



Nicholas Trompeter KC

Call: 2006 | KC: 2021

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"An outstanding silk, who's incredibly intelligent, highly responsive and someone you want in your corner."

Chambers UK Bar 2024

Nick is a commercial practitioner who acts in a wide range of business disputes, both in litigation and arbitration. He is recommended as a Silk across Chambers & Partners, Chambers Global, the Legal 500 and Who's Who Legal in four practice areas: (1) Commercial Litigation; (2) Commercial Chancery Litigation; (3) Real Estate / Property Litigation; and (4) Professional Negligence. Nick is a Fellow of the Chartered Institute of Arbitrators. He is currently appointed to the DIAC (Dubai), ADGM (Abu Dhabi) and CAMC (Cyprus) Arbitrator Lists.

Before taking Silk, Nick was awarded 'Real Estate' junior barrister of the year in both The Legal 500 Awards and the Chambers UK Bar Awards 2019 (the first time a barrister has won both awards in the same year). He is the co-author of [Warwick & Trompeter, Break Clauses](#), (3rd Edition, Hart Publishing, 2022) and was previously on the Attorney-General's C and B Panels of Counsel.

Nick has been recognised in the legal directories continuously since 2013, where has been described as an "outstanding silk" who is "incredibly intelligent," as well as the "go-to for any complicated and sophisticated matters." His advocacy has elicited judicial praise in a number of cases, including in [Rossendale Borough Council v Hurstwood Properties \(A\) Limited](#) in the

High Court [2017] EWHC 3461 (Ch) (“Mr Trompeter presented a well-structured and eloquent argument ...” per HHJ Hodge QC) and in the Court of Appeal [2019] 1 WLR 4567 (“For all these reasons, which largely reflect Mr Trompeter’s clear and able submissions ...” per Henderson LJ); in Victorygame Ltd v Ahuja Investments Ltd [2021] EWCA Civ 993 (“... arguments, attractively presented by Mr Trompeter QC ...” per Andrews LJ); in LMH v EGK [2023] EWHC 1832 (Comm) (“Mr Trompeter KC ... argued a difficult application with considerable skill and judgment” per Foxton J); and in Burras Otley Ltd v Johnson [2023] EWHC 2022 (Ch) (“detailed analysis and excellent submissions” per the Vice-Chancellor).

Arbitration

Nick is a Fellow of the Chartered Institute of Arbitrators. He is currently appointed to the DIAC, ADGM and CAMC Arbitrator Lists. He has significant arbitration experience as Counsel. In addition, he has been instructed on a variety of arbitration claims in the High Court, including challenges to and appeals against arbitration awards under ss.67 – 69 of the Arbitration Act 1996, as in LMH v EGK [2023] EWHC 1832 (Comm). Nick is familiar with arbitrations under the main sets of arbitration rules, including the ICC, LCIA and UNCITRAL Rules.

Some examples of cases (all anonymised) include:

- LCIA Arbitration in connection with a multi-million US\$ development in the Seychelles
- ICC Arbitration in connection with a licence to use intellectual property rights in the USA
- Arbitration claim for the appointment of an arbitrator (a ‘person from the metal scrap business rather than a legal professional’)
- Arbitration claim appealing against an arbitration award on a question of law (specifically, whether issues determined in one arbitration award are binding upon the parties to another arbitration award because of the doctrine of *res judicata estoppel*)
- Arbitration claim challenging an arbitration award on the ground of serious irregularity (specifically, absence of or deficiencies in reasoning)
- Application for a stay of proceedings brought in contravention of an arbitration agreement (contained in a US\$50m credit facility agreement)
- Arbitration before the Beth Din concerning the ownership of valuable properties in England and Israel
- Numerous other arbitrations, including in the context of rent reviews, dilapidations claims, partnership agreements, and share valuations

Civil Fraud & Asset Recovery

Nick is recognised in Chambers & Partners for his civil fraud work. He has acted for and against a large number of clients in claims involving allegations of dishonesty. He has been instructed in: claims involving unlawful means conspiracy; numerous cases concerning allegations of 'sham' documents; numerous cases for the recovery of misappropriated funds; and professional liability claims arising out of mortgage / identity frauds and other types of dishonest transactions. In addition, Nick has wide experience of seeking and defending various forms of order to obtain information about wrongdoing and to locate and freeze assets. He has particular expertise dealing with issues posed by offshore structures for asset recovery and enforcement processes, as well as the interaction between civil and criminal proceedings. During his time as B-Panel Counsel, Nick was instructed on behalf of the National Crime Agency in connection with asset recovery and disclosure under the Proceeds of Crime Act 2002.

