

JAMES PARTRIDGE

Call 2018

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Practice Overview

James accepts instructions across the full range of Chambers' work. He has a particular interest in commercial, employment, private international law and property damage litigation.

Highlights of James' recent and current work include:

- *Al Jaber & Ors v Salfiti & Ors* [2021] – acting (led by Zac Sammour and Olivier Kalfon) in a multi-million pound cross-border fraud claim concerning allegations of conspiracy and breaches of fiduciary duties.
- *Rowe & Ors v Angermann Goddard & Lloyd* [2021] – acting (led by Timothy Killen) for a defendant quantity surveying company in a multi-million pound dispute concerning the proper valuation of land held by a family trust.
- *O'Toole v Demarca Gaming Limited* [2020] – acting as sole counsel for the defendant in a successful jurisdiction challenge to a contract claim against a Maltese casino.
- *Oakley v EE Ltd* [2021] – acting as sole counsel for the claimant in her successful claims for constructive dismissal, unfair dismissal, disability discrimination and harassment against a major telephone network provider.

During pupillage, James assisted members of Chambers in a broad range of matters including: resisting an application to restrain a winding up petition concerning the enforcement of a US judgment; working on several high value disputes in the DIFC Courts ranging from complex fraud to construction cases; assisting in a multi-million-dollar construction arbitration under LCIA Rules; advising on a potential property damage claim arising out of a gas pipeline explosion; and advising on an insurance coverage dispute arising out of a motor racing accident.

Practice areas

Commercial Dispute Resolution
Commercial Fraud
Construction
Employment
Insolvency
Insurance & Reinsurance
Personal Injury
Private International Law & Travel
Product Liability
Professional Negligence
Property Damage
Public Law

Memberships

COMBAR
ELA

Education

BMus, Berklee College of Music, USA
MMus, University of New Orleans, USA
GDL, University of Law (Distinction)
BPTC, University of Law (Outstanding)



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Prior to joining Chambers, James gained extensive experience as a commercial litigation paralegal in the commercial disputes team of a leading London law firm, and as a paralegal on the Independent Inquiry into Child Sexual Abuse Team at Lambeth Council.

Before practising law, James was a professional jazz saxophonist based in the US and member of the New Orleans Jazz Orchestra.

Commercial Dispute Resolution

James is developing a diverse commercial practice and has gained particular experience in cases concerning contractual interpretation and shareholder disputes.

Highlights of his recent and current work include:

- *Secured Express Ltd v SMOL Ltd* [2021] – acting as sole counsel for the defendant (and counterclaimant) in a breach of contract and conversion claim concerning incorporation of terms and the enforceability of a contractual lien in respect of a mail delivery services agreement.
- *Al Jaber & Ors v Salfiti & Ors* [2021] – acting (led by Zac Sammour and Olivier Kalfon) for the First, Third and Fifth Defendants in a multi-million pound cross-border fraud claim involving claims for breach of directors' duties, knowing receipt, dishonest assistance, breach of trust and conspiracy by unlawful means.
- *Rowe & Ors v Angermann Goddard & Lloyd* [2021] – acting (led by Timothy Killen) for a defendant quantity surveying company in a multi-million pound dispute concerning the sale of land held on trust at an alleged undervalue.
- Acting (led by Timothy Killen) in a multi-million dollar DIFC Courts cross-border fraud claim concerning alleged breach of fiduciary duties, trust and contract.
- Advising (led by Timothy Killen) the liquidators of a major food importer on the merits of a multi-million pound cross-border dispute arising out of alleged breaches of a shipping contract. Issues included the enforceability of a liquidated damages clause.
- *O'Toole v Demarca Gaming Limited* [2020] – acting as sole counsel for the defendant in a successful jurisdiction challenge to a breach of contract claim against a Maltese casino.
- *Liberty Partnership Ltd v Tancred* [2020] – acting as sole counsel for the defendant in a longstanding dispute concerning alleged breaches of share purchase agreement.
- *Riddel v Laffey* [2020] – acting as sole counsel in a restitution and breach of trust claim against a waste processing company.

