

HUGH SIMS QC

CALL: 1999

SILK: 2014

"Has great clarity of thought, is super intelligent, and is extremely easy to work with."
Chambers UK 2019

Email: hugh.sims@guildhallchambers.co.uk

Tel: 0117 930 9000



Hugh is recognised as a star of the UK Bar, with rankings in Chambers UK as a leading barrister across 7 practice areas: Commercial, Professional Negligence, Insolvency, Banking & Finance, Partnership, Chancery and Company.

Hugh is instructed nationwide, both as sole leading counsel and with juniors, in complex and substantial disputes where his advocacy and forensic skills are highly valued.

PRACTICE AREAS

- Commercial
- Professional Negligence
- Banking & Finance
- Company Law & Partnership
- Technology & Construction
- Insolvency
- Sports Law
- international / offshore

COMMERCIAL

He enjoys working as a team, with clients, solicitors and junior barristers. Hugh welcomes instructions across the whole spectrum of commercial disputes in the following areas:

- Contract
- Civil fraud
- Sale and supply of goods
- Corporate disputes
- Partnership disputes
- Banking & finance
- Professional negligence & indemnity
- Insurance
- Restraint of trade
- Competition and public procurement disputes
- Breach of confidence
- Passing off

Hugh has wide ranging sector knowledge, including experience in, the following sectors: accountancy, agriculture, banking, care homes, construction, charities, energy, including electricity generation and power distribution, insurance, financial services, hotel & leisure, marine, pharmaceuticals, software, technology and sports.

WHAT OTHERS SAY

"He is clever, incisive and possesses a canny ability to provide lucid, practical and easily digestible advice for solicitors and clients alike." "He very quickly gets up to speed and provides clear and concise commercial guidelines in respect of his client's legal predicament." (Chambers UK 2016)

"He is a very able advocate, is immensely practical and commercial, and has courage in his convictions" (Chambers UK 2015)

"He is extremely sharp, willing to consider innovative arguments and willing to place his neck on the line when giving advice." (Chambers UK 2014)

"is a versatile barrister with many strings to his bow. Possessed of a broad span of knowledge in the commercial sphere, he is a "dynamic performer"... Hailed as a "can-do operator" who "sees solutions, not problems," Sims' work on his feet wins just as much praise as his "exceptional written advice." "He's the best cross-examiner for us and probably the first we'd go to," said one interviewee." (Chambers UK 2013)

RECENT CASES

- **Lowick Rose LLP v Swynson [2015] EWCA Civ 629 (Longmore, Davis and Sales LJ)**- Hugh, leading James Wibberley also of Guildhall Chambers, represented the respondent in the Court of Appeal, successfully resisting an appeal from the decision of Rose J, who found that a partial re-financing exercise was a collateral benefit (or res inter alios acta) and not to be deducted from the damages award made at first instance. The appellant has been granted permission to appeal to the Supreme Court, who are due to hear the appeal in November 2016.
- **Gartell v Yeovil Town Football & Athletic Club Limited [2016] EWCA Civ 62 (Laws, Floyd and Bean LJ)** Hugh represented the successful appellant in the Court of Appeal, in an appeal concerning non-performance of construction works carried out at Yeovil Town's football stadium, Huish Park, and the correct approach to quantification of damages.
- **Iglu.com Ltd v Wests (QBD (Merc)) (Bristol) (HHJ Havelock-Allan QC)**- Hugh is acting on behalf of the claimant in a substantial share warranty dispute claim in proceedings issued in the Bristol Mercantile Court.
- **Education Umbrella v Bertram Trading(QBD (Merc)) (Bristol) (HHJ Havelock-Allan QC)**- Hugh represented the successful claimant in urgent business critical injunction proceedings and obtained a mandatory injunction (October 2014) to preserve the dynamic status quo in a business relationship pending a speedy trial.
- **Swynson v Lowick Rose LLP (formerly Hurst Morrison Thomson) [2014] EWHC 2085; [2014] PNLR 27 (Ch) Rose J** Hugh, leading Nicholas Briggs also of Guildhall Chambers, successfully represented the claimant up to and including trial in a £15 million professional negligence claim brought by lender against firm of accountants in relation to due diligence report concerning a purchase of a US medical homecare company (March - June 2014) (reported on bailli: <http://www.baillii.org/ew/cases/EWHC/Ch/2014/2085.html>).
- **PHS v Initial (Rentokil) [2014] EWCA Civ 29 (Rimer LJ, Lewison LJ, Briggs LJ)**- Hugh led Douglas Leach in the Court of Appeal, successfully responding to an appeal concerning the duties of confidence in commercial agency relationships (November 2013) (reported on bailli: <http://www.baillii.org/cgi-bin/markup.cgi?doc=/ew/cases/EWCA/Civ/2014/29.html>).
- **McCarthy v Ludlow Orbis (Ch D) (Cardiff) (HHJ Jarman QC)**- Hugh acted on behalf of joint venture partner in pre-action proceedings (ChD (Cardiff)) relating to alleged breaches of shareholder agreement. Settled on satisfactory terms to client following mediation (March 2014).
- **John Grimes Partnership Ltd v Walter Gubbins [2013] EWCA Civ 37**- Hugh acted for the successful counterclaimant up to, and at, a 7 day trial of a factually and technically difficult professional negligence claim against an engineer, involving an unusual market fall loss claim (Exeter TCC). The Court of Appeal, where he was led by Adrian Palmer QC, dismissed the appeal.
- **Airbus v Withey & Others [2014] EWHC 1126 (QB)(QBD (Merc)) (Bristol) (HHJ Havelock-Allan QC)**- Hugh represented 2 of 6 defendants up to, and at, a 22 day trial of a £1.1m bribery claim (February 2013). Hugh helped the defendants defeat the bribery allegations in a Judgment handed down in April 2014 and the secret commission claim was settled on satisfactory terms following permission to appeal being granted.

