

## Andris Rudzitis

YEAR OF CALL: 2019

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## Practice Overview

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Andris is developing a broad practice covering all aspects of commercial litigation, arbitration and public international law. Andris has experience and a particular interest in civil fraud, international arbitration and public international law.

Before coming to the Bar, Andris worked as the judicial assistant to Lord Justice Patten in the Court of Appeal. Andris graduated from the University of Oxford with First Class Honours in 2013 (top of his year) and subsequently an MPhil and DPhil. He then completed the GDL and BPTC at City Law School.

## Commercial

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- Loreley Financing v Credit Suisse (appeared in a 9-week trial in the Commercial Court acting for the investor in a \$100m claim arising out of the purchase of a CDO transaction linked to a portfolio of residential mortgage backed securities in 2007).
- COPA v Craig White (acting for Mr White in a case concerning the true identity of the Bitcoin creator known as 'Satoshi Nakamoto', listed for a 5 week trial in January 2024).
- USB AG v Kim Hung Kei (a claim in relation to a £47m facility agreement mortgaged against a London property involving issues of estoppel).
- Hua She Asset Management v Kei Kin Hung and others (acting for a Defendant to committal proceedings in the Commercial Court in relation to alleged breaches of a freezing order).
- Border Timbers Limited v Republic of Zimbabwe (acting for the Republic of Zimbabwe in proceedings seeking enforcement of a \$125m investor-state arbitral award pursuant to the ICSID Convention in relation to multiple BITs).
- An HKIAC arbitration involving allegations of professional negligence against a firm of

solicitors in Hong Kong worth c.\$50m.

- Federal Republic of Nigeria v JP Morgan (a claim alleging breach of the Quincecare duty of care, for in excess of \$875 million (as a pupil with Roger Masefield KC, Richard Blakeley and Jonathan Scott). This was one of The Lawyer's Top 20 Cases of 2019).
- An arbitration involving allegations of breach of contract and infringements of EU law seeking damages worth c.£150 million, as a pupil with Helen Davies KC and Gerard Rothschild.
- Stockoe Partnership Solicitors v Grayson & others (claims alleging breach of confidence and unlawful conspiracy involving allegations of unlawful hacking of confidential information, as a pupil with Tim Lord KC, Gerard Rothschild and Frederick Wilmot-Smith).
- Stein Time Management Limited v British Gas Limited (unled in proceedings in the Chancery Division).
- Amira c Foods International v IDBI Bank CA-004-2021 (an appeal before the Dubai Court of Appeal on the issue of abuse of process in relation to proceedings for the recovery of sums outstanding from a facilities agreement, as a pupil with Roger Masefield KC).
- Mosaïque Limited v East Sussex Healthcare NHS Trust (a claim and counterclaim alleging, respectively, breach of contract and unjust enrichment, arising out of the development of a cloud-based project management application).
- PT Ventures v Vidatel (opposed application in the BVI to wind-up Vidatel to satisfy an arbitration award and court order in favour of PT Ventures in the value of over USD 390m, raising issues of abuse of process, as a pupil with Roger Masefield KC).
- S3D Interactive v Oovee Limited (a claim alleging breach of contract arising out of the development of a video game).
- Advising and drafting pleadings unled in relation to anticipated proceedings alleging professional negligence and breach of contract against a firm of solicitors claiming loss of chance damages worth up to £4.5m.
- Drafting pleadings in relation to a prospective claim in the sports industry involving allegations of breach of confidence, unlawful means conspiracy and breach of fiduciary duty.
- Advised a construction company in liquidation in relation to claims worth c.£2.5m arising out of a major public infrastructure project.
- Advised a reinsurer in relation to the scope of coverage provided by several policies of excess loss reinsurance in relation to business interruption claims arising out of the Covid-19 pandemic, as a pupil with Roger Masefield KC.
- Xerox v FM Insurance (insurance claims for losses arising out of the Covid-19 pandemic, as a pupil with Roger Masefield KC).

## Competition

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- *JHH Enterprises v Microsoft* (claim alleging anti-competitive conduct in relation to the second-hand sale of pre-owned licences for Microsoft software in the UK and EEA).
- *Jaguar Land Rover Ltd and Others v MOL (Europe Africa) Ltd and Others* (a follow-on damages claim in the CAT relating to the maritime car carriers cartel as sanctioned by the

European Commission).

- *Michael O'Higgins FX Class Representative Ltd. v. Barclays & others* (Mr O'Higgins' application to the Competition Appeal Tribunal for a Collective Proceedings Order and the ensuing carriage dispute (the first of its kind in English law) seeking follow-on damages for the victims of foreign exchange cartels, as a pupil with Daniel Jowell KC and Gerard Rothschild).
- *Facebook v CMA* [2021] EWCA Civ 701 (Facebook's appeal before the Court of Appeal in relation to a refusal by the CMA to grant derogations from an interim enforcement order in connection with Facebook's acquisition of GIPHY Inc., as a pupil Robert O'Donoghue KC, Gerard Rothschild and Tom Pascoe).
- Advising a company in the sports industry in relation to anticipated proceedings involving market foreclosure, with parallel proceedings in the US.
- Advised a client in the electricity sector on alleged non-compliance with licence conditions, as a pupil with Gerard Rothschild.
- Advised a telecoms provider on matters arising out of OfCom's General Conditions of Entitlement.

## Public Law

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- *R (Bluebird Boats Ltd) v The Royal Parks Ltd* [2020] EWHC 3647 (Admin) (application for permission for judicial review and interim relief challenging the decision to refuse Bluebird Boats permission to continue trading on the Serpentine, as a pupil with Maya Lester KC, Sarah Love and Richard Howell).
- *Live Nation v The Royal Parks* (a public procurement challenge of a tender exercise to award the Hyde Park Music Festival, as a pupil with Sarah Love).
- *R (Medical Defence Union) v Secretary of State for Health* (state aid challenge to the assumption by the State of GPs' clinical negligence liabilities, with James Flynn KC and Sarah Love).
- Acting for Ofwat before the CMA (as a pupil with Jemima Stratford KC and Sarah Love).

## EDUCATION & QUALIFICATIONS

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### Professional Experience

2019-20: Judicial Assistant to Lord Justice Patten, Court of Appeal

### Education

2018-19: BPTC, City Law School

2017-18: GDL, City Law School

2015-17: DPhil, St Cross College, Oxford

2013-15: MPhil, Pembroke College, Oxford

2010-13: BA, Pembroke College, Oxford (First Class, top of year)

### **Prizes and Scholarships**

- Bar European Group John and Sophie Laws Scholar

Lincoln's Inn

- Lord Bowen Scholarship
- Denning Scholarship

City Law School

- City Law School Scholarship for BPTC
- City Law School Scholarship for GDL

Academic prizes at the University of Oxford

- AHRC Full Scholarship (funded DPhil)
- Pembroke College Graduate Scholarship (funded MPhil)
- Crewdson Trust Scholarship
- Gibbs Prize for top mark in Finals Examinations
- Domus Scholarship – Pembroke College