

# James Partridge

Call 2018



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James Partridge specialises in all areas of commercial, private international law and employment litigation. His cases often have an international focus and he has experience appearing both as sole counsel and as a junior in a range of high value disputes.

Highlights of James' recent and current work include:

- *HDI Global Specialty SE v Legal Protection Group & Ors* [2023] – acting (led Rebecca Sabben-Clare KC (of 7KBW) and Timothy Killen) for a major German insurance company in its claims for breach of an agency agreement, fiduciary duties, unjust enrichment and under section 39 of the Financial Services and Markets Act 2000 against its UK based underwriting agents (and affiliated companies).
- *Rowe & Ors v Angermann Goddard & Lloyd* [2023] – acting (led by Timothy Killen) for a defendant surveying company in a multi-million-pound professional negligence and breach of trust claim concerning the valuation and sale of land held by a family trust.
- *Amazon Europe Core SarL & Ors v Xia Qingquan* [2023] – acting as sole counsel for a major multi-national company group in its claims for procurement of breach of contract and unlawful means conspiracy arising out of an alleged Chinese based scheme for the provision of fake product reviews.
- *Diesel Emissions Litigation* [2023] – instructed as part of the counsel team (led by Charles Dougherty KC and Ruth Kennedy (of 11KBW)) for a leading foreign car manufacturer in a group action arising out of allegations of 'defeat devices' affecting vehicle performance.

- X v Y [2023] (DIFC) – acting as sole counsel for a UAE energy commodities trading platform in its DIFC Court claim against its financial advisors and private bank for financial mis-selling and breach of DFSA Rules.

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 Grammy winning New Orleans Jazz Orchestra.

## Expertise

### Commercial Dispute Resolution

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James has experience in a broad range of commercial matters. He has acted (both as sole and junior counsel) in an array of complex and high-value disputes, often with an international element. In addition to appearing in the High Court, he has been instructed in matters concerning foreign jurisdictions, including the DIFC Court and the Gibraltar Supreme Court.

#### Notable Commercial Dispute Resolution cases

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##### HDI Global Specialty SE v Legal Protection Group & Ors [2023]

Acting (led Rebecca Sabben-Clare KC (of 7KBW) and Timothy Killen) for a major German insurance company in its claims for breach of an agency agreement, fiduciary duties, unjust enrichment and under section 39 of the Financial Services and Markets Act 2000 against its UK based underwriting agents (and affiliated companies).

##### Diesel Emissions Litigation [2023]

Instructed as part of the counsel team (led by Charles Dougherty KC and Ruth Kennedy (of 11KBW)) for a leading car manufacturer in a group action arising out of allegations of ‘defeat devices’ affecting vehicle performance.

##### Amazon Europe Core SarL & Ors v Xia Qingquan [2023]

Acting as sole counsel for a major multi-national company group in its claims for procurement of breach of contract and unlawful means conspiracy arising out of an alleged Chinese based scheme for the provision of fake product reviews.

##### X v Y [2023] (DIFC)

Acted as sole counsel for a UAE energy commodities trading platform in its DIFC Court claim against its financial advisors and private bank for financial mis-selling and breach of DFSA Rules.

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X v Y [2023]

Advising on a potential claim in negligence and under the Financial Services Markets Act 2000 arising out of a sale of shares in a foreign real estate company and advice given in respect of the sale.

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Rowe & Ors v Angermann Goddard & Lloyd [2022]

Acting (led by Timothy Killen) in a multi-million pound professional negligence and breach of trust claim concerning the alleged sale of development land at an undervalue.

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Davies v Cadnay Private Fund Limited [2022] (Gibraltar)

Acting as sole counsel for a Gibraltar based investment company in its application to the Gibraltar Supreme Court to set aside a Statutory Demand. The dispute concerned the enforceability of a high value loan, giving rise to arguments of estoppel and acquiescence.

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Khalifa v SWIFT (Dubai) Ltd [2022] (DIFC)

Instructed as sole counsel for the claimant in the first ever whistleblowing claim brought in the DIFC Court. Issues included the jurisdiction of the DIFC Court in respect of a potential claim against the foreign parent company of a DIFC Establishment.

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Petersen v ESIC [2022]

Acting (led by Timothy Killen) in a high value breach of contract and natural justice claim against an international Esports body concerning an alleged tournament ban.

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Sheikh Mohamed Bin Issa Al Jaber & Ors v Salfiti & Ors [2021]

Acting (led by Olivier Kalfon (of Maitland Chambers) and Zac Sammour (of 11KBW)) for the first defendant in complex multi-million-pound civil fraud proceedings concerning allegations of identity theft, bribery and secret commissions.