PROFESSIONAL NEGLIGENCE

"Renowned for acting for claimants in complex professional and commercial negligence matters in both Bristol and on a National scale." (Chambers UK 2016)

"A commercial and chancery practitioner with a strong professional negligence practice. He is instructed in claims against a broad array of professionals, including accountants, solicitors and surveyors." (Chambers UK 2014)

Hugh represents claimants and defendants in complex and substantial professional negligence & indemnity disputes in England & Wales. He enjoys working as a team, with clients, solicitors and junior barristers.

Hugh welcomes instructions in bringing and defending claims against the following professionals:

- Accountants, including insolvency practitioners and auditors
- Solicitors
- Surveyors
- Engineers
- Financial advisors
- Barristers and Patent agents

WHAT OTHERS SAY

"He is the go-to guy for lender claims." "He's not just a bright cookie, he's also very personable and likeable." "He is prepared to listen to the clients and their views and instructions." (Chambers UK 2016)

"He makes fairly complex seem very easy and effortless. He's good on paper and good on his feet" (Chambers UK 2015)

"He is extremely accomplished, very client and solicitor-friendly, and a most effective advocate." "He's very relaxed; he's got a calming impact on people. He doesn't get flustered with clients and doesn't go overly legal on them (Chambers UK 2014)

RECENT CASES

- **Lowick Rose LLP v Swynson [2015] EWCA Civ 629 (Longmore, Davis and Sales LJ)**- Hugh, leading James Wibberley also of Guildhall Chambers, represented the respondent in the Court of Appeal, successfully resisting an appeal from the decision of Rose J, who found that a partial re-financing exercise was a collateral benefit (or *res inter alios acta*) and not to be deducted from the damages award made at first instance. The appellant has been granted permission to appeal to the Supreme Court, who are due to hear the appeal in November 2016.
- **Re Altala** - Hugh, leading Holly Doyle, is advising in relation to multi-million professional negligence claims arising from the failure of the company formed to set up a multiple health lottery scheme nationwide.
- **Swynson v Lowick Rose LLP (formerly Hurst Morrison Thomson) [2014] EWHC 2085 (Ch); [2014] PNLR 27 Rose J** - Hugh, leading Nicholas Briggs also of Guildhall Chambers, successfully represented the claimant up to and including trial in a £15 million professional negligence claim brought by lender against firm of accountants in relation to due diligence report concerning a purchase of a US medical homecare company (March -June 2014). Appeal and cross appeal concerning matters as to quantum (and the application of the *res inter alios acta* principle), liability caps and non-party costs pending in the Court of Appeal. (reported on baillii:<http://www.baillii.org/ew/cases/EWHC/Ch/2014/2085.html>)
- **Platform Funding Ltd v Simon & Co (QBD (Merc)) (Bristol) (HHJ Havelock-Allan QC)**- Hugh acted for the successful claimant bank up to and at trial of professional negligence claim against solicitors in relation to identify theft; guidance as to identity checks required to be carried out by conveyancing solicitors (November 2013).
- **Mortgage Agency Services v Merchant Legal LLP (QBD (Merc)) (Bristol) (Leslie Blohm QC)**- Hugh acted for successful claimant bank up to and at trial of negligence & breach of fiduciary duty claim against solicitors in relation to mortgage fraud (sub-sale and back to back transactions) (August 2013).
- **Akerman v Chapman Molony (ChD (RC)) (London)**- Hugh acted in proceedings relating to alleged professional negligence against patent attorney; proceedings settled (April 2013).
- **JGP Ltd v Gubbins** - Hugh acted for the successful defendant/counterclaimant up to, and at, a 7 day trial of a factually and technically difficult professional negligence claim against an engineer, involving an unusual market fall loss claim. The Court of Appeal, where he was led by Adrian Palmer QC, dismissed the appeal. Reported as John Grimes Partnership Ltd v Walter Gubbins [2013] EWCA Civ 37 (February 2013).
- **Mortgage Title Resolutions Services Ltd v J E Shepherd Chartered Surveyors (QBD (Merc)) (Bristol) (HHJ Denyer QC)** - Hugh acted on behalf of a claimant bank in a claim brought against a firm of surveyors concerning alleged professional negligence in residential mortgage lending (January 2013).

