

OUR PEOPLE

Simon Teasdale

CALL 2015

LEGAL 500

"Simon is an outstanding junior costs counsel and a star of the future. Exceptionally bright and his technical knowledge is superb, born from his infectious enthusiasm for costs."



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Simon Teasdale has a specialist practice focused on costs and litigation funding in all forms of court and arbitral proceedings.

Simon is regularly involved in the most significant and high-value costs decisions and appeals in the English courts. In addition to being a 'go to' junior for Silks in all costs and funding-related litigation, he regularly appears as sole counsel in the High Court and Senior Courts Costs Office.

In the last 12 months alone, he has appeared in three of the most significant costs cases to reach the Court of Appeal and is acting in a number of the most high-profile group actions currently ongoing (including the 'Dieselgate' NOx Emissions litigation, 'Phonehacking' claims against NGN, shareholder claims against Glencore and civil claims arising out of the Grenfell Tower Fire in 2017).

Simon is ranked as a Leading Junior for Costs in both Chambers & Partners and the Legal 500.

"His technical knowledge is solid, and his written work and advocacy skills are exceptional." – Chambers & Partners

"Simon is both very bright and more than happy to roll up his sleeves when instructed." – Chambers & Partners

'Simon is leagues ahead of other juniors, his written advocacy is what one would expect from silks. In court, he is five steps ahead of anyone else in that room.' – Legal 500

"Simon's written and oral submissions are very polished. An exceptionally talented advocate with razor sharp insight leading straight to the core of the issue. He could be a future star." – Legal 500

"Simon is incredibly user friendly, combined with an expertise in costs litigation that is far beyond his call" – Legal 500

For examples of his recent experience and ongoing work, please see the individual practice areas below.

Privacy Policy

Click here for a [Privacy Policy](#) for Simon Teasdale.

Transparency Statement

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Expertise

Costs Litigation

Simon's practice focuses heavily on costs litigation, with a particular specialism in solicitor-client disputes. Simon is ranked as a Leading Junior in costs law by Chambers & Partners and the Legal 500 and is a 'go to' junior in this area.

In the last year alone, Simon has appeared in three major appeals before the Court of Appeal in relation to costs:

1. *Diag Human SE & Stava v Volterra Fietta* [2023] EWCA Civ 1107;
2. *Thomson Snell & Passmore v Kenig* [2024] EWCA Civ 15;
3. *Signature Litigation LLP v Ivanishvili* [2024] EWCA Civ 901.

"He is five steps ahead of everyone else in the room. Simon is charming, strategic and really personable." – *Chambers & Partners*

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Simon's recent cases and instructions in this area include:

- Acting (led by Nicholas Bacon KC) for the boutique arbitration firm Volterra Fietta in the important appeal of *Diag Human SE & Stava v Volterra Fietta* [2023] EWCA Civ 1107, regarding the enforceability of Volterra Fietta's retainer for work done in relation to a multi-billion-dollar BIT Arbitration.
- Acting as sole counsel for more than 50 individual claimants in relation to the assessment of costs incurred in the ongoing MTVIL 'phone hacking' litigation against News Group Newspapers Ltd.
- Acting (led by Roger Mallalieu KC) for the successful respondent in
- *Thomson Snell & Passmore v Kenig* [2024] EWCA Civ 15, which has revolutionised the rights of assessment available to beneficiaries under trusts and wills.
- Acting (led by Benjamin Williams KC) for c.1.5 million claimants in the 'Dieselgate' NOx Emissions Litigation, believed to be the largest group action ever brought in this jurisdiction. The proceedings have encompassed applications for information about the funding of the claimants and their lawyers, and the largest cost budgeting exercise ever performed by the English courts (*Pan NOx Emissions Litigations, Re* [2024] EWHC 1728 (KB)).
- Acting unled for the Quin Emmanuel claimant cohort in the multi-billion dollar action against Glencore plc (*Aabar Holdings S.À.R.L & Others v Glencore Plc*).
- Acting (led by Roger Mallalieu KC) for the successful respondent in *Signature Litigation LLP v Ivanishvili* [2024] EWCA Civ 901, which is now the leading authority on the requirements of a statute bill and the ability to deliver same in cases conducted under a conditional fee agreement.
- Acting (led by Daniel Saoul KC) for D14 in the multi-million-dollar consolidated assessment proceedings arising out of *The Public Institution for Social Security v Al Rajaan & Others* in the SCCO.
- Acting for Harbour Fund IV LP (led by Roger Mallalieu KC), the commercial funder for the Claimant in the multi-billion-pound *Suppipat & Ors v Siam Commercial Bank Public Company Ltd & Ors* (one of the Lawyer's Top 20 cases of 2022) including the defence of an application against Harbour Fund IV for security against the Defendants' combined projected costs to trial of more than £67m.
- Acting unled for Mishcon de Reya in *Borderedge Limited v Mishcon de Reya LLP*, an assessment of the firm's costs incurred while acting for Borderedge Ltd in the notorious multi-jurisdictional enforcement proceedings which followed the

Akhmedov/Akhmedova divorce proceedings.

