

Emily Gailey

Call 2017

egailey@maitlandchambers.com



Emily is developing a broad commercial chancery practice, with an emphasis on commercial, contractual, company, insolvency and trust and estates disputes. She welcomes instructions in all of these areas, either as sole counsel or as part of a team.

Current and recent work includes:

- Appearing (as sole junior counsel, led by Christopher Parker QC) in the Court of Appeal for the successful appellant in the case of *Griffith v Gourgey* and others, concerning two unfair prejudice petitions.
- Appearing in the widely reported case of *Re Triumph Furniture Ltd*, concerning the appointment of administrators.
- Appearing for the successful beneficiary in the disposal hearing of a Part 8 claim concerning the proper construction of a will.
- Drafting pleadings in a wide range of commercial disputes, and advising on numerous interlocutory applications.

Emily's clerks would be happy to discuss the terms on which Emily will act. In the absence of express agreement in writing to the contrary, Emily accepts instructions on the basis of the Bar Standards Board's Standard Contractual Terms for the Supply of Legal Services By Barristers to Authorised Persons 2012 (updated for the GDPR in 2018).

Previous Experience

During the 2017-2018 legal year Emily worked as a judicial assistant to Lord Wilson, both as part of the United Kingdom Supreme Court and the Judicial Committee of the Privy Council. During this period she assisted with numerous cases including:

Morris-Garner and another v One Step (Support) Ltd [2018] UKSC 20 (leading case on Wrotham Park damages)

Rock Advertising Limited v MWB Business Exchange Centres Limited [2018] UKSC 24 (leading case on 'no oral modification' clauses)

Steel and another v NRAM Limited [2018] UKSC 13 (determining when a solicitor assumes responsibility towards the other side for a misrepresentation)

Whitlock and another v Moree (Bahamas) [2017] UKPC 44 (determining whether the beneficial interest in a deceased's joint bank account passed by survivorship)

In addition, between 2013 and 2017 Emily trained and practised as a solicitor at a leading private client law firm in London, specialising in commercial disputes and contentious trusts and estates matters.

She acted on a wide range of commercial, company and insolvency disputes (including unfair prejudice petitions and other corporate governance/shareholder issues). She also acted in numerous contentious trusts and probate matters, including claims contesting the validity of wills, applications for the removal of executors and trustees, and claims under the Inheritance (Provision for Family and Dependents) Act 1975.

Qualifications

Emily gained a first-class degree in Modern History from Lincoln College, Oxford. She subsequently completed the GDL and LPC (both with distinction) before commencing work as a solicitor.

In 2018 Emily achieved a distinction in the STEP Advanced Certificate in Trust Disputes, and was awarded a Worldwide Excellence Award for obtaining the highest mark globally.