



# Dispute Resolution Conference

17 May 2019

Hosted at:

Osborne Clarke, 2 Temple Back East, Bristol, BS1 6EG

We are delighted to announce that our keynote speaker at this year's Conference will be **The Rt Hon Sir Geoffrey Vos**, Chancellor of the High Court of England and Wales.

The conference will feature a strong mix of procedural, practical and black letter law sessions from leading QCs and junior barristers, solicitors and costs lawyers as well as a plenary session from HHJ Russen QC.

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## AGENDA / CONFERENCE PROGRAMME

- 8.45am**      ***Registration and Coffee***
- 9.15am**      **Chair's Welcome and Introduction**  
*Charles Crowne, Associate Director, Osborne Clarke*
- 9.20am**      **Costs Update**  
*Nicholas Lee, Managing Director, Paragon Costs Solutions*
- 9.50am**      **Effective use of Litigation Funding**  
*Mark Beaumont, Co-founder, Annecto Legal Ltd*
- 10.20am**     **Shareholder Disputes: a frank and practical guide**  
*Andrew Thompson QC, Erskine Chambers*
- 11.00am**     ***Refreshments and Networking***
- 11.10am**     **Civil litigation and the technological revolution**  
*Sir Geoffrey Vos, Chancellor of the High Court of England and Wales*
- 11.50am**     **Developments in the law of privilege: *SFO v ENRC* and beyond**  
*Tamara Oppenheimer, Barrister, Fountain Court Chambers*
- 12.30pm**     ***Lunch and Networking***
- 1.30pm**      **Injunctions in financial services**  
*David Berkley QC, Head of Chambers, 3 Paper Buildings (3PB)*
- 2.10pm**      **An update on fiduciary obligations in commercial law**  
*Nick Pointon, Barrister, St John's Chambers*
- 2.50pm**      ***Refreshments and Networking***
- 3.05pm**      **Contract Law**  
*Gerard McMeel, Barrister, Guildhall Chambers*
- 3.45pm**      **Plenary Session**  
*HHJ Russen QC*
- 4.20pm**      **Close**

## EXPERT SPEAKERS BIOGRAPHIES

### **Charles Crowne, Associate Director, Osborne Clarke (Chair)**

Charlie's primary focus is the financial services sector, with an emphasis on disputes concerning pensions, investment funds, payment providers and tax. His practice includes contractual disputes, professional negligence claims, fraud and regulatory investigations and disputes relating to financial products and investment advice. Charlie has in-depth knowledge of the investment management sector and regulatory environment which was strengthened by undertaking the IMC (Investment Management Certificate) course. He is also a member of the Association of Pensions Lawyers and advises companies, trustees, representative beneficiaries and providers on the full range of pensions related disputes, including professional negligence claims. Recent case examples include:



- ▲ advising a leading payments provider on a fraudulent misrepresentation claim;
- ▲ acting for a professional services firm on a claim relating to the alleged mis-selling of an investment product backed by Lehman Brothers;
- ▲ acting for the representative beneficiary in the long running Honda Group UK pension scheme litigation;
- ▲ acting for the trustee of the Austin Reed pension scheme in a successful rectification claim;
- ▲ acting for the representative beneficiary in a complex construction/rectification claim brought by the trustee of the Axminster Carpets pension scheme.

Charles joined Osborne Clarke in 2014, having previously been at Burges Salmon.

### **Nicholas Lee, Managing Director, Paragon Costs Solutions**

Nick, an Accredited Costs Lawyer and MD of Paragon Costs, began specialising in legal costs in 2001. Ten years later, he created Paragon Costs – helping to build its exceptional service standards and outstanding retention of both clients and staff that has been the foundation of this successful business. Known for always being commercial and practice,



colleagues and clients appreciate how thoroughly Nick assesses the merits in any claims, before giving his experienced and realistic advice. Nick is responsible for Advocacy, technical support, business development and client management. He also delivers seminars and writes for legal publications – giving constructive guidance on the latest developments. He is also on the Civil Court User Group and President of Bristol Law Society. He leads the South West Regional Group for the Association of Costs Lawyers. Nick frequently conducts Applications, Costs Management Conferences, Summary and Detailed Assessments before District Judges, Costs Judges and Masters in the County Court, High Court and Senior Courts Costs Offices.

