

Guildhall Commercial @ the Watershed

Thursday 21 October, 2010

The Watershed, 1 Canon's Road, Harbourside, Bristol BS1 5TX

Following the success of last year's Commercial seminar, the Commercial Team are pleased to announce they will be hosting their third annual morning seminar. The day will cover practical and topical commercial issues including lawyers' liabilities, breach of confidence claims and banking litigation liabilities. The seminar will, again, be chaired by His Honour Judge Havelock-Allan QC, the Bristol Mercantile Court Judge, and guest speakers include Tim Prior of PNCR Legal, Will Davies of Grant Thornton and Jackie Sheftali of Matthew, Arnold and Baldwin LLP.

Key topics covered

- Lawyers' liabilities
- Breach of confidence claims v directors and senior employees
- Bank litigation liabilities

Seminar programme

8.45	Registration and refreshments
9.30	Chairman's address His Honour Judge Havelock-Allan QC, Bristol District Registry Mercantile Judge
9.45	Lawyers' liabilities Tim Prior of PNCR Legal John Virgo & Holly Doyle of Guildhall Chambers <ul style="list-style-type: none">• Negligence claims, statistics and the new regulatory regime• Retainer creep• The Compliance comfort zone• Tips on effective systems and controls
10.30	Breach of confidence claims v directors and senior employees Will Davies of Grant Thornton Hugh Sims & Gerard McMeel of Guildhall Chambers <ul style="list-style-type: none">• The nature of the duty of confidence• The inter-relation with fiduciary duties and restrictive covenants• Injunctive relief and the springboard principle• Compensation for losses v accounts of profits• Quantification of claims
11.15	Coffee break
11.45	Bank litigation liabilities Jackie Sheftali of Matthew, Arnold & Baldwin LLP Neil Levy & Lucy Walker of Guildhall Chambers <ul style="list-style-type: none">• Account operation and misdirected funds• Debt and security enforcement issues• Regulatory issues and the financial ombudsman
12.30	Question and answer & panel session on issues arising from the day Judge Havelock-Allan to chair Panel comprising of speakers.
13.00	Lunch

3 CPD points

Guildhall BAI/GUCH

About the Guildhall Chambers speakers

Guildhall continues to be the foremost set for high-quality commercial disputes on the Western circuit. "There is no comparable set in our region for commercial work; they are as good as the top London sets and an absolute pleasure to work with"

Chambers UK 2010



John Virgo (1984) has a predominantly commercial practice with an emphasis on financial product mis-selling; he has conducted 'group litigation' over pension mis-selling, 'managed actions' for Equitable Life late joiners

and a group action for the Society's trapped annuitants; currently acting for victims of the collapse of the AIG EVR Fund and for victims of the CF Arch Cru Fund suspension. He is co-author of *Financial Advice and Financial Products, Law and Liability* (OUP).



Neil Levy (1986) specialises in banking disputes and advising on financial transactions. He has particular experience of domestic banking transactions, having worked as part of the Lloyds Bank in-house legal team from 1987-92,

in London and Bristol. His field of expertise also covers professional negligence in financial transactions, insolvency and commercial disputes. Neil is a contributor to two leading banking textbooks: *Paget's Law of Banking* and *Penn & Shea: The Law Relating to Domestic Banking*.



Gerard McMeel (1993) specialises in commercial litigation and financial services. His Commercial Litigation practice includes supply of goods and services, carriage and bailment issues, asset finance, agency, contractual interpretation and

drafting of standard terms. In Financial Services his practice comprises long-standing experience in negligent investment advice cases, and advice on all aspects of the Financial Services and Markets Act 2000.



Lucy Walker (2008; solicitor 1998) specialises in banking and finance matters and has particular expertise in relation to the Consumer Credit Act. She undertakes both advisory and litigation work. Lucy practised as a solicitor for

ten years before being Called to the Bar in 2008.