Some examples of cases include:

- ***Florestco Ltd v Hillview Group Ltd* [2023] EWHC 2971 (Ch)** (allegation of fraudulent misrepresentation and conspiracy in connection with a co-investment opportunity)
- ***Ahuja Investments Ltd v Victorygame Ltd* [2021] EWHC 2382 (Ch)** (allegation of fraudulent misrepresentation in the context of the sale and purchase of a shopping centre)
- ***Rosendale BC v Hurstwood Properties (A) Ltd* [2017] EWHC 3461 (Ch), [2019] 1 WLR 4567 (CA), [2022] AC 690 (SC)** (allegation of 'sham' leases allegedly used in a scheme to evade payment of tax)
- ***Chief Land Registrar v Caffrey & Co* [2016] PNLR 23** (forged discharge of a mortgage by a mortgagor)
- ***Capital For Enterprise Fund A LP v Bibby Financial Services Ltd* [2015] EWHC 2593 (Ch)** (unlawful means conspiracy in connection with a pre-packed sale in administration of a company's business and assets)
- ***Stupples v Stupples & Co (High Wycombe) Ltd* [2013] 1 BCLC 729** (agent's breach of fiduciary duty; disgorgement of secret profits)
- ***Kurtha v Marks* [2008] EWHC 336 (QB)** (theft of valuable artwork; limitation period applicable to claim for delivery up)

Commercial

Nick is recommended in Chambers & Partners in Chancery: Commercial Litigation, where he is praised “*for his advocacy and ‘ability to think outside the box’*” and recognised as being a “*very practical, down to earth and good at working out the winners and losers.*” His commercial work covers a broad range of business disputes, including matters involving claims on guarantees / indemnities, letters of credit, the sale of goods and transfer of title, the supply of services, bailment, and the proper construction and effect of contractual terms and conditions. He has dealt with a number of claims involving commercial agents / claims for the recovery of agency fees.

Some examples of cases include:

- ***Schettini v Silvestri* (unreported, 30 November 2018)** (application for a proprietary injunction restraining dealings in shares and a property)
- ***A v B* (unreported, 6 June 2018)** (confidential claim to enforce a guarantee of a US\$50m credit facility agreement)
- ***Legacy Aviation Ltd v Lombard Finance (CI) Ltd*** (claim for delivery up of an aircraft)
- ***Thrings LLP v Whitelands Investments Ltd*** (application for the appointment of a litigation receiver pending resolution of proceedings in the BVI)
- ***LSREF III Wight Ltd v Gateley LLP* [2016] PNLR 21** (claim for damages by a hedge fund against solicitors)
- ***Capital for Enterprise Fund A LP v Bibby Financial Services Ltd* [2015] EWHC 2593 (Ch)** (claim for damages by an investment fund against a factoring company)
- ***Stupples v Stupples & Co (High Wycombe) Ltd* [2013] 1 BCLC 729** (claim by agent for professional fees)
- ***Street v Larkins* [2013] EWHC 1408 (Ch)** (application for freezing injunction)
- ***London Trocadero Ltd v Family Leisure Holdings Ltd* [2012] EWCA Civ 1037** (claim for delivery up of goods)
- ***City of Westminster v Addbins Ltd* [2012] EWHC 3716 (QB)** (committal application for breach of an injunction)
- ***IHP Ltd v Fleming* [2009] 7 WLUK 279** (claim for the recovery of a sum for goods sold and delivered; whether or not leave to serve out of the jurisdiction required)

Company & Partnership

Nick has acted for and advised clients in connection with various company and partnership matters, such as: disputes arising from the dissolution of partnerships; claims for the

protection of minority shareholders; disputes concerning the construction of Articles of Association; and challenges to business transacted at company meetings. Through his work on the Attorney-General's Panel of Counsel, Nick has developed a specialism in directors disqualification (which proceedings frequently involve consideration of the scope and extent of directors duties).

