

Simon Whitfield

Call 2009



Clerks' Details

Joe Mawson
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Appointments

- TECBAR Accredited Adjudicator
- UK Adjudicators panel member

Memberships

- The Northern Circuit
- The Northern Circuit Commercial Bar Association
- The Chancery Bar Association
- Technology and Construction Bar Association
- Technology and Construction Court Users Group Committee Member

Education

- BA (Law), Magdalene College, University of Cambridge, 1989
- (MA, 1991) Law Society Finals, Chester College of Law (1990)
- Hong Kong SAR PRC, Overseas Lawyers Qualification Examination (2003)

Commercial CV

Overview

Simon undertakes all aspects of commercial and chancery dispute resolution. He adopts a practical, pragmatic, commercial approach and has a wealth of experience in the following areas of practice:

- Complex commercial disputes
- Construction
- Sale of goods and services
- Applications for interim relief including urgent injunctions
- Professional negligence
- Banking, finance and factoring
- Property/trusts
- Local government and housing
- Mediation
- Early Neutral Evaluation

Recommendations

“He is approachable, knowledgeable, gives clear advice and makes himself available within a short period of time, which is very helpful.”

Chambers and Partners 2021

“He is good at cutting through the chaff and getting to the real points.”

“His approach is sensible while still being robust in protecting his client’s interests.”

Chambers and Partners 2020

“He is highly responsive to solicitors’ needs.”

“He is very user-friendly and has a good presence with clients.”

“He has lots of experience in various construction disputes.”

Chambers and Partners 2019

“Simon always makes himself available to his clients and is hard-working and outcome-focused.”

“He managed to digest an awful lot of information very quickly, which was really impressive.”

Chambers and Partners 2018

“Known for his expertise in complex contentious matters.”

Chambers and Partners 2017

“He has a wealth of knowledge and confidence with his approach to complex matters. He makes himself available and does his best to accommodate last minute instructions, which is very helpful when deadlines are received with little notice.”

The Legal 500 2021

“Particularly recommended for construction and business rate disputes.”

The Legal 500 2020

“Very experienced in construction and engineering disputes.”

The Legal 500 2018/19

“He has a sharp analytical mind.”

The Legal 500 2017

“Clients single out Simon Whitfield as being “knowledgeable”... “capable” and highly regarded for contentious work.”

The Legal 500 2016

Cases

COMMERCIAL DISPUTES

Simon is regularly instructed in complex commercial disputes. He takes a careful commercial approach, whilst remaining focussed on identifying the key legal issues.

His experience includes contractual disputes, breach of confidence and misuse of confidential information, sale of goods, agency, injunctive relief and subsequent committal applications, professional negligence claims and landlord and tenant disputes.

Acting for a hotel owner in a breach of contract dispute through to a 3 day trial.

Advising the claimants in a professional negligence claim against their accountants regarding a failure properly to advise about a tax mitigation scheme.

Acting for a commercial landlord defending a claim for unlawful eviction. Advising a Premier League football club in a commercial sponsorship dispute.

Acting for a finance company in a contested claim for the recovery of a Lamborghini car.

Successfully resisting an application for injunctive relief against a former employee who set up a competing business.

Appearing at the High Court in London on a 4 day trial arising out of an alleged breach of contract.

Obtaining injunctive relief for a well known theme park against ticket touts and the subsequent committal to prison of a tout for breach of the injunction.

Advising a Hong Kong based business in a dispute over the supply of goods to a UK company.

Advising a PLC utilities company on a land development dispute.

Acting for a Bank on a successful appeal against the refusal of summary judgment on its claim against a guarantor.

Acting for a Manchester Airport Group on a reported decision concerning relief from sanction under the Civil Procedure Rules – *Azure East Midlands v Manchester Airport Group Property Developments Limited* [2014] EWHC 1644 (TCC).

Advising a firm of solicitors on the meaning and interpretation of its Partnership Deed.

Succeeding at trial for a finance company on its claim against a customer under a factoring agreement.

Acting for a Bank on its claim for possession of a property where the defendants asserted unregistered interests.

Acting as a mediator in a lengthy dispute between neighbours, and reaching a settlement.

Appearing in numerous mediations, the vast majority of which were successfully concluded.

ALTERNATIVE DISPUTE RESOLUTION

Appearing before a privately appointed High Court Judge in an Early Neutral Evaluation arising out of a social housing PFI project.

Advising individual clients and appearing at the successful mediation of a dispute with a contractor engaged to rebuild their home.

Appearing at numerous joint settlement meetings for both Claimant and Defendant clients.