

## OUR PEOPLE

## Matthew Bradley KC

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## LEGAL 500

"Excellent on paper, fearless in court."

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Matthew is a leading barrister in commercial disputes. *"A very strong silk"; "his advocacy skills and ability to adapt his arguments when on his feet are flawless"; "very user-friendly and very bright"; "very robust, responsive and thorough"; "his pleadings are second to none"* (Chambers & Partners 2023).

The legal directories rate him as a leader in the fields of (1) commercial disputes (2) civil fraud (3) commercial chancery (4) company & partnership & (5) product liability law.

Additional areas of focus include offshore work and professional negligence disputes. Increasingly engaged in cross-border fraud matters, much of his work is international in nature, often involving conflicts of law and jurisdictional issues. He speaks French, German and Spanish. He relishes being in court, has extensive trial advocacy experience and often appears at short notice on freezing injunction and Norwich Pharmacal applications. Further legal directory commendations include:

**Advocacy** – *"An exceptional advocate, with a flair for cross-examination; he really knows how to tease a response from a witness"; "an excellent advocate who knows how to read a courtroom"; "An assassin in cross-examination and clearly bound for the very highest echelons of the Bar"*.

**Analysis** – *"intellectually very strong and a good strategic thinker who always puts his client's objectives front and centre"; "His advice is absolutely brilliant. You can give him a very complicated set of facts and he just takes control and guides you through what you need to do"; "innovative"*.

**Paperwork** – *"a wordsmith, both in settling pleadings and penning correspondence"; "[his] advice is amazingly coherent and concise"; "turns stuff around really, really quickly and his paperwork is great"; "strong on paper with an eye for detail"*.

**Working Style** – *"a pleasure to work with"; "a really responsive, affable barrister [...] commercial in his outlook [...] will bend over backwards to get things done."; "impresses with his enthusiasm and his willingness to go the extra mile."; "very much works in partnership with the instructing solicitor"*.

**Recent Commercial Fraud Cases**

*Vale S.A. & Ors v Steinmetz & Ors* [2022] EWHC 343 (Comm) – acting over 2019 to 2022 for defendant to US\$1.8 billion fraud claim by Brazilian mining company re joint venture in Guinea. Claim dismissed mid-trial, mid cross-examination of Claimants' witnesses.

*Bourlakova & Ors v Bourlakov & Ors* (Chan Div – 2022 to date) – for a defendant to claims (deceit, conspiracy, forgery) re assets worth \$ billions, arising from marital breakdown of a HNW couple.

*G I Globinvest Ltd (& Ors) v XYERS UK Ltd (& Ors)* (Comm Ct – 2021 to date) – for Swiss defendant company in conspiracy to defraud claim for c.€47m, re investments in an alternative investment fund.

*Akintunde Giwa v JNFX Limited & Ors* (Chan Div – 2022 to date) – for claimant in c.\$16m breach of contract & fraud claims re

foreign exchange transactions. Freezing orders obtained at outset.

*South Bank Hotel Management Company Limited v Galliard Hotels Limited* [2022] EWHC 2030 (Ch) – hotel investment scheme fraud claim; successfully resisting 2 day summary judgment application.

*Palmer Birch v Lloyd & Anr* [2018] 4 WLR 164 – successfully representing claimant. Significant decision: economic torts (conspiracy / procuring breach) overcame effects of a company insolvency.

#### Recent Commercial Chancery/Company Cases

*Rudan v Leo Services & Ors* (Companies Ct – 2022 to date) – for Respondent to unfair prejudice petition re fiduciary services business. Allegations of forgery and breaches of duty and the company’s articles by transferring subsidiaries out of group ownership.

*Hikari Miso (UK) Limited v Knibbs & Ors* (Chan Div – 2021 to date) – for Defendants/Counterclaimants in corporate control battle over company behind well-known Tofu brand (“the Tofoo Co Ltd”).

*Westerby Trustee Services Limited & Ors v P2U Holdings Limited & Ors* (Companies Ct, 2021 – 22) – successful claim under s.125 of the CA 2006 for rectification of company’s register. Indemnity costs.

*Martin v Hochanda Ltd & Ors* [2021] EWHC 1988 (Ch) – successful preliminary issue trial in ongoing unfair prejudice petition.

*Syndicate Bank v Dansingani & Ors* [2019] EWHC 3439 (Ch) – successful undue influence defence.

