



## **RAVI NAYER**

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## **BIOGRAPHY**

Ravi is a partner in the Business and Commercial Disputes team based in London. His practice focuses on complex, high stakes commercial and group litigation. He is also a driving force in BCLP's Environmental, Social, and Governance (ESG) and Class Actions practice. Ravi represents some of the UK's largest financial services institutions, including asset managers, insurers, hedge funds and pension funds, in litigation related to their investments. He routinely handles cases with an international dimension and has extensive experience across a wide range of jurisdictions, including the UK, UAE, US, Caribbean and India.

Ravi is currently representing one of the UK's largest asset managers in a ground-breaking, high profile claim against one of the world's largest globally diversified natural resources companies. The case is being managed together with claims brought by various major asset managers and institutional investors. This group litigation, publicly valued at over £1 billion, is at the forefront of

shareholder actions in this jurisdiction and listed as one of the most closely watched High Court cases of 2024.

His extensive experience includes creating joint defence and novel litigation cooperation agreements for peer institutions in some of the UK's largest multi-party actions, such as the RBS Rights Issue Litigation. In addition to advising on the merits and conduct of securities class actions and regulatory enforcement, Ravi is frequently called upon to provide guidance on governance policies and procedures related to noteholder litigation, securities class actions and related fiduciary duties.

Ravi also heads a market leading practice advising clients on the design and implementation of private-sector compensation schemes, also known as redress schemes. In recent years, he has spearheaded several high profile initiatives in the UK arising from alleged mass torts, including the Construction Workers' Compensation Scheme, the Manchester City Survivors' Scheme, Windrush, and the first ICO approved data compensation scheme in the UK.

Ravi is renowned for his exceptional client service skills. For two years, he was seconded to one of the UK's largest FTSE 100 asset managers and insurers as its Global Head of Disputes. This experience provides him with invaluable insight into the challenges of bringing and defending proceedings from the perspective of in-house counsel.

Ravi champions diversity in the workplace and is frequently invited to speak at industry events. He served as the Chair of the Board of London's largest mental health charity and interned at the Runnymede Trust, the UK's leading race equality think tank. Most recently, he has partnered with the founders and board of the Big Issue to campaign for an Infected Blood Compensation Scheme. He also advises members of the Energy Security and Net Zero Select Committee.

Ravi has been awarded numerous scholarships by The Honourable Society of Lincoln's Inn and has taught on the BCL/MJur at the University of Oxford, where he also convened the Law Faculty's Procedural Justice and Evidence Discussion Group, including undertaking in-depth research of comparative class action methodologies and reform, most recently partnering with Professors Adrian Zuckerman and Andrew Higgins on reform of litigation funding and class actions in the UK.

## THE GROWTH OF CLASS ACTIONS: WHAT'S NEXT?

We explore the rapidly changing legal landscape

### **ADMISSIONS**

- England and Wales (barrister)

## RELATED CAPABILITIES

- Business & Commercial Disputes
- Litigation & Dispute Resolution
- Class Actions & Mass Torts
- ESG Litigation
- Energy Transition

## EXPERIENCE

Example litigation Ravi has worked on in recent years for both claimants and defendants include:

- Aabar Holdings S.À.R.L & Others v Glencore PLC & Others (s90 and s90A FSMA claim relating to misstatements to market in the purchase, holding and selling of Glencore Plc shares)
- TVZ & Ors v Manchester City Football Club (negotiated, designed and administered the Manchester City Football Club Survivors' Scheme)
- Canary Wharf Finance II Plc v Deutsche Trustee Company Ltd and others (advice to T1 noteholder in respect of disputed spens clause payment arising from disposal of 10 Upper Bank Street) Volkswagen NOx Emissions Group Litigation (advice to hedge funds backing VW claims)
- Re Al Rayan Bank PLC (injunction to winding up petition)
- NMC Healthcare Limited (in Administration) (claims arising out of the collapse of the NMC Healthcare group)
- Emerald Pasture Designated Activity Company & Ors v Cassini SAS & Anor (claims brought by a group of hedge funds relating to failure to comply with the Senior Facilities Agreement and French insolvency safeguard procedures)
- Lloyd v Google LLC (advice in respect of CPR rule 19.6 procedure)
- RBS Rights Issue Litigation (acting for a group of senior insurers and pension funds on coordination of s90 FSMA claim relating to loss of value of issued shares)
- FCA Enforcement of FTSE 100 product provider in respect of £3.5bn of structured deposit products