### **Andrew Thompson QC, Erskine Chambers (Call: 1991; Silk: 2014)**

Andrew practises from Erskine Chambers in London, described by Chambers & Partners as “the undisputed king of company law sets”. He is a sought-after, specialist commercial litigator, with particular expertise in: corporate litigation and arbitration (including shareholders’ disputes, joint venture disputes, claims against directors and constructive trust claims); LLP and partnership disputes; corporate insolvency; commercial litigation (including large-scale contractual disputes, fraud and breach of warranty claims); and professional negligence claims (including lawyers, accountants, valuers and management consultants). Andrew has been involved in a series of leading cases in these areas. He has specific expertise in litigation in the fund management and private equity industry. He has extensive trial experience in the Chancery Division and the Commercial Court and extensive appeal experience in the Court of Appeal. Andrew also undertakes advisory work in the same fields. Ranked in Legal 500 (Company & Partnership and Commercial Litigation) and Chambers & Partners (Company, Commercial Dispute Resolution and Partnership) “A barrister with an excellent courtroom presence, who’s extremely clever and has the ability to explain very difficult points clearly and effectively.” “Andrew is utterly charming, knows the law inside out and provides extremely commercial and practical advice.”



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### EXPERT SPEAKERS BIOGRAPHIES

#### **The Rt Hon Sir Geoffrey Vos, Chancellor of the High Court**

Sir Geoffrey was appointed Chancellor of the High Court of England and Wales on 24 October 2016. He holds responsibility for the conduct of business in the Business and Property Courts and presides in the Court of Appeal. Prior to that, he was a Lord Justice of Appeal from 2013 and was President of the European Network of Councils for the Judiciary from January 2015 to June 2016. He was appointed as a High Court Judge in October 2009. He sat in the Courts of Appeal of Jersey and Guernsey between 2005 and 2009, and in the Court of Appeal of the Cayman Islands between 2008 and 2009, having begun his judicial career as a deputy High Court Judge in 1999. He was the Chairman of the Chancery Bar Association from 1999 to 2001 and Chairman of the Bar Council in 2007, having taken silk (Queen's Counsel) in 1993 after a career practising at the Chancery-Commercial bar, both domestically and internationally. He was Chairman of the Social Mobility Foundation from 2008-2011. He was elected as an Honorary Fellow of Gonville & Caius College, Cambridge in November 2015. He is editor-in-chief of the White Book. He is a member of the UK Government's LawTech Delivery Panel, and has been elected as Master of the Walks of Lincoln's Inn for 2019.



#### **Tamara Oppenheimer, Barrister, Fountain Court Chambers (Call: 2002)**

Tamara Oppenheimer is a barrister at Fountain Court Chambers and was called to the Bar in 2002. Tamara is a high-profile junior with a broad commercial and civil practice spanning a number of areas of expertise including Aviation, Banking & Finance, Commercial Dispute Resolution, Civil Fraud, Insurance and Reinsurance, International Arbitration and Professional Negligence. Tamara is regularly instructed to advise major institutions on privilege issues arising in connection with regulatory and/or criminal investigations. She is considered an expert on privilege, and was part of the successful Counsel team in the well-publicised victory for ENRC against the SFO in



the Court of Appeal. Tamara is co-author of Thanki's The Law of Privilege and is a contributor to GIR's Practitioner's Guide to Global Investigations. Described in the directories as "a great advocate with fantastic attention to detail", Tamara is consistently ranked in both The Legal 500 and Chambers & Partners, and recently won the Junior barrister of the year for Banking at the Chambers Bar Awards 2018.

