



Simon Willis

Partner

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Practice Areas

- Complex Litigation & Dispute Resolution
- International Arbitration & Dispute Resolution
- Global Investigations
- Internal Investigations
- Bankruptcy Litigation

Honors

- Leading individual: Professional Discipline, *Chambers UK* 2016
- Recommended individual: Commercial Litigation, *Legal 500 UK* 2015, 2017, 2018, 2019, 2020 & 2021
- Recommended individual: Professional Negligence, *Legal 500 UK* 2015 and 2016
- Recommended individual: Professional Discipline, *Legal 500 UK* 2015 & 2017

Education

- L.P.C., College of Law of England and Wales, Chester
- LL.B., University of Birmingham

Simon focuses on commercial disputes, often involving financial and professional services institutions, contentious regulatory work and professional negligence.

Simon has wide experience of acting for major financial institutions, companies and professional firms in complex litigation, investigations and proceedings by domestic and overseas regulators, professional disciplinary proceedings, ad hoc governmental inquiries and internal investigations. In particular he has acted for those subject to investigations by a wide range of regulatory bodies including the Financial Reporting Council, the Financial Conduct Authority, the Prudential Regulation Authority, the Serious Fraud Office, the Securities and Exchange Commission, the Public Company Accounting Oversight Board and others. He has considerable experience of advising clients on risk management and reputational risk arising from contentious matters.

Simon has been recognised in the *Legal 500* and *Chambers & Partners* as: “an outstanding litigation solicitor”, who is “*highly experienced in conducting heavy litigation*”, and “*one of the best lawyers operating in the Accountant’s liability space*”. His clients describe him as “tactically astute and painstaking” and “*tough, hardworking, well informed and highly tactical in his thinking.*” with a “*winning combination of legal knowledge and practicality*”.

Please direct any HR or recruitment queries to our Recruitment Manager, Sophia Eleftheriou (seleftheriou@orrick.com).

Representative Engagements

Notable engagements include:

Re Sigma Finance Corporation: Acting for a major investment bank in relation to a dispute concerning the terms of a Security Trust Deed governing the rights of creditors of a structured investment vehicle which was heard by the Supreme Court.

Re Golden Key Ltd (in administrative receivership): Acting for the administrative receivers of Golden Key Ltd, a structured investment vehicle in a dispute as to contractual interpretation in which judgment was given by the Court of Appeal.

Eckerle and ors v Wickeder Westfalenstahl GmbH and DNick Holding Plc: Successfully resisting an application under section 98 of the Companies Act 2006 for the cancellation of the resolution for the re-registration of DNick as a private company. Now the leading

case on s98.

Singh v Singh: High profile High Court litigation between family members concerning the ownership of assets including shares in a very successful private hotel company.

Northern Rock: Advising the Independent Valuer of Northern Rock in relation to proceedings by shareholders challenging his valuation made pursuant to the Northern Rock Compensation scheme order 2008.

Ernst & Young: Acting for the UK firm of Ernst & Young in proceedings in the United States arising out of the collapse of Cendant Corporation.

Representing two investment funds on a high value contractual dispute over the construction of the various interlocking banking agreements relating to the acquisition of a UK power station following the insolvency and restructuring of British Energy.

Equitable Life v Ernst & Young: Advising Ernst & Young in relation to their successful defence of a £2.5bn audit negligence claim after a six month trial.

Advising a fund manager in relation to a \$70m claim arising out of investments in China.

Satyam: Advising the UK firm of PricewaterhouseCoopers LLP and PricewaterhouseCoopers International Ltd in relation to multi-jurisdictional internal investigations and investigations and proceedings by the SEC and the PCAOB arising from the fraud in Satyam Computer Services Limited.

Olympus Corporation: Advising a client in relation to an investigation by the SFO and the SEC into allegations of fraud in UK subsidiaries of Olympus Corporation.

Equitable Life: Advising Ernst & Young in relation to disciplinary proceedings brought by the Joint Disciplinary Scheme of the Institute of Chartered Accountants of England and Wales; the inquiry by Lord Penrose on behalf of the Treasury; and the investigations by the Parliamentary Ombudsman and Sir John Chadwick.

Acting for a professional firm in relation to its internal investigation into potentially improper payments made by and to a client of the firm's tax practice and subsequently representing that firm before the SFO.

Advising a leading accounting firm in relation to sanctions investigations into a European bank by various US regulatory authorities.

Acting for a large audit firm in connection with an investigation by the SEC and the FCA into possible accounting issues in a large international bank.

Acting for the Chairman and CEO of a large private company in relation to an internal investigation into allegations of breaches of director's duties in relation to a business opportunity.

Advising a major accounting firm in relation to a disciplinary

investigation concerning its role as auditor of a Lloyd's syndicate which disclosed over £300m of additional liabilities in 2010.

Advising the largest accounting firms on proposals by the Accountancy and Actuarial Discipline Board for new disciplinary scheme rules.

Conducting internal investigations for large multinational organisations following allegations of corruption or accounting fraud.

Publications

- Author of "Long-term contracts: another vote for literal interpretation," *Practical Law*, May 2016

Admissions

- England and Wales