#### Recent Commercial Cases

*Pedriks v Grimaux* [2021] EWHC 3448 (QB) – successfully establishing oral contract and estoppel by representation in trial of breach of contract claim.

*Flowcrete UK Ltd & Ors v Watson & Ors* [2021] EWHC 2023 (Comm) – successfully resisting springboard relief and computer imaging order applications in confidential information / restrictive covenant / conspiracy claim against former employees.

*Ang v Reliantco Investments Ltd* [2019] 3 WLR 161 – jurisdiction challenge; consumer status, Art.17 Brussels regime. 2020 Comm. Ct trial of claim and counterclaim re Bitcoin future trading.

*Goknur v Organic Village Ltd* [2019] EWHC 2201 – defending Turkish company at trial of claim re adulterated fruit juice: claim in deceit defeated; no substantive damages awarded to claimant.

LCIA arbitration in Russian oil and gas sector – force majeure / “take or pay” obligations.

#### Recent Product Liability Cases

*JJML SUI Products Litigation & JJML POP Products Litigation* (QBD – 2021 to date) acting for two claimant groups in co-ordinated group claims. Matthew’s clients allege defects/negligence against manufacturers of medical devices for treating stress urinary incontinence and pelvic organ prolapse.

*Combination Hip Prosthesis Litigation* (2015 – 2021) – Defending consultant surgeons alleged to have become a “producer” of metal-on-metal hip implants under the Consumer Protection Act 1987.

Click here for a [Privacy Policy](#) for Matthew Bradley KC.

## Expertise

### Commercial Litigation & Arbitration

Matthew has long been recognised as a leading practitioner in commercial disputes. Comments from the directories include:

- “His advocacy skills and his ability to adapt his arguments when on his feet are flawless.” “Matthew is a responsive, thorough and engaging advocate.” “A very strong silk – his pleadings are second to none.” – *Chambers & Partners, 2023*
- “Matthew has rightly been invited to take silk as his advocacy skills and strength on his feet are extremely impressive. Matthew can wade through complex issues and provide straight forward advice directly to clients.” *Legal 500, 2023*
- “Very self-sufficient and has a good grip on both the facts and the law. He is commercial, practical, user-friendly and someone who tells you how it is.” *Chambers & Partners 2022*
- “One of the leading juniors at the commercial litigation Bar. Excellent on paper, fearless in court.” *Legal 500, 2022*
- “Responsive and to the point, he is an excellent advocate who knows how to read a courtroom.” “He is very down to earth and user-friendly.” *Chambers & Partners 2021*
- “An eloquent advocate and fierce in cross examination; he is a wordsmith, both in settling pleadings and penning correspondence.” *Legal 500, 2021*

- “He’s a really responsive, affable barrister who’s commercial in his outlook, and who will bend over backwards to get things done.” “He impresses with his enthusiasm and his willingness to go the extra mile.” *Chambers & Partners, 2020*
- “Nothing less than Superman in cross-examination and mediation.” *Legal 500, 2020*

Matthew is experienced in Commercial Court, QBD, Chancery, Companies Court and TCC proceedings, as well as in arbitrations conducted both ad hoc and under specified institutional rules. His commercial cases often involve group / multi-party actions. Most of his cases straddle various areas of law, including commercial contract, the economic torts, civil fraud, company law and the law of fiduciary duties. His wide sector experience extends to aviation, energy/natural resources and banking disputes.

Matthew’s commercial fraud cases are addressed under the separate heading below (Civil Fraud, Asset Recovery & Injunctive Relief). Recent commercial experiences in other areas of law are grouped under the drop-down headings immediately below.

## Commercial Contract Disputes

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Matthew regularly appears in and advises on disputes embracing all aspects of commercial contract law. He provides clear advice on the proper construction of contracts and is experienced in litigating matters spanning the whole range of contractual law, across a variety of business contexts. He has acted in a large number of claims alleging misrepresentation.