Some examples of cases include:

- Instructed in ongoing partnership proceedings in the High Court in which one partner is seeking against the other various forms of injunctive relief and an order for the appointment of a receiver over the partnership's affairs
- Instructed in ongoing proceedings under s.994 of the Companies Act 2006 arising out of a complicated corporate demerger
- Instructed in an unfair prejudice petition arising out of the (mis)management of a block of flats in Chelsea by the resident shareholders / directors
- Instructed in a number of partnership disputes subject to arbitration
- *Secretary of State v Gordon* [2018] 4 WLUK 241 (directors duty to file accurate accounts at Companies House)
- *Secretary of State v Khan* [2017] EWHC 288 (Ch) (directors disqualification arising out of non-payment of VAT and PAYE/NIC liabilities)
- *City of Westminster v Addbins Ltd* [2012] EWHC 3716 (QB) (consideration of mens rea necessary to found a contempt of Court by a director of a company bound by a Court order)

Insolvency

Nick is recognised in Chambers & Partners for his insolvency work. He frequently acts for creditors and debtors, in the fields of corporate and personal insolvency. During his time on the A-G's B-Panel Counsel, Nick was often instructed on behalf of the Secretary of State for Business, Energy and Industrial Strategy in (i) directors disqualification proceedings and (ii) public interest winding up petitions. He has been involved in a number of applications for the transfer of offices from a former insolvency practitioner to a new insolvency practitioner; and has significant experience in claims involving transactions at undervalue / preferences / transactions defrauding creditors. Other instructions include claims for the recovery of rent (and other sums) as an expense of administration; and challenges to the fees and expenses of insolvency practitioners.

Some examples of cases include:

- Instructed on behalf of two companies the subject of public interest winding up petitions on the grounds that their business activities misuse and/or abuse and/or subvert the proper function of the Insolvency Act 1986
- ***Patel v Anes & Ella Ltd* (unreported, 19 October 2018)** (appeal against a decision to restrain the presentation of a winding up petition)
- ***Re Michael John Basman* (unreported 12 June 2018)** (application for a bankruptcy restrictions order)
- ***Secretary of State v Gordon* [2018] 4 WLUK 241** (directors disqualification; filing false accounts)
- ***Re Solaris Vision Ltd* (ChD) (unreported, 8 August 2017)** (appointment of provisional liquidator over company incorporated in Bulgaria)
- ***Secretary of State v Khan* [2017] EWHC 288 (Ch)** (directors disqualification; trading to the detriment of the Crown)
- ***In re RFC 2012 Plc* (formerly known as **The Rangers Football Club Plc**) (in liquidation)** (proceedings to determine who was entitled to funds held by solicitors to the former administrators of RFC 2012 Plc pursuant to an order of the Court; instructed on behalf of HMRC who maintained a proprietary claim of c.£2.8m to the fund)
- ***Institute of Chartered Accountants in England and Wales v Webb* [2010] Bus LR D37** (appointment of office holder)

Landlord and Tenant

Nick is recognised as a leading Silk in Real Estate / Property Litigation in both Legal 500 and Chambers and Partners. He is said to be a “*continually rising star in the property litigation world,*” who handles “*top-level property work.*” He is singled out specifically for his work in “*opposed and non-opposed lease renewals*” (including, unusually, non-opposed lease renewals which have made their way to trial). As the co-author of *Break Clauses* (3rd Edition, Hart 2021), he is also an “*authoritative voice*” on the subject. Nick has received numerous instructions in all manner of landlord and tenant disputes, quite apart from these already mentioned. These include; claims for forfeiture, trespass, nuisance; interim and terminal dilapidations claims; claims relating to breaches / enforceability of leasehold covenants; service charge disputes; rent reviews; and disputes about the validity of property notices.

