



HERBERT  
SMITH  
FREEHILLS




## **SIMON CLARKE**

PARTNER

[London](#)

Simon is a partner in the award-winning Banking Litigation practice in the UK.

---

 +44 20 7466  
2508

 [Simon.Clarke@hsf.com](mailto:Simon.Clarke@hsf.com)

---

## **BACKGROUND**

Simon is an accredited mediator with the Centre for Effective Dispute Resolution

## **LATEST INSIGHTS**

## KEY SERVICES

Commercial Litigation  
Financial Services Disputes

## KEY SECTORS

Banks  
Banks and other Financial Institutions

---

## EXPERIENCE

Simon helps clients handle complex banking and financial services disputes.

Simon advises clients on complex civil claims and regulatory issues including contractual disputes, derivatives, structured products, banking confidentiality, investment management and advice, product mis-selling, regulatory investigations, and internal systems and controls.

Simon is one of the partners who led a team representing RBS Group in defending actions brought by shareholder and investor groups in connection with its 2008 rights issue – one of the highest profile pieces of litigation in the UK in recent years.

Simon has helped clients in proceedings in Denmark, France, Germany, Italy, the Netherlands, Singapore, Switzerland and the United States.

Simon is a global co-chair of the firm's banks sector group.

He is an accredited mediator with the Centre for Effective Dispute Resolution.

Simon's experience includes advising:

- RBS in defending actions brought by shareholder and investor groups claiming approximately £4 billion in connection with the group's 2008 rights issue

Credit Suisse in its successful High Court proceedings against Stichting Vestia for the recovery of the Early Termination Amount payable under various interest rate derivatives

a sub-syndicate of lenders in its successful claim for declarations relating to the interpretation of the 'waterfall' provisions in the Gherkin building's financing documents

a major global investment bank in connection with shareholder claims brought against it in relation to its role in the IPO of a large company, which filed for bankruptcy shortly afterwards

a major bank on threatened group litigation in relation to tailored business loans