



Nienke Lillington

Senior Associate

D +1 345 914 6920, C
E Nlillington@campbellslegal.com

Nienke is an attorney who specialises in commercial and insolvency litigation and advice. She is a senior associate in our Litigation, Insolvency & Restructuring group.

Nienke's practice consists of high value and multi-party disputes and litigation, and the cases she is instructed on often include cross-border and multi-jurisdictional elements. Nienke is a highly experienced advocate with an extensive background in both corporate and personal insolvency matters as well as large-scale commercial litigation. She advises on both on- and off-shore matters, and has acted for a wide variety of parties, including multi-national (investment) banks, companies, investors, creditors, debtors and insolvency practitioners. Nienke also has experience working for the UK Financial Conduct Authority and was seconded to HSBC.

Nienke obtained degrees from the University of Oxford (New College) and Harvard Law School before being called to the Bar of England & Wales. Prior to joining Campbells in the Cayman Islands, Nienke was a member of a leading set of Commercial Chancery chambers in London where she was instructed as both sole and junior advocate in relation to a wide number of commercial and insolvency disputes.

Nienke also speaks Dutch and French, and has moderate knowledge of Spanish and German.

Expertise

- Commercial Litigation
- Insolvency & Restructuring
- Civil Fraud disputes
- Contract disputes
- Arbitration and Mediation

Work Highlights

(Prior to joining Campbells)

- Nienke acted for the Seventh Defendant in *ArcelorMittal USA LLC v Ravi Ruia & ors* [2020] EWHC 3349 (Comm); a case concerning long-running litigation between two competitors in the steel and mining industry, in the Claimant's pursuit of an arbitration award. Instructed as sole advocate, Nienke also successfully resisted parts of the Claimant's application to amend its Particulars of Claim, with costs awarded to the Seventh Defendant on summary assessment.
- Acting for the Fifth Defendant in *Robert Tchenguiz & ors. v Grant Thornton & ors.* [2018] (QB); high-value, multi-party litigation in which the property tycoon made allegations against the accountancy firm, two of its partners and a former lawyer of Kaupthing Bank (the Fifth Defendant) of conspiring to encourage the SFO to launch an investigation into him after the bank's collapse in 2008. Mr Tchenguiz was ordered to pay indemnity costs to the Defendants.
- Advising and acting for the Claimants in *Chesterfield United Inc (in liquidation) & anor. v Deutsche Bank AG & ors.* [2016] (Ch), a case arising from the purchase of credit linked notes (CLNs). The case included a wide range of claims, including claims for: unlawful means conspiracy, dishonest assistance, knowing receipt, market manipulation, as well as applications for declarations of liability for fraudulent trading under s. 21(g) of the Cross-border Insolvency Regulation and s. 213 of the Insolvency Act 1986, and applications for information under s. 236 of the Insolvency Act 1986. The case also included claims against the companies' director for breach of fiduciary duties and negligence.
- Assisting a major international bank in its review of its sales of IRHPs, including swaps, simple collars, structured collars and cap products to unsophisticated customers.

Qualifications and Admissions

- Barrister admitted to the Bar of England & Wales (Lincoln's Inn, London), 2012
- Bar Professional Training Course, 2012
- Master of Laws (LL.M.), Harvard Law School, 2010
- Magister Juris (M.Jur.), University of Oxford, 2009
- Master of Laws (LL.M.) *cum laude*, Leiden University, 2008
- Bachelor of Laws (LL.B.) *cum laude*, Leiden University, 2007
- Diplôme du Programme International, L'Institut d'Études Politiques (Sciences Po), 2006

Prior Career History

- 4 Stone Buildings (London)
- The Financial Conduct Authority (London)

Professional Associations

- Member of the Chancery Bar Association (ChBA)
- Member of the Commercial Bar Association (COMBAR)

Recognition and Awards

- The Huygens Scholarship
- VSB Foundation Scholarship
- Prins Bernhard Cultuurfonds Scholarship
- Prize for Outstanding Performance on the GDL
- Hardwicke Entrance Scholarship (Lincoln's Inn)
- Lord Denning Scholarship (Lincoln's Inn)

Publications and News

- *Litigation in the Time of Covid-19*, 4SB Publication, e-book (1 ed. (22 June 2020) to 9 ed. (15 February 2021)) and hard-copy (15 February 2021).
- Eleanor Holland and Nienke van den Berg, *Seniority of debts flushed out in waterfall application*, CRI (June 2014), p. 99-102.
- E van den Berg, *Arbitral Class Actions: Massclaims in Arbitrage Procedures*, in: Massclaims, Stichting Mordenate College, Ars Aequi Libri: Nijmegen, 2007, p. 147-170.
- Contributing author to the Lexis Nexis Insolvency Rules 2016 Forms.