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## Cherney v Deripaska: £1bn case settles ahead of court showdown

27 September 2012 | By Katy Dowell The £1bn court battle between Rusal chief executive Oleg Deripaska and businessman Michael Cherney has been settled ahead of the resumption of the case at the Rolls Building next week. An official statement was released by Deripaska's spokesperson this afternoon. It read: "Mr Deripaska announces that Mr Cherney's litigation in London against him has been terminated. Neither party will be making any further comment in relation to the litigation or matters raised therein." Quinn Emanuel Urquhart & Sullivan partner Sue Prevezer QC was instructed by Deripaska in the multi-billion-pound case, instructing Blackstone Chambers' Thomas Beazley QC and One Essex Court's Alain Choo Choy QC to lead the fight. Dechert partner Andrew Hearn instructed Mark Howard QC of Brick Court Chambers for Cherney, alongside Essex Court's David Foxton QC. Cherney was due to give video evidence to the court as the case opened today (27 September), but delays raised prospects of a settlement. Details of the deal are as yet unknown. Cherney's mammoth case against Deripaska was expected to last almost a year, bringing in 70 witnesses, some of whom had applied for anonymity orders to protect their identity from being revealed in the press. The dispute is the culmination of years of battle between the feuding businessmen sparked by Russia's so-called 'aluminium wars'. Cherney claimed he is owed a share of Rusal, the world's largest aluminium producer, alleging he was Deripaska's partner in the 1990s. Deripaska denied the claim. According to reports, the case hinged on two pieces of paper thought to contain a written agreement in which Deripaska is alleged to have agreed to keep Rusal shares in trust for Cherney. The settlement comes just weeks after another Russian oligarch, Boris Berezovsky, withdrew a raft of claims against the estate of his alleged former business partner Arkady 'Padri' Patarkatsishvili (13 September 2012). That dispute, which was also linked to the ownership of Rusal, was settled after Mrs Justice Gloster threw out allegations made by him against Chelsea FC owner Roman Abramovich (31 August 2012). Berezovsky had instructed One Essex Court's Laurance Rabinowitz QC in the commercial proceedings but turned to Brick Court's Mark Hapgood QC for the chancery trial. Both were instructed by Addleshaw Goddard partner John Kelleher and Mark Hastings. Jonathan Sumption QC, formerly of Brick Court Chambers, was instructed by Skadden Arps Meagher & Flom partner Paul Mitchard QC for Abramovich. At the heart of that case were allegations that Abramovich coerced him into selling his 21.5 per cent share in Russian oil company Sibneft at a significantly reduced price and that the defendant had broken promises over a deal involving Rusal, the company at the centre of the Cherney dispute.

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