BANKING & FINANCE

"A well-respected barrister rapidly developing a first-class reputation at silk level for his expertise in the finance sector and experience in banking disputes. He acts both for and against banks on a wide variety of matters..." (Chambers UK 2016)

"Instructed to act both for and against banks and financial institutions on a variety of issues in the area including mortgage fraud, guarantee enforcement and negligence matters." (Chambers UK 2014)

Hugh acts in complex, high-value banking and financial disputes in England & Wales. He enjoys working as a team, with clients, solicitors and junior barristers.

Hugh welcomes instructions in the following areas:

- All aspects of asset recovery for and against banks, finance houses and individuals, financial services regulatory field & consumer credit
- Mortgage fraud
- Personal and corporate guarantee claims
- Professional negligence and economic tort claims by and against banks
- Payment and mistaken payment disputes

WHAT OTHERS SAY

"He's thorough, commercial and determined." "He's really an excellent advocate." (Chambers UK 2016)

"He makes fairly complex cases seem very easy, very effortless". "One of the most talented barristers at the Bristol Bar". (Chambers UK 2015)

"A real solid performer on paper and in court." (Chambers UK 2014)

"...a solid reputation for complex, high-value claims in the banking area" (Chambers UK 2013)

Hugh "is also heavily involved in banking and finance disputes as an addendum to his formidable commercial litigation practice. Solicitors favour him as an accessible and user-friendly practitioner who "will always get to the root of complex issues." (Chambers UK 2012)

RECENT CASES

- **Lowick Rose LLP v Swynson [2015] EWCA Civ 629 (Longmore, Davis and Sales LJ)** - Hugh, leading James Wibberley also of Guildhall Chambers, represented the respondent (lender) in the Court of Appeal, successfully resisting an appeal from the decision of Rose J, who found that a partial re-financing exercise was a collateral benefit (or *res inter alios acta*) and not to be deducted from the damages award made at first instance. The appellant has been granted permission to appeal to the Supreme Court, who are due to hear the appeal in November 2016.
- **Barclays Bank plc v Boll (ChD) (Bristol)** - Hugh is acting for Barclays in relation to proceedings concerning allegations of breach of mandate and sale at undervalue (November 2014).
- **Platform Funding Ltd v Simon & Co (QBD (Merc)) (Bristol) (HHJ Havelock-Allan QC)** - Hugh acted for the successful claimant lender at trial of professional negligence claim against solicitors in relation to identify theft; guidance as to identity checks required to be carried out by conveyancing solicitors (November 2013).
- **Mortgage Agency Services v Merchant Legal LLP (QBD (Merc)) (Bristol) (Leslie Blohm QC)** - Hugh acted for successful claimant lender at trial of negligence & breach of fiduciary duty claim against solicitors in relation to mortgage fraud (sub-sale and back to back transactions) (August 2013).
- **Swynson v Lowick Rose LLP (formerly Hurst Morrison Thomson) [2014] EWHC 2085 (Ch)[2014] PNLR 27 Rose J** - Hugh, leading Nicholas Briggs also of Guildhall Chambers, successfully represented the claimant up to and including trial in a £15 million professional negligence claim brought by lender against firm of accountants in relation to due diligence report concerning a purchase of a US medical homecare company (March -June 2014). Appeal and cross appeal concerning matters as to quantum (and the application of the *res inter alios acta* principle), liability caps and non-party costs pending in the Court of Appeal (reported on bailli: <http://www.bailli.org/ew/cases/EWHC/Ch/2014/2085.html>).
- **Mortgage Title Resolutions Services Ltd v J E Shepherd Chartered Surveyors (QBD (Merc)) (Bristol) (HHJ Denyer QC)** - Hugh acted on behalf of a claimant bank in a claim brought against a firm of surveyors concerning alleged professional negligence in residential mortgage lending (January 2013).

