



St John's

CHAMBERS

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# Contract law seminar



Thursday, 21st November 2019 | 4.30 pm - 6.35 pm  
St John's Chambers, 101 Victoria St, Avon, Bristol BS1 6PU

Cost: £30 + VAT

CPD: 1.5 hours

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# Programme

4.30– 5.00pm	Registration and refreshments
5.00– 5.05pm	<b>Welcome and introduction</b> James Pearce-Smith, Head of Commercial Team, St John's Chambers
5.05 - 5.35pm	<b>The rise of relational contracts and associated duties of good faith</b> Nick Pointon, Barrister, St John's Chambers  Nick will discuss recent advancements in the law's recognition of relational contracts and the implied obligations which might accompany that classification, following the recent decision in <i>Bates v Post Office (No. 3)</i> [2019] EWHC 606 (QB).
5.35 - 6.05pm	<b>All change please: Contractual variation, waiver and estoppel</b> Joss Knight, Barrister, St John's Chambers  Joss will consider the extent to which the court will permit the parties to restrict variation or waiver of contractual terms in light of <i>Rock Advertising Ltd v MWB Business Exchange Centres Ltd</i> [2019] UKSC 24.
6.05 - 6.35pm	<b>The construction and treatment of restrictive covenants in the light of <i>Tillman v Egon Zehnder Ltd</i> [2019] UKSC 32"</b> James Pearce-Smith, Head of Commercial Team, St John's Chambers
6.35pm	Drinks & canapes to be served – We hope you can join us!

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# Presenters



**James Pearce-Smith**  
Head of Company and  
Commercial, Call 2002  
St John's Chambers

"James' very well versed in claims concerning professional negligence and contractual disputes, and always takes a pragmatic approach. 'He's a details man who is very good at picking up complex disputes, getting into the detail and relaying it back to the client in a straightforward way. He is very approachable and is a pleasant person to deal with.' "

CHAMBERS UK, 2019  
COMMERCIAL DISPUTE RESOLUTION

James, a former solicitor, is an experienced litigator specialising in commercial and property disputes. His practice includes company and partnership disputes, construction disputes and insolvency, and he is often instructed in complex disputes which span more than one of these disciplines. He has particular expertise in professional negligence claims. He also deals with traditional chancery work, such as disputes in relation to trusts and wills.

James has over 20 years' experience as a commercial litigator, including 8 years as a commercial litigation solicitor at two major law firms prior to transferring to the Bar in 2002.

As a barrister James has continued to specialise in commercial litigation, representing businesses from SMEs to major international companies (such as Airbus and Dyson) in a broad range of commercial disputes across a wide spectrum of industries (including IT, manufacturing, agriculture, food processing and beauty products).

With a reputation as a 'leading regional heavyweight' for commercial matters, St John's Chambers' members are instructed across the spectrum of commercial cases including professional negligence, partnership disputes, bankruptcy and insolvency matters and fraud."

LEGAL 500 2018  
COMMERCIAL, BANKING,  
INSOLVENCY AND CHANCERY  
LAW



St John's Chambers  
voted 'Chambers of  
the Year 2018' by  
Bristol Law Society



**Nick Pointon**  
Barrister, Call 2010  
St John's Chambers

"Nick handles matters from all angles of commercial law, including contractual disputes and probate work concerning offshore jurisdictions. He is known for the clarity of his explanations and the remarkable speed with which he operates. 'Very user-friendly and a bright rising star.' 'He's simply exceptional on paper and dominating in the courtroom. I would instruct him on a complex matter ahead of barristers twice his call.' "

CHAMBERS UK, 2019  
COMMERCIAL DISPUTE RESOLUTION

Nick handles matters from all angles of commercial law, including contractual disputes and probate work concerning offshore jurisdictions, especially the Channel Islands. He has experience of a wide range of commercial disputes with a particular emphasis on those with cross-border implications.

Nick has also taught the law of contract at both undergraduate and postgraduate level at the University of Bristol.

He has particular experience of litigation involving the motor industry and professional sport. Clients include a major Formula One team, several well known car manufacturers and a former international rugby player and coach.

Nick has also acted and continues to act in relation to a number of high-value claims concerning interest rate swap and cap mis-selling, ranging from c. £200,000 to upwards of £8 million.

Nick is also a mediator.

# Presenters



**Joss Knight,**  
Barrister, Call 2014  
St John's Chambers

Joss advises in a wide-range of complex commercial, company and insolvency matters.

He recently appeared for the applicant in [Housemaker Services Ltd v Cole & Anor \[2017\] EWHC 753 \(Ch\)](#) in which the court considered the circumstances in which it would give a 'limitation direction' to a company under section 1028 of the Companies Act 2006 disapplying the period in which the company was struck off the register for the purposes of limitation and thus allowing the company to bring a claim against a third party.

Joss has particular experience in partnership law and has acted in relation to partnerships concerning a building company, a farm, a public house, and a Christian holiday and education centre. He recently appeared on behalf of the claimant in a long-running and acrimonious

partnership dispute, culminating in a two-day trial. The client, who had been excluded from a highly successful construction partnership with extensive assets, successfully challenged the dissolution accounts.

Joss is also frequently instructed on a wide range of bankruptcy and insolvency matters, including insolvent estates. He has particular experience of cases involving the restoration of a dissolved company to the register.

## Recovery of Legal fees

Joss has particular experience in claims for the recovery of legal fees. His recent caseload includes a successful summary judgment application on behalf of the claimant solicitor and a trial where he successfully argued that the only consideration the defendant client was obliged to provide the solicitor under the retainer was assistance in the design of a charity website.



## About the team:

St John's Chambers is a long-established commercial law set with a talented team of barristers specialising in commercial and company law. We are recognised as being one of the leading commercial sets in the South West, with various members of the team listed in the top rankings of Chambers UK, Legal 500, and other law directories.

Our culture and ethos is to provide high-quality legal advice in an approachable and pragmatic manner.

Whatever aspect of commercial law you need advice, we should be able to help.

To find out more about us visit:

[www.stjohnschambers.co.uk](http://www.stjohnschambers.co.uk)

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