### Featured cases

- *Akintunde Giwa v JNFX Limited & Ors* (Chan Div – 2022 to date) – acting for assignee of claims in breach of contract and fraud for c. \$16m arising out of alleged misappropriation of monies intended for foreign exchange transactions. Freezing orders obtained at outset.
- *Pedriks v Grimaux* [2021] EWHC 3448 (QB) – successfully establishing oral contract and estoppel by representation in trial of breach of contract claim.
- *Quidnet Capital Partners LLP v Colsilverbird A S.A.R.L & Others* – Acting for property investment firm in breach of contract claim against various Luxembourg companies.
- *Kupeli & others v (1) Kibris Turk Hava Yollari Sirketi (2) Atlasjet Havacilik Anonim Sirketi* [2016] EWHC 930 (QB), [2016] 4 Costs LR 747 – successfully representing (against Leading Counsel) 837 claimant passengers in a trial of test claims against a Turkish airline, seeking damages for the airline’s failure to fly them. The claim engaged contract law and the EU Denied Boarding Regulations, as well as arguments as to the correct approach to costs in test case litigation. Acted in costs appeal in Court of Appeal, reported at [2018] 4 All ER 434; [2019] 1 WLR 1235.
- Advising and acting in relation to various claims involving shareholder and share purchase agreements, including breach of warranty and indemnity claims and claims on guarantees.

## Commercial Arbitration

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Matthew has wide experience of domestic and international arbitrations, conducted both ad hoc and under specified institutional rules.

### Featured arbitrations

- ICC arbitration – international sale of goods dispute in energy (powerplant) sector (2020).
- LCIA arbitration in Russian oil and gas sector – arguments as to force majeure and the effects of “take or pay” obligations (2019).
- *Saudi Arbitration* – advising on early stages of arbitration in oil & gas sector, under Saudi Arabian statutory arbitration rules.
- Acting (with Justin Fenwick QC) for high net worth individual, resisting application for security for an arbitral award under s.70 of the Arbitration Act 1996 and associated application for worldwide freezing order (Commercial Court, 2018).
- Acting for foreign company in LCIA arbitration involving EPC/O&M contracts in the solar energy industry. The case involved highly technical evidence, complex contractual warranties and the validity of calls on performance bonds.
- *Higgins v Network Rail Infrastructure Ltd* (TCC) – application to remove arbitrator under section 72(1) of the

Arbitration Act 1996, in context of breach of contract dispute.

## International Litigation / Private International Law

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Matthew is experienced in work with an international dimension involving conflicts of laws and jurisdictional issues.

### Featured international cases

- *Ang v Reliantco Investments Ltd* [2019] 3 WLR 161; 2 All ER (Comm) 958 – jurisdiction challenge under Brussels Recast Regulation; consumer status under Art.17.
- Advising South African state-owned entities as to jurisdictional issues in relation to potential claims in English High Court.
- Advising French-owned Algerian Company as to contractual indemnities owing to the subsidiary of a major oil company involved in a joint venture at a gas plant, Algeria. The claim engages both Algerian law and broader questions of jurisdiction.
- Cross-jurisdictional claim by high net worth trader against a financial options brokerage website, involving interesting jurisdictional issues and allegations of misrepresentation.
- Advising as to various disputes involving letters of request issued by English and foreign courts.
- Acting (as junior) in various claims involving the question of liability for the foreign-based subsidiary of an English parent company (*Guerrero & 30 Ors v Monterrico Metals Plc*; *Kessabo and others v African Barrick Gold Plc*). Issues: Act of State doctrine / State Immunity, freezing injunctions, anti-suit injunctions.

## Banking & Financial Services

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Matthew is regularly instructed in claims relating to loans, guarantees and other forms of security and which arise more generally from the financial services sector.

### Featured cases

- *G I Globinvest Ltd (& Ors) v XYERS UK Ltd (& Ors)* (Comm Ct – 2021 to date) – acting for Swiss defendant company in claim for conspiracy to defraud seeking damages of c.€47m, arising out of investments made in an alternative investment fund.
- *Akintunde Giwa v JNFX Limited & Ors* (Chan Div – 2022 to date) – acting for assignee of claims in breach of contract and fraud for c. \$16m arising out of alleged misappropriation of monies intended for foreign exchange transactions. Freezing orders obtained at outset.
- *Ang v Reliantco Investments Ltd* [2019] 3 WLR 161 – jurisdiction challenge under Brussels regime; consumer status under Art.17. 2020 Commercial Court trial of claim and counterclaim (defence of deceit and claim to set aside previous judgment for fraud) – claim arose from trading in Bitcoin futures.
- *Syndicate Bank v Dansingani & Ors* [2019] EWHC 3439 (Ch) – trial of claim by bank seeking to enforce loan securities, in which Matthew ran a rare successful undue influence defence, obtaining rescission of a personal guarantee and a mortgage entered into 13 years apart.
- *Pilgrim Rock Ltd v Iwaniuk* [2019] GCCR 17013; [2019] E.C.C. 8; [2019] C.T.L.C. 96 – appearing for successful respondent in appeal against decision in an unfair relationship challenge under the Consumer Credit Act 1974 in which the trial judge re-wrote a loan agreement, relieving Matthew's client of some £1.3m in interest (decision below reported at [2017] GCCR 15027).
- *S v BHIM Ltd* – advising and acting in IFA's defence of claim for damages in relation to a mis-sold investment. Various breaches of COBS rules and the Financial Services and Markets Act 2000 alleged.