- Maddox RP LLP v Grey GR Limited Partnership (partnership claim against a large private pension fund regarding the purchasing of assets)
- Windrush Compensation Scheme (appointed adviser to the Independent Person by the Home Office)
- Prismatic v Google UK Ltd & Anor (data claim under CPR rule 19.8 procedure)
- Bugsby Property LLC v LGIM Commercial Lending Ltd & Anor (claim arising from the alleged breach of a non-compete agreement)
- Alan Shearer v Suffolk Life (claim for breaches of COBS and common law claims against a SIPP company for failed investments placed in the SIPP)
- Various Claimants v McAlpine & Ors (claims against a consortium of major UK construction companies for alleged blacklisting of workers, coordination agreement, scheme development agreement and design and administration of redress scheme)
- Medenta Finance Ltd v Hitachi Capital (UK) Plc (injunction and expedited trial concerning trade restraint)

## RELATED INSIGHTS

Insights

Aug 15, 2024

### **Navigating representative proceedings in the High Court**

With the rise of litigation funding of group actions, there has been an increasing use of representative actions by Claimants in recent years.

Events

Thursday, 23 May 2024

### **Banking with BCLP Webinar: Greenwashing in Finance**

Awards

Apr 12, 2024

### **Eight BCLP Partners Ranked in 2024 Lawdragon 500 Global Plaintiff Lawyers**

Insights

Nov 28, 2023

### **Collective settlement of mass claims: an opportunity for innovation**

Insights

Nov 07, 2023

### **Disputes in Focus: Quick Q&A on Legal Privilege in Group Litigation**

Legal professional privilege is a key issue in any litigation or investigation and each year the courts determine many disputes over its application. It can become less straightforward to manage and protect in multi-party or group proceedings. In this blog, Clare Reeve Curatola provides a brief summary of legal privilege and the rules about sharing privileged material under English law. And, she asks fellow Litigation and Investigations partner, Ravi Nayer, about his recent experience of grappling with issues of legal privilege where there are multiple different parties involved in a dispute and in the context of group actions in the High Court. Short on time? Jump to our key takeaways.

Insights

Nov 06, 2023

## **Can multiple claimants use the same claim form in group actions?**

A recent decision in the Birmingham County Court has added to the body of case law growing around the test for listing multiple claimants on the same claim form. In *Angel and others v Black Horse Limited*, unreported, 8 September 2023, County Court at Birmingham, a case involving over 5,000 claimants bringing claims against 8 finance companies, the claimants had issued proceedings using 8 claim forms (one against each defendant). HHJ Worster held that in this case it was impermissible under CPR 7.3 to use a single claim form for all the claims against the same defendant. The judge therefore ordered the claimants to sever their claims from the common claim forms. HHJ Worster relied heavily on the guidance given by the High Court in *Abbott v Ministry of Defence* [2023] EWHC 1475 (KB) on the CPR 7.3 “convenience test”, which concerns whether multiple claimants may use a single claim form. These cases ...

Insights

Sep 14, 2023

## **Raising the stakes in activist shareholder claims**

The High Court has ordered that ClientEarth pay Shell’s costs in connection with all aspects of ClientEarth’s unsuccessful application for permission to continue a derivative claim against Shell and its directors. This is a departure from the default position in derivative proceedings. Usually, the company will not be awarded any costs incurred in making submissions in opposition to, or attending any hearing of, a shareholder’s application at the permission stage. This judgment therefore raises the stakes for activist shareholders who are considering bringing a derivative claim.

Insights

Sep 12, 2023

## **New Group Litigation Order issued together with the potential development of a new “GLO Lite” procedure for the collective case management of claims**

The High Court has made a Group Litigation Order (GLO) in the class action proceedings of *Tongue & Ors v Bayer Public Ltd Company & Ors* [2023] EWHC 1792 (KB). This appears to be only the second GLO made by the High Court in 2023. In its judgment, the Court made a number of important comments about the factors it took into account when exercising its discretion to make a GLO. It also referred to a form of collective case management it named “GLO Lite”, which indicates that a new informal practice for managing class actions is developing in the High Court.

Insights

Aug 30, 2023

## **English High Court casts its jurisdictional net wider in the Fundão Dam class action proceedings**

In the High Court’s recent judgment in *Município de Mariana & Ors v BHP Group (UK) Limited & Anor* the Court found that England was “clearly the appropriate forum” to determine whether Vale SA, a Brazilian company, should share liability with the BHP Group in a class action claim being brought in the English High Court as the result of the 2015 Brazilian Fundão Dam disaster. The claim was brought as a CPR Part 7 High Court action, with a large number of claimants listed on one claim form, and is not a representative action or subject to a Group Litigation Order.