

CHRISTOPHER LUNDIE

Call 1991

Get in touch

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+44 (0)20 7822 1200



Practice Overview

Christopher deals with a range of commercial disputes in the Business and Property Courts of London and other jurisdictions with a focus on financial services, business acquisition disputes, procurement, property, corporate and trust matters. He is recommended in the directories in commercial dispute resolution and professional negligence. He also has a particular interest in claims associated with the misuse of confidential commercial information, data, computers and information technology.

Christopher is listed in the directories as a leading practitioner in the field of professional negligence and commercial dispute resolution.

"He's always on top of the facts and the law, and he's an excellent technical lawyer for complex matters, who's also very commercial."

Chambers UK

Banking & Finance

Christopher is regularly instructed on behalf of leading institutional and private investors with a particular emphasis on secured lending. He also has significant experience of claims arising in the financial services sector and from the sale and disposal of businesses and companies.

In many cases he is instructed because of his specialist knowledge of trust and property-related issues in light of his experience in cases such as *Stack v Dowden* [2007] UKHL 17 (resulting and constructive trusts).

Commercial Dispute Resolution

Christopher is recommended in the directories for commercial dispute resolution as a leading practitioner in this area. He has a particular interest in claims associated with the misuse of confidential commercial

"First-rate"
(Legal 500 2018)

Practice areas

Banking & Finance
Commercial Dispute Resolution
Property Damage
Professional Negligence

Memberships

COMBAR
PNBA

Qualifications

MA Law
Mediator

Education

Jesus College, Cambridge
University



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information, data, computers and information technology. He also is regularly instructed to provide advice and assistance in claims requiring urgent injunctive relief (including freezing and search orders). Often involved in claims with an international or multi-jurisdictional aspect, he regularly provides advice on jurisdictional disputes and issues of private international law. In addition, he is experienced in working with lawyers in foreign jurisdictions throughout Western and Central Europe, the Middle East, Asia, the USA and the Caribbean.

Current and Recent Work

Liability of partnership for +£10m of loans advanced for property investment on assumption that signature of one partner was a forgery: **Kotak v Kotak/RBS** [2017] EWHC 1821 (Ch).

Misrepresentation and other claims in connection with management buy-out of print business: **Trow v Durmast Group** [2017] EWHC 1485 (Ch).

Claim against solicitor in connection with funds invested through off-shore corporate structures including issues of limitation: **Barnett v Creggy** [2017] Ch. 273 (CA).

Advising on breach of warranty claims relating to accounts, insurance and third party claims arising in Share Purchase Agreement for £265m acquisition of international freight haulage firm.

Appointed by the Chairman of the Bar Council of England & Wales to give an expert determination under a Share Purchase Agreement relating sale of manufacturer of London bus shelters.

Successful defence of claims of fraud against directors in connection with shares acquired in mining exploration company listed on the Alternative Investment Market: **Sears v Minco** [2016] EWHC 433 (Ch).

Represented vendors on successful claim for deferred consideration (following expert determination) and successful defence of +£9m breach of warranty claim in respect of SPA for of motor industry business to Chinese purchases.

Represented successful claimant in proceedings to recover compensation for misuse of a competitor's database of customers. The first case in England in which the High Court had to consider compensation for infringement of an EU database right: **Flogas Britain Ltd v Calor Gas (UK) Ltd** [2013] EWHC 3060 (Ch).

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Replacement of an off-shore corporate trustee of English investment trust established to fund management buy-out of leading UK insurer:
Ackermann v Synergy Capital [2013] EWHC 887 (Ch).

Professional Negligence

Listed in the directories as a leading practitioner in the field of professional negligence, Christopher has experience in dealing with claims against a variety of professionals including solicitors, surveyors, valuers, architects and accountants. He also has particular expertise in dealing with claims against professional trustees.

Current and Recent Work

Claim against solicitor in connection with funds invested through off-shore corporate structures including issues of limitation: *Barnett v Creggy* [2017] Ch. 273.

Proceedings against professional trustees for £2m for alleged negligence in connection with investment of trust funds during 'dot-com' stock market bubble: *Daniel v Stanley Tees* [2016] 4 WLR 115.

A €30m claim in Hungary under English law by property fund managers against valuers in connection with the acquisition, for investment purposes, of what was then Europe's largest logistics centre.

Acting for Sir Geoffrey Boycott in connection with a claim arising from his acquisition of a property in Sandbanks: *Boycott v Perrins Guy Williams* [2011] EWHC 2969.

