

PARTNER

Michael Jacobs

London

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PROFILE

Michael has a broad disputes practice with a focus on banking and finance litigation, contentious insolvency and restructuring, collective actions, and third-party funding.

He regularly represents financial institutions, hedge funds, multinational corporations, and private investors on matters arising out of a range of investments, including equity structures, joint ventures, M&A, corporate and sovereign bonds, credit agreements, securitizations, letters of credit, and derivatives. In the collective action space, his experience spans from competition law and consumer protection to securities mis-selling, as well as costs and funding related matters.

He also has experience in intercreditor disputes, including priority of payments and security ranking and challenges, as well as claim categorization and valuation.

Michael often acts in multi-party disputes, ranging from ad hoc investor groups and lender syndicates to group litigation and class actions, on both claimant and defendant sides.

Additionally, Michael advises on contentious issues across a range of other industry sectors, including crypto assets, privacy/GDPR, technology, media and entertainment, oil and gas, mining, and general commercial disputes.

EXPERIENCE

Michael's recent experience includes:

Banking, Finance, Restructuring, and Insolvency



PRACTICES

- Financial Institutions and Private Funds
- Data Privacy and Cybersecurity
- Global Investigations and White Collar Defense
- International Arbitration
- Creditor Rights, Bankruptcy, and Restructuring
- Securities and Shareholder Disputes
- Class Actions

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

- Advising various large unsecured creditors of Lehman Brothers International (Europe) in relation to their proofs of debt, settlement issues, and related claims in proceedings before the High Court
- Acting for a noteholder on a dispute relating to alleged events of a default under an MTN program arising from the restructuring of the guarantor, a Portuguese bank
- Representing an international pharmaceutical group in a dispute against an investment bank relating to repayment under a credit agreement and associated security
- 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 under an ISDA Master Agreement following default of a syndicated loan and intervening Spanish insolvency proceedings
- Representing a group of lenders in a dispute with a security agent relating to the retention of security realisation proceeds and exercise of an equitable lien
- 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
- Acting for a syndicate of lenders in litigation relating to the payment waterfall under a finance agreement connected to the acquisition of the “Gherkin” building in London
- Advising a UHNWI in relation to bank account closures and related issues

Collective Actions, Funding, and Costs

- Representing various litigation funders in connection with security for costs applications in England and the Isle of Man
- Advising an investment manager in relation to financing to an international law firm
- Representing a US-based technology company to defend a class action in California relating to alleged breaches of GDPR
- Acting for a UK-based class representative in connection with a claim against a large internet company relating to alleged breaches of GDPR
- Acting on a dispute in the UK relating to cryptocurrency matters

Natural Resources

- Advising a West African mining company and related financial institution in parallel LCIA and ICC arbitrations under a SPA and standby letters of credit

- Advising a UK-based lithium exploration business on various contentious matters
- Advising a Eurasian drilling company in connection with a joint venture and internal investigation
- Advising a foreign governmental institution in connection with its constitutional rights relating to oil and discrete claims in English insolvency proceedings

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)

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