PARTNER

Michael Jacobs

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PROFILE

Michael specializes in complex and high-stakes banking and finance litigation. His practice has a particular focus on intercreditor disputes, contentious restructuring and insolvency, regulatory issues, privacy and technology, including De-Fi and cryptoassets. Clients value his broad experience and technical expertise, with Michael having acted in several of the most high-profile banking and corporate insolvencies in recent years.

Michael regularly represents investment banks, hedge funds, and private investors on matters arising out of a range of investments, including equity structures, corporate and sovereign bonds, credit agreements, securitizations, and derivatives. Michael often acts in multi-party disputes, ranging from ad hoc groups and lender syndicates to group litigation and class actions, on both claimant and defendant sides.

Additionally, Michael advises clients on a variety of other contentious issues, including privacy/GDPR, technology, cryptoassets, media and entertainment, oil and gas, and general commercial litigation.

EXPERIENCE

Michael's recent experience includes:

Banking and Finance

- Advising the largest remaining unsecured creditor of Lehman Brothers International (Europe) in relation to its proof of debt and related claims in proceedings before the High Court

PRACTICES   ×

Financial Institutions and Private Funds

Crisis Management

Data Privacy and Cybersecurity

Global Investigations and White Collar Defense

International Arbitration

Creditor Rights, Bankruptcy, and Restructuring

Securities and Shareholder Disputes

EDUCATION   ×

BPP Law School, Legal Practice Course

BPP Law School, Graduate Diploma in Legal Practice

University of Birmingham, B.A., English Literature; Tess Winnall Memorial Prize

ADMISSIONS   ×

Bars

Solicitor of England & Wales

Rights of Audience (Civil), Higher Courts of England & Wales

- Acting for a noteholder on a dispute relating to alleged events of a default under an MTN program arising from the restructuring of a guarantor European bank

- Obtaining summary judgment on behalf of an investment bank in a dispute concerning the events of default under two CDOs

- Representing an investment bank in a dispute relating to interest owing under an ISDA Master Agreement following default of a syndicated loan and intervening Spanish insolvency proceedings

- Representing a syndicate group of debtholders on strategy and claims in a cross-border European insolvency

- Acting for a creditor on a dispute relating to the largest admitted claim in the Lehman Brothers International (Europe) estate

- Representing a group of lenders on a dispute with a security agent relating to the retention of security enforcement proceeds

- Advising an investment manager in High Court litigation relating to the exercise of "drag-along" rights under a shareholder agreement

- Advising a financial institution on litigation and legacy regulatory issues arising out of its takeover of a failed bank

- Advising a foreign governmental institution in connection with its constitutional rights and discrete claims in English insolvency proceedings

- Acting for a syndicate of lenders in litigation relating to the payment waterfall under a finance agreement related to the acquisition of the "Gherkin" building in London

Privacy and Technology

- Representing a US-based technology company on defending a class action in California relating to alleged breaches of GDPR

- Advising various companies in relation to privacy and cookie compliance issues

- Acting on potential litigation in the UK relating to cryptocurrency matters

PUBLICATIONS & PRESENTATIONS

As Interest Rates Rise, So Do Litigation Risks, *The Banker* (August 2023)

Finance Firms May See Increased FCA Enforcement This Year (January 2021)

Insights: 2019/2020 Enforcement Trends (October 2020)