

# FINANCIAL SERVICES DISPUTES AND ENFORCEMENT





*“What is so impressive about Burges Salmon, though, is that, unlike most single site regional firms, it doesn't just have one or two niches where it can compete on level terms with the City. It has any number.”*

**Chambers Guide to the UK  
Legal Profession**

## About Burges Salmon

### Quality

Burges Salmon is consistently ranked by independent market commentators as one of the leading commercial law firms in the UK. Over recent years Burges Salmon has experienced exceptional growth as we continue to win prestigious clients out of the hands of our City of London rivals. Our national and global client base ranges from private individuals to government departments and FTSE 100 companies. Our lawyers are leaders in their fields with a formidable depth of experience; they are ambitious and forward thinking with a united desire to deliver quality work to our clients.

### Capability

With a total of over 650 staff (which includes 72 partners) based in Bristol, and with a satellite office in London, Burges Salmon provides national and international organisations and individuals with a full scope service through the core practice areas of commercial, corporate, finance, dispute resolution, property and tax. In particular Burges Salmon has developed the capability to take on technically complex work that City firms may not always handle as economically or enthusiastically.

### Organisation

Burges Salmon remains a single-site national firm. This has allowed it to develop a cohesive and communicative environment. We are confident that this assists us in providing a level of service that is of the highest quality, coordination, and cost-effectiveness for our clients.

## About Financial Services Disputes and Enforcement (FSDE)

### Expertise

Financial Services Disputes and Enforcement (FSDE) is a specialist unit that advises numerous major financial service providers (including banks, buildings societies, insurance companies, brokers and fund administrators) and other corporates/groups in three primary areas:

- Financial Services Disputes – advising on the bringing or defending of contractual, professional negligence and other claims in a financial services context.
- Regulatory Investigation and Enforcement – advising financial services providers (FSA authorised or otherwise) who are the subject of FSA enquiries, investigations, and/or enforcement proceedings.
- Anti-money laundering/terrorist financing – advising on avoiding the commission of offences, obligations to report to the Serious Organised Crime Agency, and connected matters.

### Recent Matters

Recent instructions that we have worked on include:

- Advising a number of large national mortgage providers on fraud perpetrated against them, including injunctions to freeze assets, proceedings to recover assets, and related insurance matters.
- Representing a brokerage PLC in a multi-million pound dispute with a trading platform provider over unauthorised trading activities, and advising on FSA reporting obligations.
- Advising a land banking business subjected to dawn raids by DFBERR and to FSA investigations.
- Representing a financial services provider in a contractual dispute with its fund administrator, and negotiating an early favourable settlement.
- Representing a large directly authorised franchise network of financial advisers on numerous contractual and tortious disputes with counterparties, and on "Treating Customers Fairly" remediation exercises.
- Advising a large banking institution on anti-money laundering issues and on the protection of confidential client data.



*“We appreciate the no-nonsense approach of the lawyers at Burges Salmon. They get the job done in a spirit which reflects our long-term relationship with our customers.”*

**Mark Bampton, Controller, Structured Property Finance, Nationwide**

## Major Clients

We frequently act for the following clients:

- Bank of Ireland
- Chartwell Group
- Mapfre
- Nationwide Building Society
- Openwork
- Premier Portfolio Managers Ltd
- Sarasin
- Svenska Handelsbanken

## Our People

FSDE is led by David Hall and Tim Pope. They are fully supported by Thomas Webb and draw on the expertise of the rest of the firm as necessary according to the nature of the case.



### David Hall

Partner

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David leads the Finance Litigation and Insolvency Practice. He has represented many banking clients and financial institutions on a wide range of contentious and regulatory matters, including substantial experience of complex fraud cases.

Before joining Burges Salmon David spent over nine years at Clifford Chance in London and Tokyo where he acted on behalf of both the regulator and the regulated.



### Tim Pope

Senior Associate

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Tim joined Burges Salmon in 2002, having trained at Simmons & Simmons in London and Paris. He represents financial institutions of all kinds (including banks, building societies, fund managers and financial advisers) and other corporates/groups in bringing/defending negligence and contract claims and defending regulatory investigation and enforcement proceedings.

Tim contributed the chapter on the regulation of general insurance business in “McMeel and Virgo on Financial Advice and Financial Products - Law and Liability”.



### Thomas Webb

Solicitor

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Thomas joined Burges Salmon in 2007. Before then, he worked at Baker & McKenzie in London and Moscow, and then at Bingham McCutchen. He has defended both global financial institutions and individuals subject to FSA investigations and enforcement proceedings relating to alleged carrying on of regulated activities without FSA authorisation, market abuse, and product mis-selling.

**If you require any further information please contact any of the above.**

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