COMPANY LAW & PARTNERSHIP

Represents clients across many company matters, drawing on his expertise in insolvency and banking & finance to great effect." "Distinguished commercial silk who regularly acts at the intersection of corporate, commercial and partnership issues, handling both traditional and quasi-partnership matters." (Chambers UK 2016).

Hugh acts in complex and high value company, joint venture and partnership disputes in England & Wales. He enjoys working as a team, with clients, solicitors and junior barristers.

Hugh welcomes instructions in the following areas:

- Unfair prejudice petitions
- Directors disputes and misfeasance
- Derivative claims
- Share sale and purchase disputes
- Warranty claims
- Share rectification proceedings
- Partnership
- Joint venture disputes

WHAT OTHERS SAY

"He is straight forward and forthright and very able to use effective tactics at trial." "Always a very safe pair of hands and great to have on your side: you know he's going to throw all the right punches." "He's responsive, analytical and has a good manner with clients." (Chambers UK 2016)

"He always thinks of the wider picture." "He is equally good at drafting and advocacy" (Chambers UK 2015)

"Hugh is efficient and really delves into the detail of a case. He can turn around work quickly and is very approachable. He is an extremely good advocate - excellent at simplifying complex matters." (Chambers UK 2014)

"Good in court and good with the client," he is "a class act," who has recently advised on a number of property development or construction-related partnership disputes." (Chambers UK 2013)

Hugh "handles difficult partnership cases with aplomb. He is known for his "ability to keep a calm hand on the tiller and steer an astute course through complex partnership litigation." (Chambers UK 2012)

RECENT CASES

- **Re Sherlock Holmes Society Limited (ChD, London)(Mark Anderson QC)**- Hugh, leading Christopher Brockman also of Guildhall Chambers, acted on behalf of the applicant in a dispute concerning the authority of the purported director of the company to bring an appeal against a winding up petition (January 2016)
- **Re Infinite Renewables Limited (ChD, London)**- Hugh is acting in an unfair prejudice shareholder dispute concerning shareholders in a renewable electricity generation company in South Wales.
- **Iglu.com Ltd v Wests (QBD (Merc)) (Bristol) (HHJ Havelock-Allan QC)**- Hugh is acting on behalf of the claimant in a substantial share warranty dispute claim in proceedings issued in the Bristol Mercantile Court.
- **Ballast Tools (UK) Ltd (ChD) (Bristol) (John Jarvis QC)**- Hugh lead Daisy Brown (also of Guildhall Chambers) at a trial of a director's duties, bribery and conspiracy to injure claim, which settled on satisfactory settlements following opening submissions (September 2014).
- **McCarthy v Ludlow Orbis** - Hugh acted on behalf of joint venture partner in pre-action proceedings (ChD (Cardiff)) relating to alleged breaches of shareholder agreement, against QC (October 2013). Unfair prejudice proceedings. Settled on satisfactory terms to client following mediation (March 2014)
- **Cuddy v Hawkes** - Acting in unfair prejudice shareholder dispute concerning shareholders in Neath RFC. Proceedings ongoing.
- **Future Inns (UK) Limited v The Premier Options Funds Plc QBD (Merc) (Bristol) (Unreported)**- Dispute concerning expert valuation of hotel assets worth in excess of £10m and other issues arising in relation to limited liability partnership (settled after summary judgment application, December 2012). Leading Holly Doyle and against QCs.
- **Re: Flaxley Abbey Estate Partnership (ChD)(Bristol)**- Acting on behalf of claimant in partnership accounts dispute relating to Flaxley Abbey. Proceedings ongoing (2014 - ongoing).