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Childescu v Gheorghiu & Ors [2020] CFI 032 (DIFC)

Instructed as part of the counsel team for the claimant (led by Patrick Dillon-Malone SC (of Clyde & Co) and Timothy Killen) in a US\$40m dispute concerning alleged theft of trust property and involving consideration of the rule against reflective loss.

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O'Toole v Demarca Gaming Limited [2020]

Acting as sole counsel in a successful jurisdiction challenge to a breach of contract claim against a Maltese

casino.

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## Commercial Fraud

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James has particular expertise in claims concerning allegations of fraud. He has been instructed on behalf of both claimants and defendants in complex fraud actions concerning, amongst other things, claims in deceit, unlawful means conspiracy, breach of confidence and inducing a breach of contract.

In addition to acting in the substantive proceedings, James has experience in freezing and proprietary injunctions and other ancillary applications such as for Bankers Trust and Norwich Pharmacal orders.

### Notable Commercial Fraud cases

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#### Amazon Europe Core SarL & Ors v Xia Qingquan [2023]

Acting as sole counsel for a major multi-national company group in its claims for procurement of breach of contract and unlawful means conspiracy arising out of an alleged Chinese based scheme for the provision of fake product reviews.

#### Davies v Caddick & Anor [2023]

Acting (led by Stuart Benzie (of Radcliffe Chambers)) for the defendants in a high value cross-border dispute arising out of the alleged misappropriation of a Gibraltar based investment company's assets by its Directors. James acted as sole counsel in the freezing injunction first brought against the defendants.

#### Diesel Emissions Litigation [2023]

Instructed as part of the counsel team (led by Charles Dougherty KC and Ruth Kennedy (of 11KBW)) for a leading car manufacturer in a group action arising out of allegations of 'defeat devices' affecting vehicle performance.

#### X v Y [2022]

Advising on the potential liability of a real estate company's Directors in respect of a loan agreement allegedly entered into as a result of fraudulent misrepresentations and the subsequent misappropriation of the company's assets.

#### Sheikh Mohamed Bin Issa Al Jaber & Ors v Salfiti & Ors [2021]

Acted (led by Olivier Kalfon (of Maitland Chambers) and Zac Sammour (of 11KBW)) for the first defendant in complex multi-million-pound civil fraud proceedings concerning allegations of identity theft, bribery and secret commissions.

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X v Y [2021]

Advising on a multi-million pound High Court dispute on the question of whether a solicitor's undertaking in lieu of a freezing injunction could be varied.

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Childescu v Gheorghiu & Ors [2020] CFI 032 (DIFC)

Instructed as part of the counsel team for the claimant (led by Patrick Dillon-Malone SC (of Clyde & Co) and Timothy Killen) in a US\$40m dispute concerning alleged theft of trust property and involving consideration of the rule against reflective loss.

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## Construction

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James has a developing construction law practice, and has acted as sole counsel in both the High Court and County Court in a range of construction disputes.

### Notable Construction cases

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Perris v Moses Survey Limited & Ors [2023]

Acting as sole counsel for the third defendant surveying company in a professional negligence claim in the High Court (TCC), concerning the alleged negligent design of renovation building works.

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Weston v Aspen Insurance UK Limited [2023]

Acting as sole counsel for the defendant insurer of an insolvent construction company in a claim concerning flooding to a home following construction works carried out by a sub-contractor.

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Lorne Stewart Plc v Moore Insulation Ltd [2023]

Acting as sole counsel for the defendant in a professional negligence claim concerning allegedly defective insulations works and/or design carried out as part of a school refurbishment.

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Screen & Anor v Pyle Consulting Ltd [2022]

Acting as sole counsel for the claimants in their professional negligence claim in the High Court (TCC) against an engineering company, concerning allegedly defective underpinning works to the claimants' property.

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Assisting (as a pupil) in a construction arbitration (LCIA Rules) concerning the encashment of bonds held in respect of a major development project in Dubai.

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Assisting (as a pupil) in an arbitration claim (LCIA Rules) concerning the question of whether there had been a subrogation waiver between a contractor and sub-contractor engaged in a major power plant refurbishment.

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## Employment

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James' employment practice covers the full range of employment law matters including unfair dismissal claims, constructive dismissal claims, whistleblowing disputes and detriment claims arising out of the COVID-19 pandemic.

### Notable Employment cases

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Goldhill v Al Jaber & Anor [2023]

Acting as sole counsel in a high value whistleblowing claim listed for a twelve-day trial concerning allegations of fraud against the respondents' former in-house legal team.

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Isometrix Lighting and Design Ltd v Sillitoe & Ors [2022]

Acting as sole counsel in a High Court claim brought by an electric lighting manufacturer against its former employees for breach of restrictive covenants, breach of confidence and inducing breaches of contract.