Some examples of cases include:

- *Stemp v 6 Ladbroke Gardens Management Ltd* [2018] UKUT 0375 (Ch) (whether a landlord can waive the right to forfeit a lease during the statutory moratorium under s.81 of the Housing Act 1996)
- *Sackville UK Property Select II (GP) No.1 Ltd v Robertson Taylor Insurance Brokers Ltd* [2018] L&TR 22 (validity of break notice served by equitable assignee of term)
- *Rosendale BC v Hurstwood Properties (A) Ltd* [2017] EWHC 3461 (Ch) (whether leases granted solely for the purpose of taking advantage of a statutory provision can be categorised as ‘shams’)
- *West End Commercial Ltd v London Trocadero* (2015) LLP [2018] 1 P&CR DG3 (application for an injunction by the contractual licensee of a unit to be permitted back into occupation)
- *London Trocadero Ltd v Family Leisure Holdings Ltd* [2012] EWCA Civ 1037 (whether terms of a lease conferred a right of access for loading or removal of goods on a third party)
- *SCA Hygiene Products Tissue Ltd v Ford-Camber Ltd* (challenge to a rent review arbitration award on the grounds of serious procedural irregularity)
- *Interguide Ltd v Central London Investments Ltd* (claim by a tenant for the recovery of a reverse break premium payable upon certain conditions being satisfied; settled shortly before trial)
- *Sousa v Supawan* (claim under s.1(3) of the Leasehold Property (Repairs) Act 1938 for leave to forfeit a commercial lease)
- *Lend Lease Deptford Ltd v Persons Unknown* (High Court possession proceedings concerning a valuable development site)
- Instructed on behalf of a school in connection with a high-value dilapidations claim against the local authority responsible for its construction

Professional Negligence

Nick is recommended by both Legal 500 and Chambers and Partners as a leading Silk in Professional Negligence. In this category, he is said to be “*good with clients and experts,*” with a “*strong expertise in landlord and tenant work and real estate*” giving “*an excellent grounding in professional negligence disputes in the property sector*”; a “*beguiling advocate who is plainly extremely intelligent*”; and “*headed for the top.*”

Nick undertakes both claimant and defendant work for a range of clients in connection with professional liability claims relating to his core practice areas. Instructions have included claims for and against solicitors, accountants, auditors, surveyors, and financial services professionals.

Some examples of cases include:

- Instructed on behalf of the purchaser of a property intending to sue his conveyancing solicitors for failing to advise in relation to an onerous ground rent provision in the lease
- ***NRAM Ltd v Evans* [2018] 1 WLR 639** (negligent discharge of a mortgage)
- ***LSREF III Wight Ltd v Gately LLP* [2016] PNLR 21** (negligent drafting of a lease; mitigation of damages)
- ***Chief Land Registrar v Caffrey & Co* [2016] PNLR 23** (negligent misrepresentation; solicitors' duty of care to the Chief Land Registry when submitting a Form AP1)
- ***Johnson v Hibberts LLP (ChD)*** (unreported, 19 February 2014) (claim by disappointed beneficiary under an improperly-executed will)
- Numerous cases acting for banks and other institutional lenders against solicitors and surveyors in connection with negligent and/or dishonest conduct in connection with mortgage transactions

Real Property

Nick is recognised as a leading Silk in Real Estate / Property Litigation in both Legal 500 and Chambers and Partners. He is said to be a “*continually rising star in the property litigation world,*” who handles “*top-level property work.*” Nick deals with all kinds of real property claims, including those involving questions of Land Registration, conveyancing issues, adverse possession, restrictive covenants, overage agreements, easements, profits a prendre, options, rights of first refusal, trusts of land, subrogation to security rights, rectification claims, and so on. He is frequently instructed on behalf of banks, institutional lenders and finance companies to advise on the validity and priority of mortgages and charges. Over the past few years, Nick has also developed a niche practice in cases concerning the assessment of hereditaments for and the recovery of national non-domestic rates (business rates). In addition, through his work on the Attorney-General’s B-Panel of Counsel, Nick has been instructed on a number of occasions to act on behalf of the Chief Land Registrar. This has given Nick a unique insight into the operation of the scheme under the Land Registration Act 2002.