#### **Mark Beaumont, Co-founder, Annecto Legal Ltd**

An economics graduate with 20 years' experience in business development, training and consultancy, Mark is a well-known figure in the commercial dispute resolution community. Mark is one of the leaders of the Commercial Litigation Association (CLA), the country's only national group dedicated to advancing the interests of the commercial litigation community. CLA runs training seminars, conferences and organises research, as well as lobbying for reforms in the legal system. With a passion for innovation and finding commercial solutions, Mark and Annecto Legal have been at the forefront of developments in third party funding and after-the-event (ATE) legal expenses insurance. In recent years he's assisted law firms in developing client offerings that make best use of discounted conditional fee agreements (CFAs), damages based agreements (DBAs) and the growing area of own costs insurance. A regular contributor to the legal, funding and insolvency press, Mark speaks at many of the key events in the litigation and arbitration community.



#### **David Berkley QC, Head of Chambers, 3 Paper Buildings (3PB)**

Described as a highly effective and client-friendly advocate, 3PB's David Berkley QC has been advising and representing clients in business disputes for more than 30 years. David enjoys a substantial practice assisting in the resolution of complex disputes in the fields of financial services, banking and commercial litigation such as partnership disputes; restrictive covenants; confidentiality and trade secrets, solicitors' and accountants. "A calm, collected



## EXPERT SPEAKERS BIOGRAPHIES

### **David Berkley QC, Head of Chambers, 3 Paper Buildings (3PB) - continued**

and measured barrister, he is an excellent orator and he fights his client's corner." Chambers UK 2019 – Chancery. "His technical knowledge is exemplary." Legal 500 2019 - commercial, banking, insolvency and chancery law – Leading Silks. David is recognised for his substantial expertise in relation to the mis-selling of Interest Rate Hedging Products. He assists businesses seek redress from banks and other financial institutions via the FCA/FSA Review process and also through litigation in court or arbitration. He also has extensive experience dealing with the subsequent professional negligence issues against professional advisors. David became 3PB's Head of Chambers in 2019 and is a senior member of 3PB's Commercial and Chancery Groups. David is a qualified mediator (College of Law accredited) and also acts as arbitrator in commercial disputes.

### **Nick Pointon, Barrister, St John's Chambers (Call: 2010)**

Nick is a specialist commercial and chancery law barrister. He handles matters from all angles of commercial law, including contractual disputes and probate work concerning offshore jurisdictions, especially the Channel Islands. He has experience of a wide range of commercial disputes with a particular emphasis on those with cross-border implications. He has particular experience of litigation involving the motor industry and professional sport. Clients include a major Formula One team, several well-known car manufacturers and a former international rugby player and coach. Nick has also acted and continues to act in relation to a number of high-value claims concerning interest rate swap and cap mis-selling, ranging from c£200,000 to upwards of £8 million. Nick is also an accredited mediator and accepts appointments as mediator in appropriate disputes. "Nick is exceptionally able for his age, very user-friendly and a bright rising star. He's simply exceptional on paper and dominating in the courtroom. I would happily instruct him on a complex matter ahead of barristers twice his call." Chambers UK, 2019 Commercial Dispute Resolution.



### **Gerard McMeel, Barrister, Guildhall Chambers (Call: 1993)**

Gerard acts and advises in Commercial Dispute Resolution and Banking and Financial Services matters. He has appeared in a wide variety of courts and forums, including, recently, the Court of Appeal, the Commercial Court, the Chancery Division, the Bristol and Cardiff Mercantile Courts, the Upper Tribunal (Tax and Chancery Chamber) and in an international commercial arbitration in London. Gerard has expertise in financial services matters comprises long-standing experience in negligent investment advice cases, involving independent financial advisers, company representatives, stockbrokers and other intermediaries. Gerard acts for life offices, general insurance companies, trust companies, financial advisers and in disputes involving networks of IFAs and between product providers and appointed representatives. He advises on all aspects of the Financial Services and Markets Act 2000, including financial promotion and collective investment schemes. Gerard also deals with disciplinary and enforcement matters involving the Financial Services Authority. Gerard's commercial practice includes a wide range of contractual and commercial matters. Gerard's expertise also includes legislative and regulatory control of contractual provisions (including European contract law), including the impact of the Unfair Contract Terms Act 1977 and Unfair Terms in Consumer Contracts Regulations 1999.