TECHNOLOGY & CONSTRUCTION

Hugh has a first class physics degree. He enjoys, cases with a scientific and technical background. He has particular expertise in complex and technical commercial & professional negligence & indemnity disputes in England & Wales. He enjoys working as a team, with clients, experts, solicitors and junior barristers.

WHAT OTHERS SAY

"He is a very charismatic individual. Clients love him to bits: he's charming, articulate, quick-witted and indefatigable in his determination to win." "He is very good at seeing the bigger picture and finding a new way through multifaceted disputes." (Chambers UK 2016)

"He is extremely accomplished, very client and solicitor-friendly, and a most effective advocate." "He's very relaxed; he's got a calming impact on people. He doesn't get flustered with clients and doesn't go overly legal on them (Chambers UK 2014)

RECENT CASES

- **Gartell v Yeovil Town Football & Athletic Club Limited [2016] EWCA Civ 62 (Laws, Floyd and Bean LLJ)** Hugh represented the successful appellant in the Court of Appeal, in an appeal concerning non-performance of construction works carried out at Yeovil Town's football stadium, Huish Park, and the correct approach to quantification of damages.
- **Smart Aluminium Extrusions Ltd v Aalco Metals Limited (QBD (Merc) Bristol)** - Hugh is acting in a £1m mercantile court dispute concerning the supply and quality of aluminium extrusion bars which concerns technical issues as to the mechanical stress properties of the materials supplied (2014 - ongoing).
- **Ranbay v Iprad (QBD) (RCJ)** - Hugh acted for the successful claimant in summary judgment application in relation to a contract for the supply of generic pharmaceutical drugs between two French companies (hearing November 2013; judgment handed down 2014)
- **John Grimes Partnership Ltd v Walter Gubbins [2013] EWCA Civ 37**- Hugh acted for the successful counterclaimant up to, and at, a 7 day trial of a factually and technically difficult professional negligence claim against an engineer, involving an unusual market fall loss claim (Exeter TCC). The Court of Appeal, where he was led by Adrian Palmer QC, dismissed the appeal. (February 2013).
- **Mortgage Title Resolutions Services Ltd v J E Shepherd Chartered Surveyors (QBD (Merc)) (Bristol)**- Hugh acted on behalf of a claimant bank in a claim brought against a firm of surveyors concerning alleged professional negligence in residential mortgage lending (January 2013).
- **Ecovision Energy Solutions Ltd v Virtual Energy Ltd & Others (QBD (Merc) Bristol)**- Hugh acted on behalf of a solar power energy company in a successful mandatory injunction claim to ensure release of electronic meter reading data (September 2012).
- **Windows Merchant UK Ltd v Timbmet Ltd (Exeter, TCC)**- Hugh acted on behalf of the successful defendant at a 7 day trial concerning the technology of window making and product liability issues relating to the same (April 2012).

INSOLVENCY

"Focuses on corporate insolvency work. He is noted for his expertise in directors' disqualification matters and for his expertise in disputes for and against insolvency practitioners." (Chambers UK 2016)

"Holds an excellent reputation in this field, and focuses his practice on corporate insolvency work. Commentators are also keen to highlight his expertise in directors' disqualification proceedings." (Chambers UK 2014)

Hugh acts in complex and substantial company and personal insolvency disputes, including claims for and against insolvency practitioners. He enjoys working as a team, with clients, solicitors and other junior barristers.

Hugh welcomes instructions in the following areas:

- Corporate insolvency, including administrations, liquidations and CVLs
- Claw back and recovery claims
- Directors and office holder misfeasance claims
- Directors' disqualification
- Personal insolvency, including bankruptcy and IVAs

WHAT OTHERS SAY

"He is utterly charming, technically incredible and amazing in court." (Chambers UK 2016)

"He has a very keen mind, and is a simply excellent trial advocate". He is exceptional both with clients and at trial" (Chambers UK 2015)

"He is ferociously bright, pragmatic, client-friendly and exceptionally talented." "He rolls his sleeves up and gets stuck in." (Chambers UK 2014)

"very bright and personable" provides "good commercial advice," and is "well received by judges and he's confident in his demeanour." (Chambers UK 2013)

