
D&O and FI Newsletter - May 2019

Published 22 May 2019

DAC Beachcroft's D&O and FI newsletter features topical issues for our global clients and contacts.

Court of Appeal rejects novel arguments raised by banking customer in mis-selling litigation against bank

The recent Court of Appeal decision in *Elite Property Holdings Ltd & Another v Barclays Bank Plc* is another instance of the court refusing to entertain claims against banks which employ novel legal arguments to get around “no-duty” and “no-advice” cases.

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Class Actions in the English Courts - Update

The Mastercard and Google/Safari litigation in the English courts cast an interesting light on judiciary's approach to collective redress.

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Bank Mellat v HM Treasury: disclosure in English civil proceedings overrides Iranian Sharia law on privacy

The Court of Appeal held documents had to be disclosed in an unredacted form even though the redactions protected confidential banking information of identifiable individuals and breached Iranian privacy law.

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Autonomy v Lynch: confidentiality of English proceedings trumps an FBI subpoena

The English court will use discretion when deciding whether to permit collateral disclosure exercise that discretion according to all the circumstances.

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Vedanta v Lungowe - issues in cross-border compliance

A recent Supreme Court judgment has dramatically raised the potential exposure of London-listed corporates to issues in their overseas subsidiaries and joint ventures.

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Overseas Production Orders - UK law enforcement agencies have new powers to compel disclosure of electronic data abroad (well, not quite yet)

On 12 February 2019, the Crime (Overseas Production Orders) Act 2019 came into force. Its law enforcement agencies speed up the process of obtaining disclosure of electronic data stored in the UK for use in criminal and regulatory investigations and prosecutions in the UK.

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