

# Christopher Lundie

Call 1991



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Christopher Lundie is a commercial barrister with considerable experience across a wide range of chambers work.

He has successfully represented clients in a number of landmark cases in the Court of Appeal and House of Lords.

Recommended in the directories for Commercial Dispute Resolution.

## Expertise

### Commercial Dispute Resolution

Christopher is recommended in the directories for Commercial Dispute Resolution as a leading practitioner in this area. He is able to draw upon experience across a wide range of business areas, including the banking and financial, technological and property sectors.

He has substantial experience of business acquisition disputes (such as warranty claims arising in share purchase disputes) as well as of internal business disputes (shareholder/director disputes, unfair prejudice petitions, partnership and joint venture disputes). He is also regularly instructed in general commercial contractual disputes, asset recovery proceedings and procurement disputes. He is able to draw on his experience of trust and property law in so far as may be relevant.

He has considerable experience of cases requiring urgent injunctive relief (including freezing injunctions, search orders, springboard injunctions and third-party disclosure orders). He has often been instructed in claims with an international or multi-jurisdictional aspect and is experienced in collaborating with lawyers in foreign jurisdictions throughout Europe, the Middle East, Asia, the United States and the Caribbean.

Christopher has a particular interest in the new legal challenges arising from the impact of technological developments in the modern world and is experienced in dealing with disputes and litigation concerning crypto-currencies and digital assets.

## Employment

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Christopher has also been instructed on numerous commercial employment disputes in High Court litigation covering team moves, the enforcement of restrictive covenants and the protection and recovery of trade secrets and commercially sensitive confidential information, data and databases. He successfully represented the claimants in *Beckett Management Investment Group v Hall* [2007] EWCA Civ. 613, [2007] 1 ICR 1539, [2007] IRLR 793 (the leading modern authority on the enforcement of employee restrictive covenants) and in *Flogas Britain v Calor Gas Ltd* [2013] EWHC 3060 (Ch), [2014] FSR 34. (the first English High Court case to consider infringement of a EU database right). He is also experienced in dealing with High Court employment claims relating to executive pay, pensions and director's duties.

## Private International Law

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Christopher is also experienced in providing advice on jurisdictional disputes and conflict of law as they arise in commercial disputes but he has also been instructed to provide specialist advice and representation on unusual and complex jurisdictional matters such as *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) and *Ackermann v Synergy Capital* [2013] EWHC 887 (Ch) (replacement of insolvent off-shore corporate trustees of English investment trust of Scottish LLP established for management buy-out of leading UK insurer).

## Professional Negligence

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Listed in the directories as a leading practitioner in the field of Professional Negligence. His focus in this field has been largely on claims arising from or related to property transactions (including mortgage lending) or the acquisition of businesses. He has experience in dealing with claims against a variety of professionals including solicitors, surveyors, architects and accountants. He is also noted for his particular expertise in dealing with claims against trustees and fiduciaries in such cases as *Daniel v Stanley Tees* [2016] 4 WLR 115 and in dealing with issues of limitation in such cases as *Barnett v Creggy* [2017] Ch. 273 and *Boycott v Perrins Guy Williams* [2011] EWHC 2969.

## Property Damage

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With many years' experience in complex property and commercial law matters, Christopher is able to provide

specialist legal advice on some of the more difficult legal issues which can encounter in property damage matters, including property insurance disputes.

## Travel

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Christopher successfully represented Carnival Plc in the landmark case **Milner v Carnival PLC** [2010] EWCA Civ 389, [2010] 3 All ER 701, [2011] Lloyds Rep. 374, [2010] PIQR Q3 (the assessment of damages for a ruined holiday). He has considerable experience of advising businesses working within the travel sector in connection with a range of commercial and contractual disputes.

## Property & Trusts

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As a junior barrister Christopher's practice was initially focused on a wide variety of property disputes including landlord and tenant disputes (both commercial and residential). He continues to accept instructions on such matters. In light of his success in *Stack v Dowden* [2007] UKHL 17, [2007] 2 AC 432 he is often asked to deal with matters which involve an element of trust or fiduciary obligation within the practice areas set mentioned above. But he also continues to be heavily involved in cases between co-owners of property, unmarried couples and proprietary estoppel claims. He regards this as an important part of his practice as it enables him to assist people from diverse backgrounds who are faced with what are often difficult and life-changing events.

Please contact the [clerks](#) for further information on this part of Christopher's practice.

## ADR

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Christopher regularly acts for parties involved in ADR such as arbitration or mediation. He embraced mediation at a very earlier stage and qualified as a CEDR mediator as long ago as 2000. He has since been involved in numerous mediations acting for one of the parties or as mediator.

He accepts appointments as a mediator or as an arbitrator.

## Significant Cases

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**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.

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**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.

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**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.

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**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.

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**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.

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**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.

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**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.

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## 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".

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## 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.

# Appointments

- MCI Arb
- CEDR Qualified Mediator

# Education

- MA Law (Cantab), MCI Arb
- CEDR Qualified Mediator

# Memberships

- COMBAR
- PNBA

# Recommendations

"Christopher is someone judges tend to turn to in order to discuss points of law. He is very good for complex and difficult matters." "He is highly responsive, always positive, imaginative in his approach and a barrister who displays excellent attention to detail."

**Chambers UK 2023**

"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**

“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 2018**

“First-rate”

## **Legal 500 2018**