- Advising in relation to the availability of Non-Party Costs Orders against both parties and their lawyers, particularly in the context of costs proceedings themselves.
- Acting for Charlton Athletic Football Club in SCCO proceedings relating to the costs claimed by its former club solicitor, IPS Law.
- Being led by Roger Mallalieu KC on behalf an international client bringing multi-million-pound assessment proceedings against a city firm, including a challenge to the enforceability of the firm's CFA.
- Advising in relation to the assessment and recovery of costs in the Supreme Court.
- Being led by Nicholas Bacon KC in a claim brought in the Commercial Court by a major city firm against former clients. Simon acted for two defendant trustees that were alleged to be liable for unpaid fees and interest totalling more than £6m. The litigation involved issues of wrongful termination of retainer, quantum, and the holding of hearings in private.
- Appearing unled, against Nicholas Bacon KC, for the local authority in *Cameron v Leicester City Council* (2021) – an important appeal regarding the operation of the Part 45 fixed costs regime.
- Being led by Nicholas Bacon KC for the successful solicitors in *Mr H TV Limited v Archerfield Partners LLP*, detailed assessment proceedings brought by a former client, including a three-day preliminary issue trial on the question of whether £3.6m of costs had been 'approved' for the purposes of CPR 46.9(3)(a) and (b).
- Being led by Robert Marven KC in an application for security for costs within a Solicitor Act assessment (and the determination of the important question of whether such an applications can be made in such proceedings).
- Advising in relation to solicitors' liens, delivery up of clients' files, charging orders pursuant to section 73 of the Solicitors Act 1974, and disclosure obligations in detailed assessments.
- Acting as sole counsel (and led) for major city firms seeking to bring claims against former clients for the payment of fees. Simon has substantial experience in advising on the status of statute bills, the pleading of claims for recovery of fees, and acting in litigation between solicitors and their former clients (both in the High Court and County Court).
- Routinely acting as sole counsel in all forms of inter partes hearings, from interim applications to detailed assessments, both in the SCCO and County Court.
- Successfully defending a Part 35 Expert against an application for the third-party costs order.
- Advising and appearing in applications regarding points of principle in the application of Protocol costs, Part 45 and Part 36.
- Advising a magic circle firm on its standard terms and conditions for billing, led by Nicholas Bacon KC.
- Advising in relation to the prospects of improving on the results of inter partes provisional assessments, and advocacy at oral review hearings.
- Drafting Points of Dispute/Replies to Points of Dispute in a high-value detailed assessments.
- Dealing routinely with cost budgeting at CCMCs and the summary assessment of inter partes costs (whether or not instructed in the litigation more widely).
- Advising on the application and dis-application of QOCS.
- Acting in claims by policyholders and solicitors against legal expenses insurers.
- Acting on behalf of a barrister who had been made subject to a wasted costs order within the bankruptcy proceedings of a former client.

Litigation Funding

Simon regularly advises both major international law firms and boutique litigation and arbitration firms on the terms of their contingent retainers and other funding structures. Simon also acts frequently in challenges to the enforceability of retainers, disputes as to the meaning and effect of litigation funding agreements, and applications for security for costs/costs orders against funders, both in group actions and other high-value litigation.

Simon is also closely involved with advising and acting for parties in relation to the consequences of the Supreme Court's decision in *R (on the application of PACCAR Inc and others) v Competition Appeal Tribunal* [2023] UKSC 28.

Where Simon's work does not arise in the context of public litigation, much of the detail is necessarily confidential. However, recent examples of Simon's work in this area include:

- Acting for the Claimants in the largest-ever group action to proceed in the English courts, in relation to their funding arrangements and applications by the Defendants for information in relation to those arrangements: *Various Claimants v Mercedes-Benz Group AG and others* [2024] EWHC 695 (KB).
- Acting for Harbour Fund IV LP (led by Roger Mallalieu KC), the commercial funder for the Claimant in the multi-billion-

pound *Suppipat & Ors v Siam Commercial Bank Public Company Ltd & Ors* (one of the Lawyer's Top 20 cases of 2022) including the defence of an application against Harbour Fund IV for security against the Defendants' combined projected costs to trial of more than £67m.

- Acting (led by Nicholas Bacon KC) for the boutique arbitration firm Volterra Fietta in the important appeal of *Diag Human SE & Stava v Volterra Fietta* [2023] EWCA Civ 1107, regarding the enforceability of Volterra Fietta's retainer for work done in relation to a multi-billion-dollar BIT Arbitration (and the availability of severance).
- Advising in relation to costs sharing arrangements in the multi-billion dollar claims brought by shareholders against Glencore Plc (*Aabar Holdings S.A.R.L & Others v Glencore Plc*).
- Advising funders in relation to the likely consequences of *PACCAR* for their funding agreements in relation to both concluded cases and ongoing claims.
- Advising an international firm on the enforceability of DBAs and other funding structures used in London-seated arbitrations.
- Drafting CFAs and other contingent funding structures for use by major UK firms in domestic litigation.
- Advising firms in relation to the permissibility of 'hybrid DBAs' following the Court of Appeal's decision in *Lexlaw v Zuberi* [2021] EWCA Civ 16.
- Advising a major UK firm on the use and drafting of agreements with agents they engage to assist in litigation.
- Advising both firms and clients on their options for challenging and/or renegotiating the terms of existing funding arrangements.