Some examples of cases include:

- ***Schettini v Silvestri* (unreported, 30 November 2018)** (application for a proprietary injunction in respect of a property and shares in the company holding the property)
- ***Pennant v Watkin Jones & Sons Ltd* [2018] EWHC 790 (Ch)** (construction of the grant of an easement of sewerage)

- ***NRAM Plc v Evans* [2018] 1 WLR 639** (the leading authority on the meaning of ‘mistake’ in Schedule 4 to the Land Registration Act 2002; intervened on behalf of the Chief Land Registrar)
- ***Rossendale BC v Hurstwood (A) Ltd* [2017] EWHC (Ch)** (‘test’ case concerning the efficacy of schemes to avoid liability for business rates)
- ***Chief Land Registrar v Caffrey & Co* [2016] PNLR 23** (instructed on behalf of the Chief Land Registrar in connection with a subrogated claim under Schedule 8 to the Land Registration Act 2002)
- ***Theodossiades v Smith* [2015] EWCA Civ 581** (claim to discharge a restrictive covenant under s.610 of the Housing Act 1985)
- ***Fanfare Properties Ltd v Grafton Estate No.2 LP (Nominee One) Ltd* [2012] EWHC 2918 (Ch)** (whether development works intended to be carried out would constitute a trespass)
- ***Beaulieu Commercials Ltd v Carne*** (claim for specific performance of an option to purchase land; settled shortly before trial)

Banking

A number of Nick’s cases involve banking and financial services. During and after the 2008 financial crash, Nick frequently acted on behalf of banks and institutional lenders looking to mitigate the consequences of entering into loss-making transactions. He has extensive experience of the commercial and technical aspects of banking, including injunctive work, letters of credits, cheques, FCA litigation, guarantees and indemnities, and claims under the Consumer Credit Act 1974.

Some examples of cases include:

- ***Bridging Finance Ltd v Wogman*** (claim to set aside a mortgage on grounds of undue influence; whether a loan agreement is an ‘exempt agreement’ for the purposes of the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001)
- ***Foster v Together Commercial Finance Limited*** (claim under s.140A of the Consumer Credit Act 1974 alleging the existence of an unfair relationship between creditor and debtor)
- ***Clydesdale Bank Plc v Baines*** (claim for damages under s.150 of the Financial Services and Markets Act 2000)
- ***National Westminster Bank Plc v Pickford*** (claim for rescission of a loan transaction on the grounds of alleged misrepresentation by the bank)
- ***Axis Bank Ltd v Narula*** (claim on a guarantee)

- **HSBC Invoice Finance (UK) Ltd v Ellvers** (whether a factoring company and its customer entered into a legally-binding compromise agreement)

Notable Cases

***Ahuja Investments Ltd v Victorygame Ltd* [2021] EWHC 2382 (Ch)**. Acted for defendants who successfully dismissed a claim for c.£8m for damages for fraudulent misrepresentation.

***Victorygame Ltd v Ahuja Investments Ltd* [2021] EWCA Civ 993**. Whether legal professional privilege can apply where one party deliberately misleads another as to the purpose for which the relevant information is required.

***Hurstwood Properties (A) Ltd v Rossendale BC* [2021] UKSC 16** Consideration of the 'Ramsay' principle of statutory construction in the context of schemes designed to mitigate liability for business rates.

***Criterion Buildings Ltd v McKinsey and Co Inc* [2021] EWHC 216 (Ch)**. Service charge dispute worth c.£2.3m. Acted for the successful landlord. Case involves consideration of a landlord's decision-making power when apportioning service charges between tenants.

***Guest Supplies INTL Ltd v South Place Hotel Ltd* [2020] EWHC 3307 (QC)**. Dispute arising out of a contract for the supply of branded amenity products to hotels. Application as to whether there had been an implied waiver of privilege of communications between client and former solicitors in connection with the authenticity of an alleged contract.