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- *Paris House Restaurants Limited v Partridge Capital & Anor* [2020] – acting (led by George Hilton) for the liquidators in insolvency proceedings concerning transactions at an undervalue, preference payments and breaches of directors' duties.
- Advising (led by Timothy Killen) the liquidators of a major food importer on the merits of a multi-million pound cross-border dispute arising out of alleged breaches of a shipping contract. Issues included the enforceability of a liquidated damages clause.
- Advising and acting as sole counsel for the defendant in a breach of contract claim brought by a major recruitment agency.
- Assisting with a high value DIFC Courts claim concerning the proper shareholding of a Dubai company.

Commercial Fraud

Litigation involving fraud claims forms a significant part of James' commercial law experience. He also has experience in freezing and proprietary injunction applications.

His recent and current work includes:

- *Al Jaber & Ors v Salfiti & Ors* [2021] – acting (led by Olivier Kalfon and Zac Sammour) in a complex fraud claim where the defendants successfully discharged a freezing injunction obtained *ex parte* without full and frank disclosure.
- Acting (led by Patrick Dillon-Malone SC and Timothy Killen) in a multi-million dollar DIFC Courts cross-border conspiracy claim in which the claimant successfully obtained a freezing injunction and disclosure order.
- Advising in a high value commercial dispute on the issue of varying a solicitor's undertaking in lieu of a freezing injunction.

Construction

James has a developing construction law practice, acting both as sole counsel in the County Court and, as a pupil, assisting senior counsel in arbitrations and in the High Court.

His recent and current work includes:

- Acting as sole counsel in a construction claim concerning breaches of a JCT form contract.
- Drafting an advice on the validity of a construction company's block notification.

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- Drafting a defence in a delay claim arising out of a historic property conversion.
- Assisting in a construction arbitration (LCIA Rules) concerning the encashment of bonds.
- Assisting in an arbitration claim (LCIA Rules) concerning a power plant refurbishment.

Employment

James has experience in a range of employment law matters including cases involving bullying, discrimination, harassment and constructive dismissal.

His recent and current work include:

- *Oakley v EE Ltd* [2021] – acting as sole counsel for the claimant in her successful claims for constructive dismissal, unfair dismissal, disability discrimination and harassment against a major telephone network provider.
- *Ward v Stringfellow Restaurants Ltd* [2021] – Acting as sole counsel for the claimant in an unfair dismissal claim in the context of an alleged redundancy procedure.
- Instructed by the Government Legal Department to act in disability discrimination claim.

Prior to commencing pupillage, James acted (as a volunteer advocate) in a number of employment cases through the Free Representation Unit including claims for unfair dismissal, constructive dismissal and discrimination. In one case, he acted for a claimant who obtained over £100,000 in a disability discrimination claim against an NHS Trust.

Insolvency

James has a developing insolvency law practice. His experience in a range of industry sectors (including construction, insurance and hospitality) makes him well suited to handle a wide variety of insolvency related matter.

Highlights of his recent and current work include:

- Advising (led by Timothy Killen) the liquidators of a major food importer on the merits of a multi-million pound cross-border dispute arising out of alleged breaches of a shipping contract. Issues included the enforceability of a liquidated damages clause.
- *Paris House Restaurants Limited v Partridge Capital & Anor* [2020]

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- Assisting senior counsel in insolvency proceedings concerning transactions at an undervalue, preference payments and breaches of directors' duties.
- *Alan Murchison Restaurants Limited & Ors v Partridge Capital & Ors* [2020] – assisting senior counsel in insolvency proceedings concerning alleged breach of directors' duties.
- Assisted senior counsel in successfully defending an application to restrain a winding up petition concerning the enforceability of a US judgment.

James also dealt with a range of insolvency matters, prior to pupillage, while a litigation paralegal at a leading London firm. During that time and due to this experience, he contributed to an article published in the October 2018 edition of *Corporate Disputes Magazine* entitled "*Creditors' challenges to administrators and liquidators – an overview*".

Insurance & Reinsurance

James has worked on a number of cases concerning scope of coverage and insurance contracts.

