



# Craig Montgomery

**Partner**

**Commercial litigation, Restructuring and capital solutions, Pro bono**



Craig Montgomery is a very strong technical lawyer who has a very thorough grasp on the technical and legal issues.

————— Who's Who Legal - Litigation Future Leaders 2021

**Primary practice**

Commercial litigation, Restructuring and capital solutions, Pro bono

# About Craig Montgomery

**Craig is a partner in our dispute resolution practice and restructuring and insolvency practice.**

Craig has a broad practice, advising on a range of matters, including contentious restructuring and insolvency matters, especially complex matters in regulated industries or involving cross-border issues. He also specialises in aviation disputes and restructurings. He is a fellow of INSOL International.

Craig also advises on commercial litigation; corporate global investigations; contentious regulatory scenarios; and insurance restructuring (including schemes of arrangement and Part VII transfers).

Craig is also our country partner for Scotland and Gibraltar and the London training partner, responsible for all our trainee associates. He is the lead diversity and inclusion partner for our London dispute resolution department and an ally member of the firm's LGBTQ+ network (HALO) and black affinity network.

He speaks English and French.

## Recent work

### Aviation

- Advising the Malaysia Airlines group on its global restructuring, including the first use of a UK scheme to reduce liabilities under aircraft leases.
- Advising a sovereign shareholder in relation to the Chapter 11 bankruptcy of a major European airline.
- Advising the joint administrators of insolvent UK regional airline Flybe on regulatory matters and asset realisation.
- Advising easyJet on its acquisition of airport slots from insolvent airline Thomas Cook.
- Advising the joint administrators of Monarch Airlines on the administration, including their successful judicial review relating to airport slots and other litigation.
- Advising several airlines on disputes relating to engine design defects.

- Advising a major international airport in relation to an insolvent customer airline.
- Advising an EU government in relation to the insolvency of its national carrier.
- Advising a major international airline in relation to the financial difficulties of its subsidiary carrier and related litigation.

## **Financial services**

- Advising a crypto exchange in relation to an English freezing injunction re. cryptocurrency held on its platform
- Advising the joint administrators of the Brighthouse group.
- Advising Instant Cash Loans (t/a The Money Shop) on its market-leading restructuring of unaffordability redress claims.
- Advising the joint administrators of Gibraltar insurer Elite Insurance Company Limited and previously for the Gibraltar Financial Services Commission.
- Advising a significant foreign creditor of MF Global in relation to claims in its special administration and related litigation.
- Advising the Bank of England in respect of resolution of financial institutions.
- Acting for the building society special administrators of Dunfermline Building Society.
- Acting for the administrators of Heritable Bank and other group companies.

## **Other restructuring and insolvency**

- Advising ED&F Man on its restructuring plan, including cross-class cramdown and amendment to shareholder articles.
- Advising Octopus Energy, EDF Energy and British Gas as suppliers of last resort in relation to claims in the insolvencies of failed suppliers and related litigation.
- Advising Bulb Energy on its financial difficulties and subsequently advising the administrators of its parent company, Simple Energy.
- Advising Debenhams and House of Fraser in relation to the successful defence of CVA challenge proceedings and the administrators of Debenhams generally.
- Advising the liquidator and joint special managers of the Carillion group in relation to its insolvency proceedings.
- Advising VakıfBank on its successful challenge to a claim brought in England by BTA Bank relating to a multi-million dollar guarantee liability and the effect of BTA's Kazakh restructuring.
- Advising Equitable Life on its scheme of arrangement and linked sale to Utmost Life and Pensions.
- Advising the administrators of the Zinc Hotels group, including in litigation challenging their conduct.

- Advising the Stemcor group in relation to its successful demerger and financial restructuring and related litigation.
- Advising the BVI liquidators of the Limora Group in relation to litigation and asset realisation in multiple jurisdictions.
- Advising suppliers and retailers in relation to retention of title issues arising from the administrations of Toys R Us and Palmer & Harvey.

## **Pro Bono**

- Acting for ATLEU on a judicial review of the provision for victims of human trafficking in UK prison detention, including securing the largest ever pro bono costs award in favour of the Access to Justice Foundation.
- Acting for the Helen Bamber Foundation, Medical Justice and Freedom from Torture on their successful intervention Supreme Court intervention in KV (Sri Lanka) on the role of expert evidence in asylum claims by torture victims.
- Acting for the Helen Bamber Foundation on its Supreme Court intervention in TN (Vietnam) on the legal consequences of the ultra vires fast track asylum procedure.

## **Other dispute resolution**

- Advising Ukrainian businessman Igor Kolomoisky in relation to a multi-billion dollar High Court dispute.
- Advising a European bank and a middle eastern bank in relation to FCA and DoJ investigations.
- Advising 'big four' accountancy firms in relation to FRC investigations and disciplinary proceedings.

# **Qualifications**

- University of Glasgow (LLB Hons)
- St. Edmund Hall, University of Oxford (BCL)
- Qualified as a solicitor (England and Wales) in 2004 and solicitor-advocate (all courts) in 2006.
- Fellow of INSOL International

# Contact Craig

[craig.montgomery@freshfields.com](mailto:craig.montgomery@freshfields.com)

## **London**

100 Bishopsgate

London

T +44 20 7716 4888

F +44 20 7832 7001