***Ali v Dinc* [2020] EWHC 3055 (Ch)**. Claim for declarations as to the beneficial ownership of properties based upon resulting or constructive trusts. Issues as to competing priorities between the beneficiary under the trusts and a third-party mortgage lender.

***Secretary of State for Business, Energy and Industrial Strategy v PAG Asset Preservation Ltd* [2020] EWCA Civ 1017**. Public interest winding-up petition, seeking to wind up companies operating schemes to avoid payment of national non-domestic rates.

***Dhillon v Barclays Bank Plc* [2020] EWCA Civ 619**. Application to rectify the register. Whether there were 'exceptional circumstances' so as to justify not making an alteration. Acted for the Chief Land Registrar.

***Edgware Road (2015) Ltd v Church Commissioners for England* [2020] UKUT 104 (LC)**. Application to discharge or modify a restrictive covenant in a long lease, thereby permitting a change of use

from office to hotel premises.

***Rossendale BC v Hurstwood (A) Ltd* [2019] 1 WLR 4567.** A 'test' case concerning the efficacy of schemes for the mitigation of national non-domestic rates. Involved consideration of the 'Ramsay' principle of construction and the doctrine of 'piercing the corporate veil.'

***Schettini v Silvestri* [2019] EWCA Civ 349.** Issues concerning (i) fortification of cross-undertakings in damages and (ii) whether a litigant is entitled to appeal against an undertaking he has given.

***Sackville UK Property Select II (GP) No.1 Ltd v Robertson Taylor Insurance Brokers Ltd* [2018] EWHC 122 (Ch).** Question whether a tenant's break notice, served by an equitable assignee during the 'registration gap,' was valid. The Court held that it was not.

***NRAM Plc v Evans* [2018] 1 WLR 639**

An appeal concerning rectification of the register and the meaning of 'mistake' in Schedule 4 to the Land Registration Act 2002. Whether the registration of a voidable transaction before it is avoided can be categorised as a 'mistake.' Instructed on behalf of the Chief Land Registrar.

***R (o.a.o. Flannigan) v Director of Legal Aid Casework* [2018] EWHC 1927 (Admin)** (claim for judicial review; whether a delay by the Director of Legal Aid Casework in assessing an offender's disposable capital in relation to the issue of a capital contribution order rendered the order unfair)

***Pennant v Watkin Jones & Sons Ltd* [2018] EWHC 790 (Ch)** (construction of the grant of an easement of sewerage)

***Secretary of State v Khan* [2017] EWHC 288 (Ch)**

Directors disqualification application based upon a director having caused or permitted a company to trade to the detriment of HMRC. Instructed on behalf of the Secretary of State.

***LSREF III Wight Ltd v Gateley LLP* [2016] PNLR 21**

Claim against solicitors arising out of the negligent drafting of a long lease. Raised questions of calculation of loss (on SAAMCO principles) and the extent of the 'duty' to mitigate.

***Chief Land Registrar v Caffrey & Co* [2016] PNLR 23**

Instructed on behalf of the Chief Land Registrar in connection with a subrogated claim against solicitors arising out of a fraudulent conveyancing transaction.

***Theodossiades v Smith* [2015] EWCA Civ 581**

Claim to discharge a restrictive covenant pursuant to Section 610 of the Housing Act 1985.

Whether the demolition of a large dwelling-house, and the construction of a block of flats in its place, is apt to constitute a 'conversion' of the premises in question.

***Capital for Enterprise Fund A LP & Anr v Bibby Financial Services Ltd* [2015] EWHC 2593 (Ch) (HHJ Pelling QC)**

Claim for damages based on an unlawful means conspiracy. Clarifies the law (at least up to High Court level) regarding the necessary state of knowledge on the part of the conspirators in order to make them liable for the tort

***Johnson v Hibberts LLP* (Unreported, 19 February 2014) ChD (Mr John Jarvis Q.C.)**

Successful claim by disappointed beneficiary against a firm of solicitors. Liability based on *White v Jones* principles.

