

Commercial Litigation Conference 2023

Wilberforce
CHAMBERS

4.0 CPD

Thursday 12th October

The Langham, 1c Portland Place, Regent Street, London W1B 1JA

Timetable

12.15pm	Registration and lunch	3.45pm	What now for the <i>Quincecare</i> duty? Duties for banks in light of the <i>Philipp v Barclays</i> decision Bobby Friedman and Tim Matthewson <ul style="list-style-type: none">• What has the Supreme Court held?• Where does this leave the <i>Quincecare</i> duty? What is its rationale and when does it apply?• Other ways for customers to seek redress from banks
1pm	Opening remarks from James Bailey KC	4.10pm	Break
1.05pm	Ducking reflective loss Daniel Lewis, Jack Watson and John Grocott-Barrett <ul style="list-style-type: none">• Why it matters• Recent developments• Outstanding questions	4.35pm	Passport orders James Bailey KC and James Goodwin <ul style="list-style-type: none">• When should you seek one?• What principles govern granting them?• What should you do with the order if you get one?
1.35pm	Shareholders at war Nikki Singla KC and Rachael Earle <ul style="list-style-type: none">• Unfairly prejudicial conduct and shareholder oppression• Valuation	5pm	The limits of the Norwich Pharmacal jurisdiction Thomas Grant KC and Jessica Brooke <ul style="list-style-type: none">• What relief can be obtained?• Does the duty of fair presentation apply?• A remedy of “last resort”?• The impact of the new gateway• Tactical considerations• The privilege against self-incrimination
2.05pm	Directors’ duties: trends and recent developments Sri Carmichael and Elizabeth Houghton <ul style="list-style-type: none">• Overview of where we are with directors’ duties• Summary of recent cases on directors’ duties, including the Supreme Court decision in <i>Sequana</i>• Discussion about the possible expansion of directors’ duties, e.g. in relation to ESG	5.25pm	The ‘Five-Minute Pitch’ Chaired by Max Mallin KC, with Alice Hawker, Jia Wei Lee, Theo Dixon and Ernest Leung
2.30pm	Break	5.55pm	Closing remarks from James Bailey KC
2.55pm	Money, money, money: the financial consequences of terminating a contract Joanne Wicks KC and Francesca Mitchell <ul style="list-style-type: none">• Contractual termination rights and loss of bargain damages• Recovering pre-payments after termination• The penalty kick: when is the rule engaged?	6pm	Drinks Reception
3.20pm	It’s my company and I’ll lie if I want to Stephen Brown and Tara Taylor <ul style="list-style-type: none">• Brief summary of the architecture of an SPA• When is a disclosure inadequate to prevent a successful claim?• When is notice of a claim insufficient?• When is a warranty not a warranty? Warranties as misrepresentations• Does an indemnity give rise to a debt when the indemnified event occurs?• The measurement of loss in a warranty claim	9pm	Carriages

£130 + VAT for in-person attendance
£50 + VAT for virtual attendance via Zoom

For further information, please email
seminars@wilberforce.co.uk

