

Kevin Pettican

Year of Call: 1994
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Business financing

Kevin is frequently instructed in litigation with banks and financial institutions, especially disputes arising from secured lending and the provision of guarantees.

In recent years, Kevin has been instructed in several cases involving disputes as to the terms and/or enforceability of interest rate swap transactions involving the ISDA Master Agreement. Most recently, in **Deutsche Bank AG London v Comune di Busto Arsizio [2021] EWHC 2706 (Comm)** Kevin was instructed (with Paul Downes KC) by an Italian local authority in Commercial Court litigation concerning the enforceability of two interest rate swaps. This was the first case in which the Commercial Court considered the effect of the decision of the Joint Divisions of the Italian Supreme Court in the Cattolica case (Case No. 8770/20220).

Kevin acted (with Romie Tager KC) for the successful appellants in **Szepietowski v The National Crime Agency [2013] UKSC 65; [2014] 1 AC 338**, which is the leading case on the equitable doctrine of marshalling. Whilst the marshalling of charges is something that normally takes place in the context of secured lending, the case raised complex issues arising from a settlement agreement between Kevin's clients and the National Crime Agency.

Academic qualifications

- BA (First Class Honours), Christ Church, University of Oxford
- Bachelor of Civil Law (BCL), Christ Church, University of Oxford
- BPTC, Inns of Court School of Law

Scholarships

- Major Scholarship, Inner Temple
- Duke of Edinburgh Scholarship, Inner Temple

Professional bodies

- Inner Temple

Direct Access

Kevin Pettican is qualified to accept instructions directly from members of the public and professional clients under the Direct Public Access scheme.