***Street v Larkins* [2013] EWHC 1408 (Ch)**

Application for a freezing injunction; application for costs thrown away by a refusal to agree to an adjournment of a trial.

***City of Westminster v Addbins Ltd & Ors* [2012] EWHC 3716 (QB)**

Committal application. Case considers the mens rea necessary to found a contempt of Court and the position of a director of a company bound by a Court order.

***Fanfare Properties Ltd v Grafton Estate No.2LP (Nominee One) Ltd* [2012] EWHC 2918 (Ch)**

Case concerning a multi-million pound development in Mayfair. Consideration whether certain works intended to be carried out would constitute a trespass on or over the claimants' land.

***London Trocadero Ltd v Family Leisure Holdings Ltd* [2012] EWCA Civ 1037**

Court of Appeal had to consider, inter alia, the circumstances in which a person not in possession of goods might nonetheless be guilty of converting them to his use.

***Stupples v Stupples & Co* [2012] EWHC 1226 (Ch)**

Principal issue concerned the circumstances in which an agent/fiduciary might forfeit his entitlement to professional fees and/or be stripped of his professional fees already paid.

***DeVere v Hither Green Developments Ltd* [2011] EWHC 644 (QB)**

Appeared for the successful respondent to an appeal brought by the appellant against a judgment entered against him in default of having filed a defence. The case involved a number of points relating to service of the Claim Form under CPR Part 6 and a novel application of the principle identified by the Court of Appeal in *Nelson v Clearsprings Ltd* [2007] 1 WLR 962.

***Institute of Chartered Accountants in England and Wales v Webb* [2010] Bus LR D37**

Application for the transfer of offices from a former insolvency practitioner to a new insolvency practitioner; factors the Court should bear in mind when considering which new insolvency practitioner should be appointed; where an intended insolvency practitioner is allied to, or the choice of a creditor; the relevance of the cost and expense of the intended insolvency practitioner.

***Kurtha v Marks* [2008] EWHC 336 (QB)**

Recovery of lost / stolen art; claim in conversion; application of ss.2 – 4 of the Limitation Act 1980.

Recommendations

- Leading Silk: Band 4 – Chancery: Commercial (Chambers & Partners)
- Leading Silk: Band 4 – Professional Negligence (Chambers & Partners)
- Leading Silk: Band 3 – Real Estate Litigation (Chambers & Partners)
- Leading Silk: Tier 4 – Professional Negligence (Legal 500)
- Leading Silk: Tier 5 – Property Litigation (Legal 500)
- Leading Silk: Band 4 – Dispute Resolution: Commercial Chancery (Chambers Global Guide)
- Recommended Silk – Real Estate (Who’s Who Legal, UK Bar 2022)

In previous editions of Chambers & Partners (2013 – 2024), Nick has been described as:

“very quick at dealing with things”;

“client-friendly, solicitor-friendly, bright and hard-working”;

“very detailed and the sort of person that you’d want on your team”;

a “top-choice” junior;

“making waves in the commercial chancery market”;

“one to watch” and for whom “nothing is too complex”;

“extremely user-friendly, incredibly bright and personable”;

“highly responsive and capable of devising creative solutions”;

someone who offers “great client service”;

a “dynamic junior with a flourishing reputation”;

“very intelligent”;

“insightful, responsive, and great to work with”;

having a “wide interest in commercial chancery matters” with “expertise in matters which raise

landlord and tenant issues”;

a “very good team player” who will “bend over backwards to do a good job”;

“A bright junior whose practice includes civil fraud, property and insolvency litigation”;

“He handles top-level property work as part of a wider commercial chancery practice that is heavy on professional liability and asset recovery work.”