## Energy & Natural Resources

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In recent years Matthew has built up a significant body of experience in the energy sector. His expertise spans the construction and operation of traditional oil & gas infrastructure facilities, but he also has significant experience in the

renewables sector. Matthew's experiences of product liability cases involving highly technical evidence stand him in good stead when acting in and advising on energy matters.

## Featured cases

- Advising English supplier of processed fuel oil as to claim by Greek purchaser for alleged repudiatory breach of contract.
- ICC arbitration – international sale of goods dispute relating to equipment supplied for use in powerplants.
- Early stage LCIA arbitration in Russian oil and gas sector – arguments as to force majeure and the effects of “take or pay” obligations.
- Saudi Arbitration – advising on early stages of arbitration in oil & gas sector, under Saudi Arabian statutory arbitration rules.
- Advising and acting for a Kazakh subsidiary of a UK Plc, regarding potential claim arising out of refusal of insurance cover for a catastrophic loss at a copper extraction plant.
- Defending French-owned Algerian Company against claim by BP subsidiary arising out of contractual indemnities allegedly owed in respect of a joint venture at a gas plant in Algeria.
- *F&S Solar Invest UK Limited v Ampegon AG* – share purchase agreement breach of warranty claim in relation to solar farm constructed under the FITs scheme.
- Advising UK administrators of off-shore wind company as to potential claims for breach of contract arising out of an asset purchase agreement with a Belgium company.
- Acting for Spanish company in solar energy arbitration in which solar plants were alleged to have been installed with defective solar panels.

## Restrictive Covenant / Confidential Information Disputes

Matthew has extensive experience of urgent High Court injunction proceedings seeking to restrain the alleged abuse of confidential information / breaches of restrictive covenants across various industry contexts, including recruitment, financial services and the insurance sector. His work in this area draws on and complements his knowledge and experience of economic torts claims and of claims involving breach of directors' duties. 2021/22 has seen him acting in various restrictive covenant / confidential information claims, including in the insurance broking, recruitment consultancy and retail sectors. In *Flowcrete UK Ltd & Ors v Watson & Ors* [2021] EWHC 2023 (Comm) he successfully resisted applications for springboard relief and computer imaging orders in a confidential information / restrictive covenant claim against former employees.

## Civil Fraud, Asset Recovery & Injunctive Relief

Matthew is ranked by Who's Who Legal and the Legal 500 for his work in this area, which forms a central part of his practice and in which he acts in some of the most significant cases around. Comments include:

- **“An excellent addition to the front bench. An excellent team player with tremendous ability.”** *Legal 500, 2023*
- **“An exceptional advocate, with a flair for cross-examination; he really knows how to tease a response from a witness.”** *Legal 500, 2022*

He is well used to the complexities and evidential challenges of fraud claims, and has a particular interest and experience in claims in conspiracy and the economic torts more generally. He is experienced in obtaining and resisting (often at short notice) the forms of interim relief commonly associated with claims in fraud, including freezing injunctions and Norwich Pharmacal orders.

## Featured Civil Fraud Cases

- *Vale S.A. & Ors v Steinmetz & Ors* [2022] EWHC 343 (Comm) – successfully acting over 2019 to 2022 for defendant to US\$1.8 billion claim by Brazilian mining company re joint venture in Guinea (bribery, deceit, unlawful means conspiracy, proprietary claims, freezing injunctions). Claim dismissed mid-trial, mid cross-examination of Claimants' witnesses.
- *Bourlakova & Ors v Bourlakov & Ors* (Chan Div – 2022 to date) – acting for one of the Defendants to claims involving

allegations of fraud, conspiracy and forgery in relation to assets worth \$ billions, arising out of the breakdown in marital relations between a HNW couple.

