

# England and Wales Court of Appeal (Civil Division) Decisions

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**IN THE COURT OF APPEAL (CIVIL DIVISION)  
ON APPEAL FROM THE HIGH COURT OF JUSTICE  
(CHANCERY DIVISION)  
THE CHANCELLOR OF THE HIGH COURT  
[2010] EWHC 1139 (Ch).**

**B e f o r e :**

**MASTER OF THE ROLLS  
LORD JUSTICE THOMAS  
and  
LORD JUSTICE ETHERTON**

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**Between:**

**Barclays Bank PLC    Claimant/Respondent**

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**- and -**

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**Nylon Capital LLP    Defendant/Appellant**

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**(Transcript of the Handed Down Judgment of  
WordWave International Limited  
A Merrill Communications Company  
165 Fleet Street, London EC4A 2DY  
Tel No: 020 7404 1400, Fax No: 020 7404 1424  
Official Shorthand Writers to the Court)**

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**Mr Nigel Tozzi QC and Mr James Potts (instructed by The Khan Partnership  
LLP) for the Appellant**

**Mr Graham Dunning QC and Mr Nigel Dougherty (instructed by Allen &  
Overy LLP) for the Respondent**

**Hearing date: 13 June 2011**

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**HTML VERSION OF JUDGMENT**

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Cite as: [2012] Bus LR 542, [2011] 2 Lloyd's Rep 347, [2011] EWCA Civ 826, [2011] BLR 614, [2012] 1 All ER  
(Comm) 912

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