RECENT CASES

- **Re Rococo Developments Limited (Ch D) (Cardiff) (HHJ Jarman QC); Court of Appeal**- Hugh has been instructed to act for the respondent in the Court of Appeal in relation to issues concerning the balance sheet insolvency test in relation to claw back claims. Appeal pending. Leading Simon Passfield.
- **Re 375 Live Limited [2015] EWHC 870 (Ch)Ch D (Companies Ct) (Registrar Briggs)** - Hugh acted for the successful applicant at the trial of a validation application under s 127 IA 86, to validate a post-petition disposition of a commercial property in Hatton Gardens, London. The Court considered the principles applicable to post-petition dispositions made without notice of a winding up petition. Hugh also assisted in successfully resising the appeal from this decision (HHJ Purle QC, January 2016)
- **Re Sherlock Holmes Limited (Ch D) (Companies Ct)**- Hugh, leading Christopher Brockman, acted for the successful petitioner seeking the winding up of a company limited by guarantee (January 2015).
- **Re Caterham F1** - Advising the liquidators of Caterham F1 on a variety of issues which have arisen out of the insolvency of the Formula 1 team in 2014 (ongoing). Leading Stefan Ramel.
- **Re Detail 2 Retail (Ch D) (Manchester) HHJ Bird**- Acting for respondents in relation to £1m alleged unlawful return of capital and misfeasance claims arising from the liquidation of a recruitment company based in Manchester (trial June 2014, settled on appeal Autumn 2014).
- **Altala (Ch D (RC)) (Company)**- Acting for liquidator in relation to misfeasance and professional negligence claims arising from the administration and liquidation of the company formerly known as The Health Lottery Ltd (ongoing). Leading Holly Doyle.
- **Re J Wernick (Furniture) Ltd (Ch D (RC)) (Company)**- £2.6m transaction defrauding creditors claim under s423 IA 86 against third party recipients of purported dividends. Leading Simon Passfield and against QC. Settled (Autumn 2013).
- **Rose v Jackson Ch D (RC) (Bankruptcy) (Ch D (RC))**- £2.2m personal insolvency recovery claim brought by trustee in bankruptcy against reputed spouse of deceased bankrupt, seeking to recover assets in England & Wales and outside the jurisdiction (settled before trial, November 2012).
- **Re NSS Solutions Ltd Ch D (Bristol) (John Jarvis QC, Deputy High Court Judge)**- Directors misfeasance claim brought by liquidator against shadow director and associated company (settled following conclusion of evidence at trial, October 2012).
- **Re Baillies Ltd (Unreported) Ch D (Birmingham)** - £4.4m carousel fraud claim brought by company liquidator under (amongst others) s 423 IA 86, Court of Appeal hearing on issues relating to the EC Service Regulations and characterisation of s423 IA 86 proceedings (settled following CoA hearing, October 2012). Leading Stefan Ramel.

SPORTS LAW

Hugh acts in sports disputes both in court and in tribunal hearings, including contract, commercial and insolvency disputes concerning players, sports clubs and governing bodies in England & Wales. He enjoys working as a team, with clients, solicitors and junior barristers.

Hugh welcomes instructions in the following areas:

- Contractual disputes
- Corporate and shareholder disputes
- Compensation claims relating to players and disciplinary proceedings
- Acting for and against football clubs, rugby clubs, hockey clubs and golf clubs
- Acting for and against sports governing bodies

RECENT CASES

- **Gartell v Yeovil Town Football & Athletic Club Limited [2016] EWCA Civ 62 (Laws, Floyd and Bean LLJ)** Hugh represented the successful appellant in the Court of Appeal, in an appeal concerning non-performance of construction works carried out at Yeovil Town's football stadium, Huish Park, and the correct approach to quantification of damages.
- **Cuddy v Hawkes (Ch D (RC))**- Acting in unfair prejudice shareholder dispute concerning shareholders in Neath Rugby Football Club (linked to previous proceedings reported at [2009] EWCA Civ 291, [2009] All ER (D) 42 (Apr); ([2007] EWHC 2999 (Ch).
- **Exeter City v Southampton** - FA arbitration dispute relating to alleged breach of player transfer contract.
- **Exeter City v TGMS Ltd & Speedcut Contractors Ltd**- Representing club in breach of contract and professional negligence dispute relating to turf laying of sports pitch.
- **Fleetwood Town FC v The Football Conference Limited**- Representing club in FA appeals tribunal relating to the points deduction rule arising from another club's insolvency and its effect on league results.

INTERNATIONAL / OFFSHORE

Hugh's broad ranging commercial and insolvency expertise has resulted in him being asked to provide advice and assistance on his own, and with juniors, in relation to international work and involving offshore jurisdictions, including corporate governance and unfair prejudice matters as well as general commercial and insolvency disputes.