- *G I Globinvest Ltd (& Ors) v XY ERS UK Ltd (& Ors)* (Comm Ct – 2021 to date) – acting for Swiss defendant company in claim for conspiracy to defraud seeking damages of c.€47m, arising out of investments made in an alternative investment fund.
- *Akintunde Giwa v JNFX Limited & Ors* (Chan Div – 2022 to date) – acting for assignee of claims in breach of contract and fraud for c. \$16m arising out of alleged misappropriation of monies intended for foreign exchange transactions. Freezing orders obtained at outset.
- *South Bank Hotel Management Company Limited v Galliard Hotels Limited* [2022] EWHC 2030 (Ch) – acting for claimant, successfully resisting 2 day summary judgment / strike out application in claim alleging fraudulent retention of part of a property by the developer of a hotel investment scheme.
- *Sytner & Ors v Vaughan* [2020] (Chancery Division) – successful strike out with indemnity costs of against LLP investment manager alleging dishonest and fraudulent breach of fiduciary duty and breach of trust; resisting Norwich Pharmacal relief.
- *Ang v Reliantco Investments Ltd* (Commercial Court trial, 2020). Trial for breach of contract involving defence of deceit and counterclaim to set aside previous judgment (reported at [2019] 3 WLR 161) for fraud.
- Defending various parties against allegations of fraudulent conduct and fraudulent breach of warranty in relation to share purchase agreements (Commercial Court, 2020).
- Acting for claimant in multimillion pound economic torts claim in Saudi oil and gas dispute (2020).
- *Palmer Birch v Lloyd & Anr* [2018] 4 WLR 164; [2018] 180 ConLR 50; [2018] BLR 722 – successfully representing claimant in trial of economic tort claims (procuring breach of contract, unlawful means conspiracy). A significant decision in which the economic torts were used to overcome the effects of a company insolvency, involving consideration of directors' duties and the corporate veil. This is the first decision to consider what the Supreme Court meant by the phrase a "just cause or excuse" for a conspiracy in its decision in *JSC BTA Bank v Khrapunov* [2018] UKSC 19 (see article on this topic below).
- *Goknur v Organic Village Ltd* [2019] EWHC 2201 – successfully defending Turkish fruit juice supplier at trial of claim about adulterated fruit juice: claim in deceit defeated.
- Advising and acting for ultimate beneficial owner of a UK company seeking recovery of significant sums lost to fraud. Appointment of receiver under section 37 of the Senior Courts Act 1981.

## Commercial Chancery & Company Law

Matthew has long been recognised as a leading practitioner in commercial chancery and company law disputes. Comments from the directories include:

- **"Very user-friendly and very bright. Matthew doesn't pull any punches in court and he's very robust, responsive and thorough. He leaves no stone unturned."** *Chambers & Partner, 2023*
- **"A forceful advocate who provides clear advice and submissions – he deserves his elevation to silk."** *Legal 500, 2023*
- **"Excellent on paper and fearless in court."** *Legal 500, 2022*
- **"Very good with clients and extremely good on his feet. He can be aggressive when necessary but always acts in an entirely appropriate way when cross-examining."** *Chambers & Partners, 2022*
- **"He is a pleasure to work with, good on his feet and very engaging. He's good at reading the courtroom, very commercial, and innovative with his ideas."** **"He is friendly, approachable and easy to speak to."** *Chambers & Partners, 2021*
- **"He demonstrates excellent commercial know-how which appeals to clients."** *Legal 500, 2020*
- **"He is an eloquent advocate and is fierce in cross examination."** *Legal 500, 2019*

He is experienced in chancery litigation involving the collapse of business relationships and regularly acts in and advises on partnership disputes under the Partnership Act 1890 and unfair prejudice petitions under s.994 of the Companies Act 2006. He is well versed in matters relating to the alleged misconduct of directors and associated allegations of breach of fiduciary duty, and relief arising from board-room bust-ups in all their many forms.

Matthew has a particular niche in employee/shareholder claims involving directors, and is experienced in bringing shareholder actions in the High Court in tandem with employment tribunal proceedings.