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Khalifa v SWIFT (Dubai) Ltd [2022] (DIFC)

Instructed as sole counsel for the claimant in the first ever whistleblowing claim brought in the DIFC Court. Issues included the jurisdiction of the DIFC Court in respect of a claim against the foreign parent company of a DIFC Establishment

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Ranson v Diocese of Chelmsford [2022]

Acting as sole counsel for the respondent in a detriment claim arising out of COVID-19 pandemic policies.

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Ward v Stringfellow Restaurants Ltd [2021]

Acting as sole counsel for the claimant in a ten-day trial of an unfair dismissal claim concerning the alleged redundancy procedure carried out in the context of the COVID-19 pandemic.

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Hebron v Stringfellow Restaurants Ltd [2021]

Acting as sole counsel for the claimant in an unfair dismissal and sexual harassment claim.

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### 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.

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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.

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## Insolvency

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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 matters.

### Notable Insolvency cases

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#### Davies v Cadnay Private Fund Limited [2022] (Gibraltar)

Acting as sole counsel for a Gibraltar based investment company in its application to the Gibraltar Supreme Court to set aside a Statutory Demand.

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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. The issues included the enforceability of a liquidated damages clause.

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#### Paris House Restaurants Limited v Portridge Capital & Anor [2020]

Acting (led by George Hilton) in insolvency proceedings concerning transactions at undervalue, preference payments and breaches of directors' duties.

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#### Alan Murchison Restaurants Limited & Ors v Portridge Capital & Ors [2020]

Acting (led by George Hilton) in insolvency proceedings concerning alleged breaches of directors' duties.

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Assisted (as a pupil) senior counsel in successfully defending an application to restrain a winding up petition concerning the enforceability of a US judgment.

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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”.

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## Insurance & Reinsurance

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James has experience in a wide variety of insurance and reinsurance issues. He is regularly instructed to advise or act (both as sole counsel and junior) on a broad range of insurance matters, including coverage disputes, fraudulent claims, jurisdiction disputes, claims concerning aggregation clauses, business interruption claims and subrogation disputes.

### Notable Insurance & Reinsurance cases

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#### HDI v Legal Protection Group Limited & Ors [2023]

Acting (led by Rebecca Sabben-Clare KC (of 7KBW) and Timothy Killen) in a multi-million pound cross-border insurance dispute between a major German insurance company and its UK underwriting agents arising out of alleged breaches of contract and fiduciary duties by the latter.

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#### Davies v Legal and General Insurance Company Limited [2023]

Acting as sole counsel for the insurer in defence of a high value claim brought by the insured arising out of the alleged destruction of his home due to flood damage.

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#### Weston v Aspen Insurance UK Limited [2023]

Acting as sole counsel for the defendant insurer of an insolvent construction company in a claim concerning flooding to a home following construction works carried out by a sub-contractor to that company.

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#### X v Y [2023]

Assisting in a multi-party arbitration concerning coverage issues relating to the costs of litigation across multiple jurisdictions and the question of aggregation of claims under the potentially applicable D&O policies.

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#### X v Y [2023]

Advising on the question of whether business interruption losses caused by the COVID-19 pandemic were covered under a whole account reinsurance treaty for the purposes of a German arbitration.

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Providing a general advice to a UK business and property insurer as to the correct allocation of subrogated recoveries in the context of underinsurance and/or the absence of allocation.

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Advising on the scope of coverage afforded by “at the premises” disease clauses for the purpose of business interruption claims arising out of the Coronavirus pandemic.

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Advising on whether litigation costs incurred defending multiple concurrent claims fell within an exclusion clause of a professional indemnity insurance policy.

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## Private International Law & Travel

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James has a fast-developing private international law and travel law practice. Many of his cases have an international element and involve jurisdictional and choice of law issues. He has been instructed as sole counsel in jurisdiction applications in the High Court and has been instructed in foreign proceedings, including in the DIFC and Gibraltar Supreme Court.

### Notable Private International Law & Travel cases

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Amazon Europe Core SarL & Ors v Xia Qingquan [2023]

Acting as sole counsel for a major multi-national company group, seeking to establish jurisdiction for its claims against a Chinese based defendant for procurement of breach of contract and unlawful means conspiracy.

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Diesel Emissions Litigation [2023]

Instructed as part of the counsel team (led by Charles Dougherty KC and Ruth Kennedy (of 11KBW)) for a leading foreign car manufacturer in a group action arising out of allegations of ‘defeat devices’ affecting vehicle performance.

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X v Y [2023]

Advising on the merits of a stay application on the basis of lis pendens in a £1million multi-party High Court claim where the damage was suffered in Jersey and the primary relevant company was incorporated in Gibraltar.

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X v Y [2023] (DIFC)

Acted as sole counsel for a UAE energy commodities trading platform in its DIFC Court claim against its financial advisors and private bank for financial mis-selling and breach of DFSA Rules.