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"Simon is incredibly user friendly, combined with an expertise in costs litigation that is far beyond his call" – Legal 500, 2022

Commercial Litigation & Professional Liability

Simon has significant experience acting in commercial disputes of all sizes, both as sole counsel and as a junior, and in professional liability claims.

Featured Commercial Dispute & Professional Liability cases

- Acting (with George Spalton KC) for the Defendant Architects in relation to the c.£118m claim by the London Borough of Camden in relation to alleged cladding and other defects at the Chalcots Estate in North London.
- Acting for two defendant trustees in a multi-million-pound contractual dispute in the Commercial Court, led by Nicholas Bacon KC. The litigation involved heavily-contested interim applications, matters heard in private, and the management of related proceedings in another court.
- Being led by Ben Hubble KC in the Court of Appeal proceedings in *Rihan v Ernst & Young Global Limited (and others)*.
- Acting as junior counsel on a high-value conspiracy claim involving multiple parties across several jurisdictions, including the Isle of Man and USA. Simon's involvement ranged from assisting with the drafting of documents to preparation for hearings and advising on interim applications. Simon gained experience of co-ordinating with other legal teams engaged in related proceedings overseas.
- Acting as part of a counsel team led by Justin Fenwick KC challenging an arbitration award relating to the ownership of a Russian company under section 67 of the Arbitration Act 1996.
- Acting as part of a counsel team tasked with investigating a potential claim by a Channel Island investment fund against former auditors.
- Acting in a range of claims for misrepresentation, breach of contract, and unjust enrichment between commercial parties of all sizes, both led and as sole counsel. In particular, Simon has acted in a number of misrepresentation claims relating to projected benefits from Government renewable energy schemes.
- Assisting in a high-value international arbitration, where the key issue was the interpretation of pricing clauses in a commercial contract.
- Appearing regularly as sole counsel at hearings in the High Court and County Court across a range of commercial disputes. Simon has substantial experience of strike out applications, hearings to determine preliminary issues, trials, and dealing with allegations of dishonesty.

Simon is also a specialist in actions by solicitors to recover unpaid fees from their former clients, which often prompt allegations of professional negligence or wrongful termination in response. Similarly, Simon also has experience of detailed assessments of solicitors' bills brought by former clients, which also engage related issues.

Simon is a co-author of the 4th edition of *Toulson & Phipps on Confidentiality*, in which his writing has had a particular focus on legal professional privilege, issues of confidentiality which may arise in the conduct of litigation, and the relationship between lawyers and their clients. Simon has experience of hearings held in private pursuant to CPR 39.2(3), and orders restricting public access to the court file.

Simon is a member of COMBAR.

International Arbitration

Simon has assisted more senior members of Chambers acting in international arbitrations – including in relation to costs issues arising following an award. In particular, Simon has experience of FIDIC Dispute Adjudication Board proceedings, and disputes involving large-scale infrastructure projects.

Featured International Arbitrations

- Being led by George Spalton KC in LCIA arbitration proceedings relating to the development of high-value commercial property in Russia.
- Acting as part of a counsel team led by Justin Fenwick KC in a s 67 Arbitration Act 1996 challenge to an arbitration award regarding the ownership of a Russian company.

Simon's work in this area now focusses increasingly on the funding structures used to fund parties in arbitrations, and the recovery of incurred costs following awards made in arbitration.

Simon attended the Worshipful Company of Arbitrators' 2017 Arbitration Weekend, where he was awarded the prizes for Best Advocate as chosen by the arbitrators and Best Advocate as chosen by the delegates.

Awards



Qualifications

Simon read Law at New College, Oxford, graduating in 2014 with first class honours. He went on to complete the Bar Professional Training Course, for which he was graded Outstanding. Simon was called to the Bar in 2015 by Lincoln's Inn, having been awarded a Lord Denning Scholarship, Hardwicke Scholarship, and Buchanan Prize.

Prior to commencing pupillage, Simon also worked as a Legal Editor at FromCounsel, a specialist online company law service, where he gained a broad experience of corporate law. In particular, Simon's work involved detailed research into the law of agency, parent and subsidiary company relationships, and the changes introduced by the Small Business, Enterprise and

Employment Act 2015. This knowledge and understanding continues to be useful wherever company law issues arise within his practice.

During pupillage, Simon attended the Worshipful Company of Arbitrators' 2017 Arbitration Weekend, where he was awarded the prizes for Best Advocate as chosen by the arbitrators and Best Advocate as chosen by the delegates.

Education: BA, Oxford (First Class Honours); BPTC, City (Outstanding).

Memberships: COMBAR and PNBA.