### Featured Commercial Chancery & Company Law Cases

- *Rudan v Leo Services & Ors* (Companies Ct – 2022 to date) – acting for Respondent to unfair prejudice petition against holding company of a fiduciary services group. Allegations include forgery and acting in breach of duty and the company's articles by transferring subsidiaries out of group ownership.
- *Hikari Miso (UK) Limited v Knibbs & Ors* (Chan Div – 2021 to date) acting for the Defendants and Counterclaimants in battle for corporate control over the company behind well-known Tofu brand (“the Tofoo Co Ltd”). Claim re proper interpretation of a shareholders agreement and counterclaim seeking declarations that Claimant's alleged breaches of the same agreement entitle Defendants to buy out the Claimant's shareholding.
- *Westerby Trustee Services Limited & Ors v P2U Holdings Limited & Ors* (Companies Court, 2021 – 22) – acting for Claimants in successful claim under s.125 of the Companies Act 2006 for rectification of the register of a company. Indemnity costs ordered against the Defendants.
- *Martin v Hochanda Ltd & Ors* [2021] EWHC 1988 (Ch) – successful preliminary issue trial in ongoing unfair prejudice petition.
- *Re Nth Dimension Ltd: Wakeley & Others v Tech Mahindra Ltd* (Companies Court, 2019 to date) – acting in unfair prejudice petition, involving allegations against an Indian Parent Company of deliberate sabotage of a UK subsidiary. The claim is complex, and involves a claim for the return of the claimants' shares and rectification of the company's register, overlapping claims for damages for wrongful dismissal and unpaid bonuses and a complex shareholders agreement.
- Numerous ongoing unfair prejudice petitions under s.994 of the Companies Act, including in the I.T., engineering, television shopping and retail sectors.
- *Syndicate Bank v Dansingani & Ors* [2019] EWHC 3439 (Ch) – trial in which Matthew ran a rare successful undue influence defence, obtaining rescission of a personal guarantee and a mortgage entered into 13 years apart; indemnity costs against claimant bank.
- *Re MBI Walsden* – high profile insolvency dispute; initially successfully resisted an application to appoint administrators; resisting an application to overturn a vote for an IVA reached at a creditor's meeting.
- Various claims involving allegations of directors' misfeasance; diversion of business opportunities and revenues, false accounting, dishonest assistance & knowing receipt.
- Multi-Jurisdictional trusts dispute re BVI/Cayman/Curaçao companies.

## Product Liability

Matthew has long been recognised as a leader in product liability work. Comments from the legal directories include:

- **“Matthew is very good on his feet.” “He is responsive and hard-working.”** – *Chambers & Partners, 2023*
- **“He is quickly able to cut to the heart of the matter in terms of identifying the key issues and coming up with solutions.” “A pragmatic and user-friendly barrister who can advise on civil and regulatory product liability issues.”** – *Legal 500, 2023*
- **“He is intellectually very strong and a good strategic thinker who always puts his client's objectives front and centre.”** *Chambers & Partners, 2022*
- **“A pragmatic and user-friendly barrister that can advise on civil and regulatory product liability issues.”** *Legal 500, 2022*
- **“Very pleasant to deal with.” “His advice is absolutely brilliant. You can give him a very complicated set of facts and he just takes control and guides you through what you need to do.”** *Chambers & Partners, 2021*
- **“His expertise on product liability is invaluable.”** *Legal 500, 2021*
- **“A confident advocate; strong on paper with an eye for detail.”** *Legal 500, 2020*
- **“He is very nice and very approachable. He turns stuff around really, really quickly and his paperwork is great.”** *Chambers & Partners, 2020*

Matthew's product liability work is broad-ranging and encompasses:

- **Group/Multi-party actions** – As with his commercial work, many of his product liability cases involve group / multi-party actions and he has provided seminars on this topic.
- **Commercial product liability disputes** including sale of goods and international sales of goods claims.
- **Property damage claims** involving damage allegedly caused by a variety of products, including component parts installed within products.
- **Product recalls** – Matthew wrote the chapter “Product Recall in the EU” in the International Product Law Manual and has advised on the adequacy of product recalls in various contexts, including in fire and property damage claims.
- **Automotive claims** – Matthew has represented various well known foreign-based manufacturers of cars and their subsidiary companies in claims brought under the Consumer Protection Act and in contract. He is familiar with the jurisdictional issues that may arise in those cases.

- **Inquests** – Matthew has appeared at a large number of inquests on behalf of manufacturers of domestic appliances and products alleged to have caused death and is sensitive to the brand reputation issues engaged by such hearings.