Highlights of his recent and current work include:

- Drafting an advice for a multi-million pound insurance arbitration concerning the scope of the insured's block notification.
- Drafting an advice on coverage provided by "at the premises" clauses in the context of the COVID-19 pandemic.
- Drafting an advice on defence costs coverage concerning a local authority's professional indemnity insurance.
- Drafting a defence on a coverage dispute arising out of underpinning works following root subsidence damage.
- Drafting an advice on an insurance dispute concerning a subrogation waiver defence following a property fire at a multiple occupancy premises.
- Drafting an advice concerning the scope and validity of a block notification within the construction industry.

As a pupil, James also advised on a scope of coverage claim in respect of an accident at a motor racing track; drafted pleadings in a scope of coverage claim in respect of subsidence damage to property; advised on a potential scope of coverage claim concerning a professional liability policy; and advised on a construction claim where the effect of a subrogation waiver clause was in issue.

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Personal Injury

James has extensive experience advising, drafting and acting on personal injury matters. He appears regularly in the County Court on behalf of defendants and claimants on small claims and fast track matters. As a pupil, he assisted members of Chambers on a variety of personal injury matters including in respect of claims under the Fatal Accidents Act 1976 and the Occupiers Liability Act 1957.

Private International Law and Travel

James has a particular interest in claims giving rise to jurisdiction or choice of law issues.

Highlights of his recent and current work include:

- *O'Toole v Demarca Gaming Limited* – acting as sole counsel for the defendant in a successful jurisdiction challenge to a breach of contract claim against a Maltese casino.
- Assisting senior counsel in an ongoing multi-million cross border conspiracy claim in the DIFC Court opposing multiple jurisdiction challenges brought by the claimants.
- Acting as sole counsel in a breach of contract claim concerning a package holiday in Spain.

As a pupil, James also drafted an advice on jurisdiction and the applicable law on a potential claim concerning a serious injury sustained in Mexico and assisted senior counsel in defending an application to set aside a winding up petition made on the basis that a US Judgment was unenforceable.

Product Liability

James has gained experience in a range of product liability matters. His previous experience includes advising on a potential claim against a manufacturer of an inflatable tennis dome; drafting pleadings in a vaginal mesh claim; drafting pleadings in a property damage claim arising out of a defective flue design; and advising on a potential claim concerning a combustible dehumidifier.

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Professional Negligence

James accepts instructions on professional negligence matters. As a pupil, James gained experience of professional negligence cases, including those involving construction professionals and insurance brokers.

His recent work includes:

- *Rowe & Ors v Angermann Goddard & Lloyd* [2021] – acting (led by Timothy Killen) for a defendant quantity surveying company in a multi-million pound dispute an allegedly negligent land valuation.
- *Al Jaber & Ors v Salfiti & Ors* [2021] – acting (led by Zac Sammour and Olivier Kalfon) for the defendant former in-house solicitor accused (amongst other things) of breaches of fiduciary duty and unlawful means conspiracy.
- *Davies v Tailor Made Designs Ltd* [2021] – acting as sole counsel for the defendant in a negligence claim against a construction firm.

Property Damage

James has a developing property damage practice, acting as sole counsel and drafting pleadings in a range of property damage disputes.

Highlights of his recent work include:

- Acting as sole counsel for the defendant in a claim arising out of a damage to an electricity cable in the course of street works.
- Acting as sole counsel for the claimant in a property damage claim arising out of construction works at a neighbouring property.
- Advising on a potential claim arising out of latent defects at a sports facility.
- Advising on a potential flood damage claim arising out of excavation works.
- Advising on a potential claim arising out of damaged electricity cables.

As a pupil, James also assisted Neil Moody QC on a fire damage claim arising out of plumbing works; advised a university in a potential flood damage claim; drafted pleadings in a subsidence damage claim; and advised on a potential property damage claim arising out of a gas pipeline explosion.

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Public Law

James has a growing public law practice. His recent work includes acting as junior counsel (led by Anthony Speaight QC) on potential judicial reviews against the Financial Conduct Authority and the Financial Ombudsman Service.

He also has a particular interest in inquiry work, and is currently instructed by the Secretary of State for Health in the infected blood inquiry. Further, James was a full-time paralegal on Lambeth Council's Independent Inquiry into Child Sexual Abuse Team prior to commencing pupillage.

James is a member of the Attorney General's Junior Junior Scheme and has been instructed by the Government Legal Department on a disability discrimination claim.

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