

OUR PEOPLE

Jonathan Mo

CALL 2023



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Jonathan is building a broad commercial practice across Chambers' areas of expertise. He has a particular interest in commercial litigation, civil fraud, insurance, professional liability, litigation funding, and disputes raising complex conflict of laws issues.

Jonathan accepts instructions in all areas of work as sole counsel or part of a team. He has assisted with cases in the Court of Appeal and High Court, and has appeared unled in the County Court dealing with full trials and procedural matters.

Before coming to the Bar, Jonathan read for his BA (Law) at Magdalene College, Cambridge (First Class, 5th in Year). He then obtained his BCL (Distinction) at Keble College, Oxford, winning university prizes in Commercial Remedies and the Conflict of Laws. He has been awarded the Cynthia Terry Scholarship by Gray's Inn, and the prestigious Eldon Law Scholarship.

Expertise

Commercial Dispute Resolution

Jonathan is building a broad commercial practice. He has experience with a large range of commercial matters including professional negligence, sale of goods, property development, construction, and insurance disputes. Recent highlights include:

- Advising (led by Joshua Folkard) on a c. £360m claim concerning the validity of an assignment of a chose in action to a liquidator;
- Assisting with advice concerning a potential claim by a company selling its business against its marketing agent, involving issues relating to the construction of limitation clauses;
- Assisting with advice and pleadings in a claim against directors concerning the management of a company;
- Assisting with advice on contractual obligations assigned under a funding agreement;
- Assisting with advice and pleadings for a breach of contract claim by lead solicitors against other solicitors in a group litigation context, involving issues of contractual formation and interpretation.

Professional Liability

Jonathan has experience spanning the whole spectrum of professional liability cases. In particular, he has assisted with cases involving the liability of lawyers (solicitors and barristers), accountants, and auditors. Recent highlights include:

- Assisting in the hearing preparation for *Playfair v Pannells LLP* [2024] EWHC 1933 (Ch), which concerned the alleged negligence of lawyers and accountants when restructuring various family trusts, involving issues relating to the interplay between the court's jurisdiction to extend time for service of the claim form and the resultant loss of limitation defence;
- Assisting with advice for a £2m claim made by a shareholder against a firm of solicitors in respect of legal advice given to the corporate group, involving issues of implied retainers and duties of care to third parties;
- Assisting in the hearing preparation for a wasted costs order sought against solicitors and barristers in previous litigation;
- Assisting with drafting pleadings defending a c. £5m claim against auditors for alleged negligence in auditing a company's accounts, involving complex scope of duty, causation, and limitation issues.

Insurance & Reinsurance

Jonathan has experience with a wide range of insurance-related matters, both for and against insurers. He has assisted with advice and pleadings in respect of claims and potential claims involving material misrepresentations, non-disclosure, and the construction of policy wording. Recent highlights include:

- Assisting with advice and pleadings for a £3.5m claim under an insurance policy following theft and damage to a data centre;
- Assisting with advice and pleadings in relation to a coverage dispute concerning the unauthorised use of a commercial property;
- Assisting with advice for a coverage dispute following a fire at a commercial property.

Conflicts of Law and Offshore

Jonathan has a strong interest in issues involving the conflicts of laws ranging from jurisdiction challenges to choice of law disputes. Recent experience includes:

- Advising (led by Joshua Folkard) on a c. £360m claim concerning, *inter alia*, choice of law and the validity of an assignment raising issues of English and Eastern Caribbean law;
- Assisting with advice concerning a potential claim against solicitors for negligently pursuing cryptocurrency fraudsters, involving jurisdiction issues and the enforceability of an English judgment in a foreign forum;
- Assisting with research for a €97m debt claim on the interrelationship between a foreign forum's evidential rules and an English order for disclosure abroad.

Civil Fraud

Jonathan has experience with civil fraud claims. His recent highlights include:

- Assisting with research for opening submissions in a multi-million euro fraud claim, involving allegations of breach of fiduciary duty, deceit, dishonest assistance, and unlawful means conspiracy;
- Assisting with advice and pleadings in a claim against directors of a property development business, including claims for breach of fiduciary duty, knowing receipt, dishonest assistance, unlawful means conspiracy, unjust enrichment, and under the Companies Act 2006.

Costs & Litigation Funding

Jonathan has a keen interest in litigation funding. Recent highlights include:

- Assisting with advice concerning the operation of a solicitor's equitable lien which arose against the background of a damages-based agreement;
- Assisting with research for *Neil Class Representative v Sony*, concerning the impact of PACCAR on damages-based agreements.

Education

- BVS (Distinction), City Law School
 - BCL (Distinction), Keble College, Oxford
 - BA (Law) (Triple First, 5th in Year), Magdalene College, Cambridge
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Appointments, Memberships and Prizes

- Eldon Law Scholarship, Oxford University (2023)
 - Law Faculty Prize in Commercial Remedies for best performance on the BCL, Oxford University (2022)
 - John Morris Prize in The Conflict of Laws for best performance on the BCL, Oxford University (2022)
 - Cynthia Terry Scholarship, Gray's Inn (2022)
 - Bundy Scholarship, Magdalene College, Cambridge (2021)
 - Orlando Bridgeman Prize for Law, Magdalene College, Cambridge (2021)
 - Des Voeux Chambers Cambridge Junior Scholarship (2020)
 - Rebecca Flower Squire Scholarship, Law Faculty, Cambridge University (2020)
 - Magdalene College Prize for Law, Cambridge (2019)
 - Magdalene College Scholarship for Academic Excellence, Cambridge (2019)
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