## Featured Product Liability Cases

- *JJML SUI Products Litigation & JJML POP Products Litigation* (QBD – 2021 to date) acting on behalf of two groups of claimants in co-ordinated group claims in which Matthew’s clients are alleging defects/negligence against the manufacturers of medical devices for the treatment of stress urinary incontinence and pelvic organ prolapse.
- Acting for well-known German manufacturer in ongoing multimillion pound dispute concerning defective supply of oil isolation valves for use in domestic boilers.
- *Goknur v Organic Village Ltd* [2019] EWHC 2201 – successfully defending Turkish fruit juice supplier at trial of claim about adulterated fruit juice: claim in deceit defeated and no substantive damages (including for lost profits) awarded to claimant, despite established misrepresentation and breach of contract.
- Various disputes relating to commercial and domestic fires arising from allegedly defective products.
- Advising toy manufacturer as to potential regulatory action and product recall.
- Advising as to liability for defects in +£1m MRI imaging equipment produced by well-known electronics producer.
- Advising as to “take or pay” obligations and non-conforming product in contract for production and supply of carbonating gas.
- Acting for various defendants in claims relating to metal-on-metal hip implants.
- Advising as to a potential group action against a variety of diesel car manufacturers.
- *Combination Hip Prosthesis Litigation* – Defending various consultant surgeons alleged to have become a “producer” of metal-on-metal hip implants within the meaning of the Consumer Protection Act 1987 by reason of having combined component parts from different manufacturers. Resisting an application for a reference to the ECJ.
- Acting in a number of Consumer Protection Act and negligence claims brought against manufacturers of household appliances alleged to have caused house fires.

## Professional Liability

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Matthew is experienced in professional liability and negligence claims, particularly those involving solicitors, independent financial advisors, valuers, surveyors and insurance brokers.

## Featured Professional Negligence Cases

- *Naqvi v Harris Cartier & Ors* [2019] EWHC 3042 (QB) – successful summary judgment application for defendant solicitors on £10.2 million claim for allegedly negligent conduct of discrimination claim in employment tribunal.
- Advising a Kazakh subsidiary of a UK Plc in potential claim against insurance brokers arising out of voiding of insurance cover in respect of a catastrophic loss. Interesting questions of foreign law.
- Defending solicitors in relation to alleged negligent conduct of employment tribunal proceedings.
- Acting for firm of independent financial advisors alleged to have acted negligently and in breach of regulatory rules (COBS).
- Acting in relation to a claim involving the negligent provision of hedge fund investment advice.
- Securing the strike out of a substantial claim against a firm of solicitors for the allegedly negligent conduct of personal injury litigation.
- Advising and drafting in relation to a claim against solicitors for negligent conduct of construction litigation (settled at mediation).

## Offshore Litigation

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Matthew’s experiences in commercial chancery matters and international commercial matters serves him well in offshore litigation, an area in which he has acquired significant experience in recent years.

## Featured Offshore Litigation Cases



- Advising and acting for Marshalls Islands company in claim against BVI company for order for rectification of company register of members and associated declaratory relief.
- Assisting Jersey-based law firm in proceedings relating to an acrimonious boardroom dispute between Korean owners. The case engaged issues as to the proper authority to act for the company.
- Multi-Jurisdictional dispute re BVI/Cayman/Curaçao companies: Matthew has been acting in a multi-jurisdictional dispute concerning the assets of various companies together holding the assets of various trusts, totalling many millions. His work on this matter has so far engaged questions of Liechtenstein, Cayman Islands and Curaçao law and issues of fraud, conspiracy, dishonest assistance and knowing receipt as well as double derivative actions.
- Claim in misrepresentation and breach of contract against BVI-registered company.

Matthew is a member of the International Bar Association and of C5, and is attuned to the cultural sensitivities which arise when working for clients from around the globe, and in particular the Asian and CIS markets.

## Awards



## Qualifications

### Education & Scholarships

- BA (Hons) (Oxon) 2000, (French & German) 1st Class
- PgDL, City University
- Lord Woolf Scholar (Daily Telegraph/1 Crown Office Row)
- Hardwicke, Haldane & Thomas Moore Scholar (Lincoln's Inn)
- Phoenicia Scholar (Bar European Group)

### Memberships

- The Commercial Bar Association
- London Common Law and Commercial Bar Association
- Commercial Fraud Lawyers Association
- International Bar Association

### Languages

- French
- German
- Spanish