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X v Y [2023] (DIFC)

Advising on the prospects of establishing jurisdiction against a foreign parent company of a DIFC

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Establishment and the applicable law in respect of a multi-million pound whistleblowing claim.

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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.

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In addition to the above, James has acted in a range of travel law matters, appearing on behalf of claimants and defendants in the County Court concerning accidents abroad and holiday compensation claims, often giving rise to choice of law and jurisdiction issues.

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## Product Liability

James has gained experience in a range of product liability matters. His previous experience includes advising on a potential claim against the 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.

James is currently instructed as part of the counsel team (led by Charles Dougherty KC and Ruth Kennedy (of 11KBW)) for a leading foreign car manufacturer in a group action arising out of allegations of 'defeat devices' affecting vehicle performance.

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## Professional Negligence

James has a developing professional negligence practice and is instructed in cases concerning a wide variety of industry sectors, including claims against construction professionals, insurance underwriters, financial advisors and chartered surveyors.

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### Notable Professional Negligence cases

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Rowe & Ors v Angermann Goddard & Lloyd [2023]

Acting (led by Timothy Killen) for a defendant surveying company in a multi-million-pound professional negligence and breach of trust claim concerning the valuation and sale of land held by a family trust.

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Khan v Carter Devile [2023]

Acting as sole counsel for the defendant in a High Court professional negligence claim against a conveyancing solicitor's firm.

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X v Y [2023] (DIFC)

Acting as sole counsel for a UAE energy commodities trading platform in its claim against its financial advisors for negligent financial advice and breach of the DFSA Rules.

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HDI v Legal Protection Group Limited & Ors [2023]

Acting (led by Rebecca Sabben-Clare KC (of 7KBW) and Timothy Killen) on behalf of a major German insurance company against its UK based underwriting agents for breach of contract, negligence and fiduciary duty.

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Perris v Moses Survey Limited & Ors [2023]

Acting as sole counsel for the third defendant surveying company in a professional negligence claim in the High Court (TCC), concerning the alleged negligent design of renovation building works.

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X v Y [2023]

Advising on a potential claim in negligence and under the Financial Services Markets Act 2000 arising out of a sale of shares in a foreign real estate company and advice given in respect of the sale.

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Screen & Anor v Pyle Consulting Ltd [2022]

Acting as sole counsel for the claimants in their professional negligence claim in the High Court (TCC) against an engineering company, concerning allegedly defective underpinning works to the claimants' property.

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Lorne Stewart Plc v Moore Insulation Ltd [2023]

Acting as sole counsel for the defendant in a professional negligence claim concerning allegedly defective insulations works and/or design carried out in the course of a school refurbishment.

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Fitzpatrick Referrals Ltd v Fernandes [2022]

Acting as sole counsel in a professional negligence claim against a veterinary clinic.

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Davies v Caddick & Anor [2022]

Acting (led by Stuart Benzie (of Radcliffe Chambers)) in a high value High Court claim against the operators of a Gibraltar hedge fund.

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## Property Damage

James has a developing property damage practice and has experience acting as sole counsel in a range of property damage disputes in both the High Court and County Court.

## Notable Property Damage cases

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Perris v Moses Survey Limited & Ors [2023]

Acting as sole counsel for the third defendant surveying company in a professional negligence in the High Court (TCC), concerning the alleged negligent design of renovation building works.

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Lorne Stewart Plc v Moore Insulation Ltd [2023]

Acting as sole counsel for the defendant in a professional negligence claim concerning allegedly defective insulations works and/or design carried out in the course of a school refurbishment.

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Screen & Anor v Pyle Consulting Ltd [2022]

Acting as sole counsel for the claimants in their professional negligence claim in the High Court (TCC) against an engineering company, concerning allegedly defective underpinning works to the claimants' property.

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Advising in a multi-million pound flood damage dispute concerning the viability of contribution claims brought by the relevant water undertaker.

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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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## Articles & Case Reports

- [Oman Insurance Company PSC v Globemed Gulf Healthcare Solutions LLC \[2021\] DIFC CA 009: DIFC: Late Amendments and Jurisdiction Challenges](#)
- [Lirit v. Liwanu \[2021\] DIFC Arb 011: Challenges to the enforcement of Arbitral Awards in the DIFC](#)
- [Goel & Ors v Credit Suisse \(Switzerland\) Ltd: DIFC Jurisdictions Clauses Considered](#)
- [Creditors' challenges to administrators and liquidators – an overview, Corporate Disputes Magazine, October 2018](#)

## Awards

- Winner, GDL Moot, University of Law
- Winner, 7KBW Moot, University of Law
- Winner, Inns of Court debating competition, Gray's Inn

- Roger Sharpe Award, Gray's Inn

## Education

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

## Memberships

- COMBAR
- ELA