

## Andrew Hill

Partner

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*I am the head of Fox Williams' securities litigation team. I specialise in complex, cutting edge and high value commercial litigation, with a focus on group actions or 'class actions' for major international finance institutions and sophisticated institutional investors.*

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Andrew has been at the forefront of developing securities litigation in the UK since 2014, identifying potential recovery opportunities for shareholders in UK public companies.

Andrew drove the launch of the UK's first such claim, the high-profile case against Tesco PLC for a large group of institutional investors, following Tesco's admission of a profit overstatement in late 2014 (at his previous firm, Stewarts). That case received widespread press coverage until it settled successfully in 2020, after he joined Fox Williams, where he then launched a second securities litigation claim against Tesco arising out of the same facts, for a larger group of institutional investors, which settled successfully in September 2021.

Andrew is currently leading Fox Williams' second (his third) major securities litigation claim against Glencore PLC, for more than 200 institutional investors, arising out of the coordinated global settlement by Glencore in 2022 of an array of investigations brought against it and its group companies by the US DoJ, the UK SFO and other agencies, which has so far seen them pay more than £1 billion in penalties, for admitted bribery and corruption on a global scale.

Together with Fox Williams' partner, Matthew Reach, Andrew spearheaded the building and launch of the firm's third (his fourth) securities litigation claim against Petrofac Limited, for more than 70 institutional investors, in May 2023. This latest case arises out of the guilty pleas entered by Petrofac to seven counts of breach of the UK's Bribery Act in October 2021, for Petrofac's bribery and corruption over a sustained period of many years from October 2011.

Andrew and the Fox Williams securities litigation team are currently building two further securities litigation claims for institutional investors, with two further cases in the pipeline. Each of these cases has an ESG focus, which is consistent with Andrew's belief that securities litigation is a tool which investors should use when necessary to hold the companies in which they invest to account.

Andrew is dual-qualified in the UK and Australia, having worked at global law firm Baker McKenzie in Sydney before relocating to London in 2012.

## Legal Expertise

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- Securities litigation
- Group/class actions
- Complex commercial litigation

## Experience

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- Spear-heading a second securities litigation group action against Tesco PLC, this time on behalf of 234 institutional shareholders seeking +£1b in compensation. Proceedings were commenced in September 2020 (just before limitation expired) and have successfully settled (as announced by Tesco in its half year results in October 2021).
- Collaborated with a US class action firm to build a claimant group for proceedings against Daimler AG, Mercedes-Benz Cars UK Limited, Mercedes-Benz Financial Services UK Limited and others. This case represented Andrew's first large-scale (non-securities litigation) group litigation to date and as at the date Fox Williams ceased to be involved, more than 25,000 names had registered on the dedicated website. The claims related to the "Dieselgate" scandal in which Daimler and several other car manufacturers have been involved; and followed the US law firm's settlement of its civil class action proceedings in 2020 for US\$700m.
- Advised certain subsidiaries of a Russian mining and metals group listed on NYSE and their Swiss lawyers with respect to potential English law claims and remedies to which they might be entitled (in Swiss litigation and potential English litigation), after becoming embroiled in attempts made by another party to make the clients accountable for a c.US\$100million debt owed to that party by a bankrupt Swiss entity.
- Advised a publicly listed online trading and investments provider to protect itself from large-scale potential actions for damages from multiple clients in Italy.
- Defended and successfully resolved a \$140million investor class action in Australia, including obtaining Court approval for the settlement on behalf of the defendant trustee company/bank subsidiary, in what was the first class action of its type in the Australian financial services industry.
- Protected a US hedge fund's strategic negotiating position by co-ordinating and taking a hard-fought, factually intensive jurisdiction challenge to hearing in the Commercial Court, including managing the client's UK and US legal teams.
- Won an appeal before the full Court of the High Court of Australia (Australia's highest appellate court), after ten years of hard-fought litigation on related issues for the defendant off-shore private bank.

- Defended and successfully resolved a €40million enforcement action brought against an Indian and Portuguese automotive component parts manufacturing conglomerate by a syndicate of banks, including playing a key role in the successful refinancing of the group by Portuguese and Italian private equity investors.
- Acted for a group of 16 institutional investors against McGraw Hill International (trading as Standard & Poor's) and RBS Bank NV (previously ABN Amro Bank NV), arising out of the sale by ABN Amro in 2006 of exotic structured financial products called CPDOs, to which S&P had given its AAA rating. The investors included apoBank and WGZ Bank of Germany, UNIQA of Austria, a number of Swiss cantonal pension funds, and Northern Rock Asset Management, part of the UK Asset Resolution Group.

## Memberships

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- Anglo-Australasian Lawyers Society (Committee Member)
- Australia-UK Chamber of Commerce
- International Corporate Governance Network
- London Solicitors Litigation Association
- Law Society's LGBT+ Lawyers Division
- Law Society of New South Wales, Australia

## Accreditations

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