

4 STONE BUILDINGS

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John Brisby QC
MA (Oxon)

Called: 1978
Silk: 1996

Areas of Practice

Litigation and advice in the fields of company and commercial law, corporate insolvency, financial services, civil fraud and asset recovery.

In recent years John Brisby has been extensively involved in heavy litigation arising out of large scale corporate collapses such as Barlow Clowes, British & Commonwealth, Barings and SASEA.

Between 1991 and the global settlement of those claims in April 1995 he was instructed on behalf of the liquidators of Bishopsgate Investment Management Ltd with regard to locating and recovering assets worth in excess of £500 million on behalf of the Maxwell Pensioners. Between 1998 and 2004 he was heavily involved (leading a team of 6 other barristers from 4 Stone Buildings) in resisting on behalf of Bank of America a claim for US\$6 billion brought by the Joint Liquidators of BCCI.

John Brisby has also been involved in some of the leading cases dealing with the rights of minority shareholders.

On the financial services side, he has acted on behalf of the regulators and also on behalf of their members (particularly insurance companies) dealing both with disciplinary and advisory matters.

Cases of Interest

John Brisby has appeared in over 80 reported cases, well known examples include:

Derby v Weldon [1990] Ch 48;

BIM v Maxwell [1993] Ch 1;

British & Commonwealth Hldgs PLC v Spicer & Oppenheim [1993] AC 426;

SIB v Pantell SA [1989] BCLC 90;

Cloverbay Ltd v BCCI [1991] Ch 90;

SIB v Vandersteen Associates NV [1991] BCLC 206;

Re Saul D Harrison & Sons PLC [1995] 1 BCLC 14;

BIM v Homan [1995] Ch 211;

Re BCCI (No 11) [1997] 1 BCLC 80;

Ispahani v Bank Melli Iran [1998] Lloyds Rep Bank 133;

Morris v Bank of America National Trust & others [2000] 1 AER 965;

Sasea Finance Ltd v KPMG [2000] 1 AER 676;

UPC v Deutsche Bank AG [2000] 2 BCLC 461;

Re Barings plc [2001] 2 BCLC 159.

Publications

Butterworths Encyclopaedia of Forms & Precedents Vol 9 Companies.

Professional

Member of the Commercial Bar Association, the Chancery Bar Association and the Insolvency Lawyers Association.

Notes

Chambers and Partners' Guide to the UK Legal Profession includes John Brisby in the category "Stars at the Bar", and recommends him in the fields of insolvency, financial services, commercial chancery, civil fraud and company law. The 2005 edition describes him as "outstanding", "a forceful effective advocate" and "a real fighter" who "could wipe the floor with most opponents".

In addition to the above fields, the current edition of the Legal 500 recommends John Brisby for commercial litigation.