



Kelly Pennifer

E-Mail pennifer@exchangechambers.co.uk
Call 1994

Practice

Education

LLB - King's College London

Maitrise-en-Droit - University of Law Paris II, Sorbonne

Profile

Kelly has been recommended in directories and legal journals for a number of years as one of the leading juniors in the North in the field of commercial litigation. She has been described by *Chambers & Partners* as an "*Independant minded and hard working advocate with a direct and pleasant manner*" who is always "*quick to master the case*" and she is recognised as "*developing an increasingly pronounced market standing...*" in this area.

Commercial

Kelly's particular expertise, and primary area of practice, is commercial contract dispute resolution, including, in particular:

- o agency/commercial agency;
- o sale and carriage of goods (domestic and international);
- o construction (including adjudication and arbitration);
- o credit and suretyship;
- o insurance;
- o restraint of trade, breach of fiduciary duty and confidential information.

Kelly is frequently instructed in matters requiring urgent injunctive relief (including freezing injunctions, search orders, restrictive covenant, breach of fiduciary duty and confidentiality injunctions) and commentators to *Chambers* have particularly highlighted her strength in this area. Most notable of such cases is *Cream Holdings Ltd & Ors. Banerjee & Liverpool Daily Post & Echo* [2004] UKHL 44, [2005] 1AC in which Kelly appeared in the House of Lords as junior counsel for Cream.

Employment

Another of Kelly's fortes is employment law, covering the full range of disputes falling within the remit of the Employment Tribunals. Recently, Kelly has been involved in the rash equal pay claims brought by current and former female Local Government employees (having been instructed by both Local Councils and

complainants). She also acts for the G4S group of companies on the more involved of the complaints brought against those companies.

Other

Kelly qualified as a mediator in 2007 and is currently a member of the Manchester TC Court Users' Committee.

Professional Experience & Recent Case Work

Employment Law Advisory Services Ltd v. Sindhar & Ors (2008)

Kelly Pennifer acted for the claimant in this case, concerning an employee who had deliberately frustrated and delayed the development of the claimant's HR software, and passed confidential information to the first defendant, who allegedly secured a market advantage as a result.

Indtherm Heating Solutions v. SNT Property Ltd & Ors (2007)

Kelly Pennifer was instructed by the first defendant in this case which centres on a building dispute.

Builders Supply Company (Kendal) Ltd v. West Cumbrian Fuels Ltd (2008 to date)

This dispute concerns alleged negligence/breach of contract by a fuel company which delivered a significant amount of diesel fuel to the wrong storage tank, resulting in damage and environmental contamination to the surrounding area.