### **HHJ Jonathan Russen QC**

Jonathan Russen was called to the Bar in 1986 and practised from chambers in Lincoln's Inn for almost thirty years in the field of chancery and commercial litigation, the last twenty of them from Maitland Chambers. He took silk in 2010. His practice extended to overseas litigation (and calls to the Bar in offshore jurisdictions) and to advisory work. He was appointed a specialist civil circuit judge (Circuit Commercial Court and TCC) in October 2017, and assigned to the Western Circuit at Bristol. He also has section 9 authorisation for Chancery business. He is the author of *Financial Services: a Litigator's Guide* and a contributor to *Civil Fraud: Law, Practice and Procedure*.



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## DELEGATE BOOKING FORM

Please complete this form in BLOCK CAPITALS. We accept photocopies of this booking form or you can download from [www.bristollawsociety.com/events](http://www.bristollawsociety.com/events). Return your booking form to: Clair Ponting, [events@bristollawsociety.com](mailto:events@bristollawsociety.com)

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First Name:

Surname:

Job Title:

Delegate's Email:

Please specify any special or dietary requirements:

**QUESTION FOR PLENARY SESSION**

**FREE TRAINEE/PARALEGAL/LEGAL ASSISTANT DETAILS:**

First Name:

Surname:

Job Title:

Delegate's Email:

Please specify any special or dietary requirements:

**QUESTION FOR PLENARY SESSION**

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Job Title:	
Delegate's Email:	
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<b>FREE TRAINEE/PARALEGAL/LEGAL ASSISTANT DETAILS:</b>	
First Name:	Surname:
Job Title:	
Delegate's Email:	
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First Name:	Surname:
Job Title:	
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By booking a place on this course you are agreeing to our [standard terms and conditions](#)

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Confirmation will be sent by email. If you have not received confirmation of your booking 14 days after registering, please contact us on 0117 945 8486 or via email [events@bristollawsociety.com](mailto:events@bristollawsociety.com). Upon receipt of your booking, we will issue you an invoice for your payment. The venue information and final details will be sent approximately 3-4 days prior to the event. Please note that full payment must reach us before the conference takes place for admission to be guaranteed.

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Cancellations must be confirmed in writing at least 14 working days before the conference.

Any cancellations received after this date will be liable for the full fee, course notes will be forwarded. Delegates who are unable to attend due to circumstances beyond BLS' control and who have not cancelled in advance will still be liable for the full fee, course notes will be forwarded. No refunds will be given. Delegate name changes may be made in writing at any time at no extra charge.

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It may be necessary to change the content and timing of the programme, speakers or venue due to circumstances beyond the control of BLS.

The Society is not responsible for any loss or damage as a result of a substitution, alteration or cancellation/postponement of an event, this includes travel and accommodation expenses.

The Society shall assume no liability whatsoever if this event is cancelled, rescheduled or postponed due to a fortuitous event, Act of God, unforeseen occurrence or any other event that renders performance of this conference impracticable, illegal or impossible. For purposes of this clause, a fortuitous event shall include, but not be limited to: war, fire, labour strike, extreme weather or other emergency.

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By booking on this event, you consent to us retaining your personal details on our database to enable us to process your booking and contact you regarding the event and other future relevant training events. Please see our [Privacy Notice](#) for further information of a similar topic. Unless otherwise requested, delegates' names and firms will be shared with speakers, sponsors and exhibitors.

#### Travel to the Conference

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