Victor Tong

Associate Attorney

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London



Victor Tong is an English-qualified solicitor in the London office of Gibson, Dunn & Crutcher. He is a member of the firm's Dispute Resolution Group.

Victor has a broad practice spanning commercial litigation, civil fraud and asset recovery, regulatory investigations, and white collar crime defence. He has particular expertise in financial services disputes, having acted in large-scale banking litigation and multi-jurisdictional investigations concerning bribery and corruption, market conduct and financial crime. He also advises on contentious restructuring and insolvency matters, including preference and other antecedent transaction claims, and on anti-bribery and corruption due diligence in M&A transactions.

Before joining Gibson Dunn, Victor practised at Freshfields, where he undertook a secondment to the litigation and investigations department at Nomura in London.

Selected Experience*

Litigation, Contentious Regulatory and Contentious Restructuring and Insolvency

- Acting for the defendants in *Soriano v Forensic News LL*C [2023] EWCA Civ 223, successfully defending an appeal against the High Court's refusal to grant a US section 1782 discovery application. The case is the leading authority on the circumstances in which the English court will grant an anti-suit injunction to restrain foreign evidence-gathering proceedings.
- Acting for Fnac Darty in *Darty Holdings SAS v Carton-Kelly* [2023] EWCA Civ 1135, successfully appealing the High Court's decision on a £115 million preference claim under section 239 of the Insolvency Act 1986 arising from the sale of Comet Group.
- Acting for Cargill in *Cargill v Uttam Galva Steels* [2019] EWHC 476 (Comm), obtaining summary judgment in the Commercial Court for repayment of a US$62 million debt and default compensation. One of the first cases to apply the UK Supreme Court's decision on penalty clauses in Cavendish Square v Makdessi [2015] UKSC 67.
- Acting for Debenhams in successfully defending a challenge to its CVA brought by multiple landlords (*Discovery (Northampton) Ltd and others v Debenhams Retail Ltd* [2019] EWHC 2441 (Ch)).
- Advising a professional golf tour in defending a threatened claim for breach of confidence and unlawful means conspiracy concerning the protection of commercial concepts and business models as confidential information.
- Acting for a global car manufacturer in defending a class action relating to alleged emissions defeat devices.

Capabilities

Litigation
Financial Institutions
Transnational Litigation
White Collar Defense and Investigations

Credentials

Education

BPP Law School - 2014 Legal Practice Course
BPP Law School - 2013 Graduate Diploma in Law
University of York - 2011 Bachelor of Arts

Admissions

England & Wales - Solicitor

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- Advising a global bank on multiple threatened and issued claims for alleged mis-sale of interest rate hedging products.

Investigations, White Collar Crime Defence and Compliance

- Advising a global telecommunications company in an ongoing FCPA investigation before the DOJ.
- Advising a global bank on a cross-border investigation concerning alleged cum-ex trading.
- Advising a global bank on its response to an FCA investigation of its anti-money laundering capabilities.
- Advising a global bank on an internal investigation of a trader's potential misconduct when trading UK government bonds.
- Advising an international consumer products conglomerate on a whistleblowing investigation of multijurisdictional fraudulent behaviour in Middle East and Africa, including under the Bribery Act 2010 and Criminal Finances Act 2017.
- Advising a financial institution on an FCA investigation of potential weaknesses in cybersecurity and operational effectiveness.
- Advising companies on the corporate offence of failure to prevent fraud under the Economic Crime and Corporate Transparency Act 2023, including conducting fraud risk assessments.
- Advising banks and private equity firms on anti-bribery and corruption due diligence on M&A transactions across EMEA.

** Includes matters handled prior to joining Gibson Dunn.*

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