“Sources praise him for his advocacy and his ‘ability to think outside the box.’”; “Very, very clever indeed and provides strong analysis”;

“He’s good at distilling the key points and making it user-friendly for all involved”;

“Applauded for his clear and concise advice”;

“He is very responsive, commercially astute and highly personable. Knowledgeable on his subject matter, he is able to cut through to the key issues in a case”;

“A very beguiling advocate who is plainly extremely intelligent. He is headed for the top”;

with a “wonderfully calm manner in court” and able to draft “excellent” advice and pleadings;

“very responsive and user-friendly, and is an authoritative voice on break clauses”;

he has “strong expertise in landlord and tenant work and real estate more generally” giving an

“excellent grounding in professional negligence disputes in the property sector”;

he is a “bright junior whose practice includes civil fraud, property and insolvency litigation”

who is praised for “his advocacy” and “ability to think outside the box”;

also “a really excellent, bold junior”; “applauded for his clear and concise advice”;

a barrister who handles “top-level property work as part of a wider commercial chancery practice that is heavy on professional liability and asset recovery work.”

who “provides excellent, high-quality advice.” “Excellent on paper and his feet as well as very thorough and detailed.” “Intelligent and extremely user-friendly”;

“keen and proactive, and he knows his stuff”;

“very responsive and has a razor-sharp mind, and solicitors like working with him.” “He is bright, tenacious and is also good-humoured and good-natured. He is also thorough and user-friendly. His advice is clear and to the point.”

“Very organised and calm, with strong advocacy.” “Very responsive, very knowledgeable and a pleasure to deal with. He thinks outside the box”;

“very good on the details and excellent at giving an overview. He is incredibly hard-working, and has very, very good turnaround times”;

“an excellent adviser and one of the sharpest barristers in the market – I would now label him a heavyweight in the field”;

“particularly good for commercial matters. He offers good and thorough advice”;

“a specialist in his field. He is phenomenally bright and always provides clear, commercial and strategic legal advice”;

a barrister with “a superb legal brain and [who] is a very good advocate.” “He is a thorough and

balanced barrister who is very good with clients. He pays particular attention to his relationships with instructing solicitors.” “He is incredibly efficient and very smart, but not just intellectual; he is also aware of the commercial issues that arise in disputes”;

“extremely user-friendly, has extensive knowledge of fairly unusual or little-known legal principles, and has a real eye for detail.” “My go-to. He really gets stuck into matters and is excellent with clients”;

Nick is magisterial. He has it all – a fiercely talented advocate, with a total grasp of the law and the case detail. He is incredibly responsive and good with clients.” “To say that he is incredible is an understatement. Nicholas has an eye for detail and a memory like an elephant. His academic ability is second to none, his manner with the clients is just incredible, and he is so user-friendly”;

““An outstanding silk, who’s incredibly intelligent, highly responsive and someone you want in your corner.” “He’s responsive, hardworking, and someone who goes the extra mile”;

“a team player and a delight to work with.” “Fabulous to work with and will always make himself available to deal with a query or issue that arises. His technical knowledge is excellent, as is his attention to detail.” “A first-rate barrister that can handle the most technically complex work but isn’t afraid to roll up his sleeves”;

“Nicholas very much involves himself in the client team and is really liked by clients. Clearly very intelligent but able to make things sound so simple”;

“our go-to for any complicated and sophisticated matters. Always a pleasure to work with and painfully intelligent”.

In previous editions of the Legal 500 (2014 – 2024) he has been referred to as:

“Very responsive and proactive, willing to get stuck into a case”;

a barrister with “impressive advocacy skills and good rapport with clients”;

“highly regarded and very astute”;

someone who “gives clear, client-friendly advice”;

“practical and very knowledgeable counsel”;

an “excellent advocate – very calm and considered and a pleasure to work with”;

“very intelligent, hardworking, insightful and responsive and a strong advocate”;

having “great tactical astuteness”;

“he sees the narrow and the big picture”;

“Extremely sharp and intelligent with an excellent manner with clients”;

“an excellent and skilled barrister”;

“Softly spoken, but packs a big punch. Good attention to detail”;

“Clients always feel that he is part of the team, and there with the client all the way”;

“A stand-out silk for complex property litigation disputes and deservedly so; Nick knows the law inside and out”;

“Nick knows his stuff and is very clever. His advocacy is very impressive – calm, relaxed but

also forceful and gets his point across very clearly.”