

Zuhair Farouki

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Admission to the Roll: September 2018; 4PQE

EMPLOYMENT EXPERIENCE

Zaiwalla & Co, January 2021 – Present

Associate, Dispute Resolution

Specialising in medium to large commercial litigation and arbitration, often with intricate, multi-jurisdictional elements. I regularly advise commercial clients on: investment treaty arbitrations; charterparty disputes; banking and financial regulatory matters; and international sales and distribution agreements. I also develop and maintain relationships with clients, putting my soft skills to good use. Experience includes:

- Advising the “Maduro Board” in a dispute between two rival boards claiming to have authority to give instructions on behalf of the Central Bank of Venezuela in relation to Venezuela’s gold reserves, worth circa. USD 1.8 billion, held at the Bank of England, and in relation to the USD 120 million proceeds from a gold swap transaction held with Deutsche Bank. My duties thus far have included making various applications to Court; preparing witness statements, from conducting witness interviews through to filing and serving the witness statements; and liaising with the Venezuelan Law expert to finalise his evidence.
- Acting for investors in an investment arbitration claim worth more than \$400 million against an African State that had failed to treat their mining investment as provided for in the relevant BIT. The clients instructed us from the start and I was responsible for: considering the clients’ documents; analysing case law and the relevant BIT; and drafting the letter before claim to the African State. Currently preparing to commence proceedings and constitute the Tribunal.
- Responsible for handling arbitration claims (or threats thereof) involving vessels belonging to a shipping client. Tasks include: being the first point of contact for the client; considering claims for and against our client; forming strategies and deciding on tactics; drafting applications; drafting pleadings; and negotiating settlement if beneficial. The values of the claims have varied from £50,000 to £5 million.
- Responding to a security for costs application in the Commercial Court, liaising with Counsel and foreign law (Arabic-speaking) experts to determine the ease of enforcement of an English court’s costs order in the jurisdiction the client is based in.
- Representing an airline client in a contractual dispute stemming from agreements to lease aircrafts. Drafted Defence Submissions and was also responsible for inter partes correspondence, exchanging open and without prejudice letters to ensure our client is in the best position to proceed with the impending arbitration whilst simultaneously pursuing a satisfying settlement for our client. Concluded with a commercially successful settlement for our client.

Stevens & Bolton, November 2019 – November 2020

Associate, Dispute Resolution

Advising clients on a wide range of contentious matters, with a particular focus on insurance litigation:

- £30 million claim for contribution for redress paid out to PPI customers, complicated by factors such as the age of some of the claims, the wide range of insurance products that were sold, and the lack of information our client had in relation to the claims. Tasks included: preparing briefs to experts; analysing disclosure with a view to preparing for trial; drafting the reply.
- Advising an insurance client in relation to an FCA investigation into customer claims, PPI mis-selling and miscalculations in relation to the redress already paid out. Prepared the response to the request for information, which principally sought to understand the sales process.
- £5 million dispute between a hospital and the company who provided service management for the hospital’s buildings: drafting letter before claim; strategising with clients; and preparing for mediation.

Linklaters, October 2015 – October 2019
Support Lawyer, Dispute Resolution

Initially joined as a temporary paralegal for one week to carry out Arabic language document review, but was kept on when senior members of the disputes team requested my contract be extended so that I could assist on other aspects. I was promoted in April 2016 to permanent paralegal in the disputes team and continued to work closely with senior associates and partners on a wide range of matters. Once I qualified in September 2018, I was promoted to support lawyer. Experience includes:

- Instructed by Grant Thornton acting as liquidators in AHAB v SICL & Others, a \$9.2 billion claim in the Cayman Islands concerning Saudi companies that were embroiled in a long-standing Ponzi scheme. Worked directly with several partners and senior associates, helping them prepare for trial by: drafting sections of witness statements; liaising with expert witnesses and helping prepare the expert report; and analysing documents concerning the fraud aspect of the case.
- Acted for legacy Amec Foster Wheeler in relation to an SFO investigation regarding allegations of bribery, including in an alleged connection to Unaoil. The matter ultimately concluded in a DPA. Responsibilities included: overseeing the document review process in relation to the alleged connection to Unaoil; responding to the many Section 2 notices from the SFO; and drafting narratives for the client to explain our findings.
- Advising a major financial institution in relation to an FCA investigation following large-scale state corruption and the alleged theft of assets from a sovereign wealth fund. My role included: responding to the numerous information requests from the FCA; drafting analyses following review of documents on the financial institution's oversight and governance; and overseeing the document review process.
- Representing a major financial institution in relation to the FCA's investigation into its purported transaction reporting failures. Resolved at Stage 1. Tasks included: examining and posing counter-arguments to the FCA's calculations for the fine they were looking to impose; analysis of the financial institution's internal protocols to determine whether they were correctly adhered to; and drafting status reports for the client.

Smithfield Partners, September 2013 – September 2015
Paralegal

Smithfield Partners is a boutique law firm in the City specialising in litigation, corporate and property work for SMEs. Most of my experience here was with the litigation team: drafting witness statements, defences, debt orders and charging orders; maintaining regular client and adverse party correspondence; preparing trial bundles; and assisting in litigation proceedings.

PRO BONO

- Whilst at Linklaters, I helped LGBT asylum claimants through the asylum application process, including: conducting witness interviews; drafting witness statements; drafting applications; and representing clients at Home Office interviews. The cases I worked on were successful and our clients were granted asylum.
- During my GDL, I volunteered at Reprieve from October 2011 - April 2012, representing numerous former and present Guantanamo Bay prisoners. Responsibilities included writing applications for prisoners' release, garnering media attention for particular cases in countries such as Libya, Tunisia and Egypt, and translating prison documents. My understanding of many of the prisoners' languages and cultures allowed me to contribute extensively to Reprieve's work.

APPOINTMENTS

Member of the London Very Young Arbitration Practitioners (VYAP) Executive Committee: **August 2021 – Present**. London VYAP is a network of young professionals with a maximum of 5 years' PQE who are based in, or have links with, London's arbitration community. We provide a valuable platform for professional networking and knowledge sharing among junior arbitration practitioners – see <https://www.londonvyap.com/> for more.

EDUCATION & QUALIFICATIONS

- Solicitor – SRA Admission Date **3 September 2018**
- LPC – College of Law Moorgate **2012-2013**
- GDL – BPP Waterloo **2011-2012**
- Warwick University **2008-2011** – BA (Hons) History. Grade: 2.1
- Sevenoaks School **2006-2008**. International Baccalaureate: 36 points – equivalent to 3 A*s and an A at A-level
- British International School of Cairo **2001 – 2006**. GCSE's: 6 A*'s and 4 A's

LANGUAGES

English and Arabic (Fluent), French and Spanish (Basic)

REFERENCES

Employment Referee: Rory Conway – Partner at Linklaters LLP
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