Claim against accountants for £3m relating to the failure to provide advice as to the possibility of a joint election under the Income & Corporation Taxes Act 1988 on a management buy-out of a company for £8m.

Claim for +£2m in connection with the acquisition and attempted letting of restaurant premises in a Manchester retail park arising from failure by conveyancing solicitors to ensure adequate rights of access.

Proceedings brought by the property development company of Alan Sugar, which were much publicised in the London property investment world, arising in connection with a £6.15m purchase of a prime commercial site in St. Pauls in the City of London.

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Property Damage

Christopher Lundie's Property Damage practice encompasses cases concerning floods, fires, explosions, land slips, subsidence and also the insurance aspects arising from such events. He enjoys complex technical, engineering and scientific issues in such claims and also the detailed financial analysis which is so often required.

He has a particular interest in environmental claims and has successfully represented clients in cases concerning contaminated land, noise and odour nuisance and claims arising under environmental protection legislation.

With many years' experience in property law and landlord and tenant litigation Christopher is also able to provide specialist legal advice on some of the more complex legal issues which can encounter in Property Damage matters. He provided, by way of example, specific legal advice on the various claims arising in connection with the Buncefield litigation.

Significant Cases

Stack v Dowden [2007] UKHL 17, [2007] 2 AC 432, [2007] 2 WLR 831, [2007] 2 All ER 929, [2007] 1 FLR 1858. Leading case on constructive and resulting trusts in the context of co-habitees.

Barnett v Creggy [2016] EWCA Civ, [2017] 2 WLR 1054, [2017] PNLR 4, [2017] Ch 273. Issue of limitation in the context of a claim against a solicitor for breach of fiduciary duty.

Eaton Mansions (Westminster) Ltd v Stinger Compania De Inversion SA [2013] EWCA Civ 1308, [2014] HLR 4: [2014] 1 P & CR 5 : [2014] 1 EGLR 89. Established that aggravated damages are not recoverable by a corporation and considers the assessment of 'hypothetical negotiation' damages.

Flogas Britain v Calor Gas Ltd [2013] EWHC 3060 (Ch), [2014] FSR 34. First English High Court case to consider infringement of a EU database right.

Goldstone v Goldstone [2011] EWCA Civ. 39 [2011] 1 FLR 1926, [2011] 1 FCR 324. Jurisdiction of the High Court to join and make freezing orders against off-shore corporate entities in complex trust structures to financial relief proceedings.

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Milner v Carnival PLC [2010] EWCA Civ 389, [2010] 3 All ER 701, [2011] Lloyds Rep. 374, [2010] PIQR Q3. Landmark decision of the Court of Appeal on the assessment of damages for a ruined holiday.

Beckett Management Investment Group v Hall [2007] EWCA Civ. 613, [2007] 1 ICR 1539, [2007] IRLR 793. Leading modern authority on the enforcement of employee restrictive covenants.

Edlington Property v Fenner [2006] EWCA Civ 403, Times 12 May [2006] 1 All ER 98, (2006) L&TR 2, (2006) 5 EG 274, (2006) 5 EG 274, (2005) NPC 119, (2006) Times, Nov 4 (2006) CA. Leading modern authority concerning equitable set-off in the landlord and tenant context.

Cole v Davis Gilbert [2007] EWCA Civ 398, [2007] All ER (D) 20 March, (2007) Times, April 6. Occupiers' liability and village greens. Reported on the front page of the Daily Mail under the heading "An Outbreak of Common Sense".

London Borough of Newham v Kibata [2003] EWCA Civ 1785, [2004] 1 F.L.R. 690, [2004] L&TR 32, [2004] E.G.L.R. 56, [2004] H.L.R. 28, [2004] Fam Law 175, [2003] 3 F.C.R. 724. Availability of defence based upon combination of Articles 6, 8 and 14 of the ECHR and matrimonial home rights to possession proceedings brought by local authority landlord

Geoffrey Boycott v Perrins Guy Williams [2011] EWHC 2969, [2012] PNLR 25. Limitation and application of s.14A of the Limitation Act 1980 to professional negligence "omissions case" against solicitors.

Recommendations

"Very good, clear and thorough, he has complete control of the matters he's undertaking."
Chambers UK 2022

"A very bright man who is measured in his approach." "He is client-focused, persuasive on his feet and technically brilliant."
Chambers UK 2021

"Incredibly clever and commercial"
Chambers UK 2020

"Keeps his eye on the bigger picture, and is always on top of the facts and the law, no matter how complex the brief is." "He's always willing to roll up his sleeves and muck in."
Chambers UK 2019

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