Some examples of that work is as follows:

- *Re: ICC* – advising the International Cricket Council (“the ICC”) in 2017 in relation to arbitration proceedings concerning, amongst other things, the application of the BVI Business Companies Act 2004, and its equivalent to section 994 of the Companies Act 2006 (unfair prejudice petitions) (2017)
- *Re: ICC* -advising the International Cricket Council (“the ICC”) in relation to the meaning and application of its articles of association in relation to an internal governance dispute – the ICC is the global governing and sanctioning body for the sport of cricket. It is a company limited by guarantee incorporated in the British Virgin Islands (“BVI”) with its principal place of business located in Dubai, United Arab Emirates) (2016)
- *Re: Les Salines IRS Co Ltd*- development contract dispute in the Mauritius – advising with junior counsel (Stefan Ramel) on the application for leave to appeal to the Judicial Committee of the Privy Council from the Supreme Court of Mauritius (2014)
- *Re: MBI International & Partners Inc*(Commercial Division of the High Court, BVI, and in the Eastern Caribbean Supreme Court) – liquidation proceedings proceeding in the BVI - advising on appeal to the Eastern Caribbean Supreme Court from a decision of the Commercial Division of the High Court, which refused to terminate the liquidation of MBI International & Partners Inc (“the Company”) – consideration of the just and equitable test under section 233 of the BVI Insolvency Act 2003 (2013 & 2014)

RECENT CASES

- Premier Motorauctions Ltd (in liquidation) v PricewaterhouseCoopers and Lloyds Bank [2017] EWCA Civ 1872, [2018] 1 WLR 2955
- Stevensdrake Limited v Hunt [2017] EWCA Civ 1173, [2017] 4 Costs LR 781, [2017] BCC 611
- Swynson Ltd v Lowick Rose LLP (formerly Hurst Morrison Thomson LLP) (in liquidation) [2017] UKSC 32, [2017] 2 WLR 1161
- Rollerteam & Another v Riley & Others [2016] EWCA Civ 1291, [2017] 2 WLR 870, [2015] EWHC 1545 (Ch)
- Gartell v Yeovil Town Football & Athletic Club Limited [2016] EWCA Civ 62
- Stevensdrake v Hunt [2016] EWHC 342 (Ch)
- Ballast Tools UK Ltd v Dixon & Others (Bristol Chancery Division, Deputy John Jarvis QC)
- The Sherlock Holmes International Society Limited v Aidiniantz [2016] EWHC 1076 (Ch); [2016] EWHC 1392 (Ch); [2017] 2 BCLC 14 and [2017] EWCA Civ 1875
- Platform Funding Ltd v Simon & Co (QBD (Merc)) (Bristol) (HHJ Havelock-Allan QC)
- Premier v PwC & Lloyds [2016] EWHC 2610 (Ch)

RECOMMENDATIONS

- [Chambers UK 2015](#)
- [Chambers UK 2014](#)
- [Chambers UK 2013](#)
- [Chambers UK 2012](#)

APPOINTMENTS:

- Appointed to the Attorney General's Panels of Junior Counsel to the Crown.

MEMBERSHIPS:

- BCCBA
 - Combar
 - Chancery Bar Association
 - ILA
 - PNBA
 - R3
-

EDUCATION:

- BVC Western & Wales: Prize for Best Overall Performance
 - Diploma in Law, University of Exeter
 - Physics BSc Hons, University of Manchester
-

RECENT NEWS

- Hugh Sims QC and Simon Passfield successfully defend Stevensdrake appeal
 - Hugh Sims QC & Simon Passfield successfully defend insolvency practitioner - Feb 2016
 - Guildhall Chambers are recognised for excellence, Oct 2015
 - Guildhall Chambers quiz night goes down a "sturm" - September 2015
 - The quality of Guildhall Chambers' papers recognised, Aug, 2015
 - Stephen Davies QC instructed in "ground breaking" court application to remove administrators' lawyers - July 2015
 - Res inter alios acta? Hugh Sims QC and James Wibberley successfully resist appeal in £15m professional negligence claim - June 2015
-

Guildhall Chambers, 23 Broad Street, Bristol BS1 2HG Tel: 0117 930 9000 DX: 7823 Bristol

hugh.sims@guildhallchambers.co.uk | www.guildhallchambers.co.uk