

## (UK) Fat Man Wins Appeal Against Casino

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### High Rolling Cheap Skate Wins Casino Appeal

Fouad Al-Zayat, affectionately known as the "Fat Man", is one of the biggest high rollers to step foot inside a UK gaming club. The big betting Fat Man has had a £2 Million legal dispute with Aspinalls gaming club for more than half a decade. Although the fat lady has not yet sang on the matter, the Fat Man is all laughs and smiles after winning an important appeal over the massive gambling losses.

The sorted tale of Al-Zayat's dispute with Aspinalls dates back to March 10, 2000, when the Syrian-born Millionaire suffered substantial losses while playing roulette at the members-only gaming club. On the night in question, the Fat Man lost £2 Million (\$4.1 Million) to the casino, making it the worst night in his gambling career.

Al-Zayat had drawn four successive house checks on the night in question, which totaled the £2 Million amount that was lost. When his losing streak first began, the Fat Man asked for a change in croupier and was informed by the casino that no other staff was available at the time. Later that night, after losing the £2 Million, Al-Zayat discovered that other employees had been available and willing to work the table.

Enraged, the Fat Man demanded the return of the House Checks that were drawn on his account. As a compromise, he gave the casino an undated check for £2 Million, on the understanding that the check would not be cashed until his dispute was resolved. Aspinalls, however, deposited the check the following Tuesday, only to learn that Al-Zayat had already issued a stop payment order on the bank draft.

This is not the only instance where Mr. Zayat has stopped payment on a check written to a casino. In 2002 he was sued by the Ritz. Details of that case revealed that he had visited the Ritz 156 times in a three year span, losing a total of around £10 Million at the casino. His losses to Aspinalls are reported to be substantially more. Aspinalls reports that he has visited their casino more than 600 times, buying in for £91 Million in gaming chips, of which he lost £23 Million. The £2 Million loss on the night in question was his highest loss for a single night, although he routinely lost as much as £1 Million per night.

When Aspinalls filed suit against the Fat Man for the bounced check, Al-Zayat offered what some consider to be a plausible defense. According to Mr. Zayat, the fact that the check contained no date meant that Aspinalls was extending him credit illegally, which he says voided the entire arrangement. Aspinalls dismissed this claim as rubbish, pointing out that the date was not post-dated, it was "ante dated", and that the deposit was made at their bank within 2 business days, as prescribed by law.

The real trouble for Aspinalls came from the timing of their litigation on the matter. For six years after the check bounced, Aspinalls continued to not only allow Al-Zayat to visit their gaming club, but to actually encourage and entice such visits. This allowed Mr. Zayat an opportunity to lose millions more pounds to the casino, and then just days before the six year deadline ran out on the check, Aspinalls filed a legal claim against the Fat Man.

It is for exactly this reason that a panel of Justices granted Mr. Zayat an appeals hearing, delaying his payment of the £2 Million. It is a decision that has produced mixed feelings, with many of those involved being critical of both parties. One Justice involved with the case described it as being a case that has everything to do with the law, yet nothing to do with justice.

Although the Fat Man is quite pleased at being granted an appeals hearing on his case, his battle is far from over. He still has to try his case before a judge in a legal system that has witnessed his check bouncing antics once in the past already.

In addition to his past troubles with the Ritz and Aspinalls, the Fat Man has other legal issues to face in the UK as well. All of his assets in the UK have been frozen as a result of a dispute Al-Zayat has with the Government of Iran. Prosecutors in Tehran have filed complaints of fraud and bribery against the Fat Man resulting from a \$120 Million deal that Iran struck with his company to refurbish an Airbus A340 that once belonged to the Sultan of Brunei. Five years after receiving the payment, the aircraft is still nowhere to be found, and Al-Zayat has offered no explanation for its disappearance.

With so many odd claims against the Fat Man, many have grown to think of him as little more than a penny pinching cheap skate that refuses to pay his bills. It has left many who have followed the case wondering what he is doing gambling in the first place.

No date has been set for the appeals hearing.

Sources:

Court Decision, "Aspinall's Club Ltd. Vs. Al-Zayat 19 Oct 2007"  
(<http://www.bailii.org/ew/cases/EWCA/Civ/2007/1001.html>)