KOBRE & KIM | DISPUTES AND INVESTIGATIONS

James Booth

Lawyer

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James Booth is an English barrister who focuses on cross-border commercial litigation. His experience includes disputes related to financial products and services, insolvency proceedings and U.S. regulatory enforcement matters.

Mr. Booth studied English law and was called to the Bar at the Honourable Society of the Middle Temple.

Admissions

- Barrister, England & Wales

Education

- Royal Holloway, University of London, BA

Select Engagements

- Representation of clients challenging the UK recognition of a Russian insolvency on the grounds that the recognition is manifestly contrary to UK public policy. Obtained a first-of-its-kind award ordering the foreign liquidator to post substantial security for our clients' costs, which significantly changed the dynamics of the litigation in clients' favor.
- Representation of Chevron Corp. in enforcing an investment treaty arbitration award against a sovereign nation for US $100 million+.
- Representation of investors bringing claims against a consortium of UK and European banks seeking rescission of interest-rate swap contracts worth €700 million+ in reliance on the banks' alleged involvement in wrongful manipulation of the Euribor. Described by *The Lawyer* magazine as one of the top 20 UK cases of 2016.
- Representation of a company at first instance and on appeal in the defense of a €100 million+ claim to enforce fees allegedly due under a contract and triggered by the cross-default of related third-party loan agreements, raising issues of construction and as to the law of penalties.
- Representation of a U.S. software company in connection with the recovery of license fees and potential proceedings in the English High Court for breach of a commodity trading and risk management (CTRM) contract by a foreign oil and gas company.

- Representation of several compliance executives with regional and global responsibilities for a major international financial institution in connection with a New York Department of Financial Services investigation into the institution's Bank Secrecy Act, anti-money laundering, and U.S. Office of Foreign Assets Control compliance program in its U.S. branches.
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- Representation of a UK-based futures trader facing criminal and civil charges of commodities manipulation, fraud, and "spoofing" by the U.S. Department of Justice (DOJ) and the U.S. Commodity Futures Trading Commission (CFTC).
- Representation of a trader at a major European investment bank in connection with a joint investigation by the U.S. Department of Justice (DOJ) and the U.S. Commodity Futures Trading Commission (CFTC) into alleged spoofing and manipulation of the precious metals market.
- Representation of a Spanish multinational gaming company in a dispute against its former restructuring adviser over certain advisory fees totaling approximately €10 million.
- Representation of the Turks & Caicos Island Financial Services Commission in insolvency proceedings against First Financial Caribbean Trust Company Ltd.

Publications & Presentations

- Co-author, "Technology & the Law: When Worlds Collide" (*New Law Journal*, October 2021)
- Co-author, "Insolvency used as a tool in asset recovery" (*Commercial Dispute Resolution*, March 2020)
- Co-author, "Has EU Really Made Cross-Border Asset Preservation Easier?" (*Law360*, June 2017)