aquashield Oil and Marine Services v Prime Gulf International** (2015): acting (led by Aidan Casey Q.C.) in a fraud dispute concerning the beneficial ownership of a shipping and marine services company operating in the UK and Nigeria
- **Boots v Goldpine Estates**, CA, 18 June 2014 acting (led by Thomas Roe Q.C.) in a second appeal to Court of Appeal on the renewal of business tenancies and agreements for leases 'subject to contract'
- **Barber v Rasco International** [2012] EWHC 269 (QB): acting for the successful claimants (led by Thomas Roe Q.C.) in a dispute concerning a partnership to operate an oil and gas pipeline protection contract in Azerbaijan and Georgia

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## Insolvency and company law

Alexander acts in insolvency disputes (both for officeholders and for directors and bankrupts), as well as in shareholder

disputes. Recent cases include:

- **VTB Bank v Laptev** [2020] EWHC 321 (Ch): acting (as sole counsel) in bankruptcy proceedings for £25 million brought by a Russian bank against a Russian-domiciled individual who is already in Russian bankruptcy proceedings. Alexander successfully secured the dismissal of the petition for lack of jurisdiction and based on expert evidence of Russian law
- **Re Friendly Investment Co & Re Friendly Pensions** (ongoing): acting (as sole counsel) for the liquidators of a group of pension and investment companies to recover £13 million fraudulently misappropriated from the pension schemes
- **Cossac Holdings v Preferred Management** (2019): acting (as sole counsel) in a shareholders' dispute between two rival factions for control of a major Russian insurance company, in which the minority shareholders accuse the majority of wrongfully taking control of the company, and embezzling money from the company
- **Re Trefilov** (2016): acting (led by Thomas Roe Q.C.) in the bankruptcy of a Russian businessman, concerning his alleged entitlement under a multi-million-dollar settlement agreement relating to interests in Russian commercial property
- **Re Bennet Invest; Hniazzilau v Vajgel** [2016] EWHC 15 (Ch) acting for the defendant (led by Thomas Roe Q.C.) in a dispute over the beneficial ownership of Belarusian assets held through an English corporate structure and the effects under Russian, Belarusian and English law of illegal transactions.
- **Aquashield Oil and Marine Services v Prime Gulf International** (2015): acting for the claimants (led by Aidan Casey Q.C.) in a fraud dispute concerning the beneficial ownership of a shipping and marine services company operating in the UK and Nigeria.
- **Re HLC Environmental Projects** [2013] EWHC 2876 (Ch), [2013] BCC 337: acting (led by Thomas Roe Q.C.) for a company director in a misfeasance claim brought by liquidators for unlawful preferences made by the company operating substantial PFI contracts.
- **Sharma v Sharma** [2013] EWCA Civ 1287, [2014] BCC 73: acting (led by Richard Snowden Q.C. and Thomas Roe Q.C.) in a shareholders' dispute in the High Court and Court of Appeal over the beneficial ownership of a group of companies, with diversion of corporate opportunities and breach of directors' duties.

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## Professional background

### *Education*

MA (Oxon), Modern History and Russian (First Class), St John's College, Oxford University  
Graduate Diploma in Law (Commendation), City Law School  
Bar Vocational Course (Outstanding), City Law School

### *Scholarships and prizes*

Queen Mother Scholarship, Middle Temple 2009  
Certificate of Honour, Middle Temple 2009  
The Times Law Awards 2009, Second Prize  
Worshipful Company of Arbitrators' Prize 2009  
St John's College, Oxford Finals Prize 2007

### *Languages*

Russian (fluent, including study at the State University of St. Petersburg, Russia)  
French (fluent)  
Italian (basic)

### *Memberships*

Commercial Bar Association

Commercial Fraud Lawyers' Association

Russia and CIS Arbitration Network

Russian-Speaking Legal Professionals Forum

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