Hugh Sims (1999) Chambers & Partners 2009/2010: Hugh has been rated as a star performer amongst leading juniors on the Western Circuit for his commercial dispute resolution work. His practice is heavily focused

on pure commercial litigation. Sources agree that this "*technically brilliant, highly commercial, confident barrister*" can always be relied on to "*put up a proper fight.*"



Holly Doyle (2008, BA Hons Oxon First Class) has a particular interest in developing a practice in the professional indemnity/ negligence field. She completed a secondment to the Insurance

and Re-Insurance Group at CMS Cameron McKenna Solicitors during her pupillage at Guildhall (2008-09) and she regularly undertakes both advisory and drafting work in this area, in addition to general commercial work.

About the guest speakers

His Honour Judge Havelock-Allan was called to the Bar in 1974 and practised in commercial chambers in London between 1975 and 2001, where his practice principally concerned shipping and international trade. He became a Fellow of the Chartered Institute of Arbitrators in 1991. Two years later he took silk and was appointed an Assistant Recorder of the Crown Court. He became a Recorder in 1997 and tried criminal and civil cases. In April 2001, he was appointed to succeed Judge Raymond Jack as the Mercantile Judge in Bristol. Since then he has taken over responsibility for the Bristol Technology and Construction List. He also sits as a Chancery judge in Bristol and as an additional judge of the Commercial Court and the Admiralty Court in London.



Tim Prior is a solicitor (non-practising), a Fellow of the Institute of Risk Management and a Lexcel consultant and assessor. During his ten years at Travelers he advised many top 100 firms on risk and compliance issues

and now runs PNCR Legal which offers advice and training to firms brokers and insurers on risk issues.



Will Davies is a partner with Grant Thornton UK LLP specialising in forensic accounting and valuation work generally. He is a founder member of the ICAEW Forensic Services Group, he is also an author and lecturer on forensic

accounting issues. Will has given oral evidence on more than 30 occasions, covering Crown Court, County Court, High Court and at Arbitration Tribunals (both in the UK and overseas).



Jackie Sheftali of Matthew, Arnold and Baldwin LLP specialises in Banking and Finance litigation and advises on defended litigation both for and against the Banking and Finance Group's clients. She also advises on Freezing

Orders, Third Party Debt Orders and other matters where her clients are affected as a third party.

Guildhall Chambers booking form

Please complete the form in BLOCK CAPITALS

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Question(s) for Q&A session**	

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Question(s) for Q&A session**	

Booking details

Please be advised that places are limited so please book early to guarantee a place.

Delegate fee: £125 + VAT per delegate.

The fee for this seminar includes a comprehensive conference folder, lunch and all other refreshments.

If you would like to register more than four delegates please photocopy the booking form attached.

To book, please use one of the following methods

Post your completed registration form to: **Commercial Team Seminar, Guildhall Chambers, 23 Broad Street, Bristol BS1 2HG**

Fax your complete booking form to us on 0117 930 3898

Email us at commercial@guildhallchambers.co.uk

Booking terms: Please send a cheque with your form or wait to be invoiced. A VAT invoice will be sent to you on receipt of your booking form/details. All invoices for this seminar must be paid within 30 days of the invoice date. Cheques are made payable to Guildhall Chambers.

Confirmation of registration: If you have not received confirmation of your registration one week before the conference, please telephone **0117 930 9000** to confirm that your registration form has been received.

Substitute delegates: Substitute delegates will be accepted at any time – please telephone **0117 930 9000** to let us know the name of the substitute.

Cancellation: Provided written notice is received at least ten days before the seminar, the seminar fee will be refunded less a £20 (+VAT) administration charge.

CPD Accreditation: Under the Law Society's CPD scheme and the Bar Council's New and Established Practitioners' Programme the conference is accredited with 3 CPD points (Law Society reference BAI/GUCH). The seminar will also contribute to CPD requirements under the terms of the ICAEW's CPD policy.

If you have any enquiries, please call Jo Broome on 0117 930 9000 or email commercial@guildhallchambers.co.uk.

Terms and conditions: We reserve the right to vary the content, timetable, location or speakers; or to cancel the seminar totally in which case we will refund any payment made in respect of the cancelled conference.

The despatch of us of written confirmation of your booking constitutes a legally binding contract.

Neither the members of Guildhall Chambers nor the speakers will be liable by reason of breach of contract, negligence or otherwise for any loss or consequential loss incurred by any person acting or omitting to act in reliance upon material or presentation given at or in connection with the event.