

James Aldridge QC

Call 1994

Silk 2014

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James has practised at the Bar since 1995. His practice encompasses all major areas of Chancery and commercial litigation. He has a particular interest and experience in civil fraud (including injunctive relief and asset tracing), contractual disputes (including particularly share warranty claims, bespoke commercial contracts and security arrangements), professional negligence, real property, insolvency and the law relating to works of art (including disputes as to authenticity and as to ownership/restitution).

James is recommended in the *Chambers UK Directory* for Chancery Commercial and Art and Cultural Property Law.

James has considerable experience in litigation arising out of fraudulent or dishonest activity, whether that is asserting/refuting the fraud in an original trial, or seeking/resisting enforcement over its proceeds, or ancillary litigation such as claims against advisers or culpable directors, and actions against connected 3rd parties (for disclosure or for disgorgement of profits). Many of these have an international/offshore dimension to them and he is well-used to working with foreign lawyers. Cases include Barings, Zahoor v Masood (documents forged to support a false claim to shares), Weaving (claims against directors over the collapse of the Weaving Hedge Fund because of fraudulent disguising of losses), Al Sanea (multiple litigation and asset tracing/freezing arising out of the well-known collapse of Saad Investments), recovery by an investment fund against a firm of solicitors which had been the conduit (through a dishonest partner) into a Ponzi fund, Muduroglu (a case in fraudulent conspiracy over share transfers), acting on a dispute between two brothers over rights in an international jewellery partnership with allegations of misconduct and fraud (Campbell v Campbell), counterclaims of fraud against persons claiming to have the benefit of an exclusive agency with a well-known international media conglomerate, involvement in private proceedings seeking to identify assets of one of the most highly publicised frauds of recent years, claims to secure the former assets of the bankrupt footballer Bruce Grobelaar, acting for interested affected 3rd parties in the Dadaleh litigation, acting for a millionaire defrauded of millions by a lover, advising on a claim against a well-known business personality for a very significantly valued transaction defrauding creditors, acting in a claim in the UK to support enforcement action (on which he is also providing support) in the Bahamas, assisting on a claim in an offshore jurisdiction to set aside a transaction on various grounds including fraud, as well as others which are too numerous (or too sensitive) to mention. He also has experience of enforcement action for the proceeds of crime.

He also specialises in non-fraudulent commercial disputes, usually relating to contracts, but often with a complicating factor such as insolvency or a property angle. He has a particular expertise in claims under share sale and purchase agreements, especially (but not exclusively) for breach of warranty. All such claims are very often the subject of arbitration or expert determination clauses, in both of which James has extensive experience. Cases include the recently reported case of *Zayo* (dealing with service and notification clauses in SPAs), an arbitration over the effect of a multi-billion dollar contract made in Russia which one party was seeking to say was, effectively, of no effect, an arbitration over the sale of a retail chain in Russia involving multiple issues from share price adjustments to breaches of warranty, an adjudication and subsequent challenge over facilities management at a major UK hospital, a cross border dispute over the enforceability (for duress) of documents signed in Saudi Arabia, a dispute under an SPA over the sale of an aircraft part manufacturing business, a dispute under an

SPA for the sale of a waste recycling business, a purely written arbitration over the alleged sale of a share in a multi-million dollar business in Dubai and a claim that interest did not run on a debt because payment had been tendered (*Spring Capital*).

James also acts in real property cases, again often (but not solely) where there is cross-over with other areas, such as insolvency, fraud, unfair prejudice, or professional negligence behind the scenes. He was involved in the long-running *Sargeant v Macepark* litigation. He has advised and acted in cases involving proprietary estoppel (following his involvement in the seminal *Gillet v Holt* (CA)), forfeiture, rent review, consent to alterations/sub-letting (e.g. *Redevco Properties v Mount Cook*), efficacy of notices to complete, collateral oral contracts, coal subsidence, dilapidations, disclaimer, rent alterations under CVAs, challenges to continuation of Administrations by landlords and many more.

He also has extensive experience of professional negligence disputes, since his early involvement in the *Barings* litigation. He has acted for/against solicitors, accountants (e.g. *Slattery v Moore Stephens*), auctioneers (e.g. *Avrora v Christies*), valuers and others.

James is also often involved in insolvencies, usually in the context of an insolvency regime being in place or in the offing. His role is not only to assist in recovering (or defending) assets which have gone missing (see above), but also in other related aspects such as claims against directors for breach of duty or impeachable transactions, challenges to the decisions of IPs, and challenges to CVAs. He has also acted (and acts) regularly in unfair prejudice claims.

Finally James has a special interest in the law relating to art, and has acted on issues of authenticity (including over a Titian or, as in the *Avrora* case, a painting supposedly by Boris Kustodiev), auctioneering practice/negligence, ownership (including interpleader cases), and fraud/theft (most recently acting in the well-publicised case of Timothy Sammons, the art dealer)

James wishes to stress his particular skill in (and enjoyment of) cross-examination of witnesses, especially experts. He has significant experience of cross-examination, especially hostile cross-examination of alleged fraudsters, and of expert witnesses (from accountants on accounting standards, through valuers and surveyors, to the rather more rarefied such as art experts (connoisseurs, historians, pigment and x-ray analysts), planning advisers, landfill construction experts and specialists in sewage treatment plants). He particularly enjoys issues relating to the valuation of shares in companies, of which he has considerable experience, but also relishes getting up to speed in a particular discipline so as to be able to challenge an opposing expert effectively.

James acts for a number of high profile clients and many large organisations in cases which have reached conclusions without the need for a trial; an outcome which is often that most desired by such clients. He also acts in numerous arbitrations and adjudications.

The clerks are happy to discuss the basis on which James will act in any given matter. In the absence of express written agreement otherwise, the terms under which James accepts instructions are The Standard Contractual Terms for the Supply of Legal Services By Barristers to Authorised Persons 2012 (as updated from time to time) referred to in the BSB Handbook.

Notable Cases

Campbell v Campbell (2018)

Zayo Group v Ainger (2017)

Muduroglu v Reddish (2015)

Iain Laurie Shearer & Ors v Spring Capital Ltd & Ors (2013)

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Avrora Fine Arts Investment Ltd v Christie, Manson & Woods Ltd (2012)

Weaving Capital (UK) Ltd (In Liquidation) v ULF Magnus Michael Peterson & 9 Ors (2012)

Al Sanea v Saad Investments Co Ltd (2012)

Philip William Howard v John Philip Howard-Lawson (2012)

Christie, Manson & Woods Ltd v Aurora Fine Arts Investments Ltd (2012)

Saad Investments Co Ltd (In Liquidation) v Maan Abdulwahed Abdulmajeed Al-Sanea (2011)

Philip William Howard v John Howard-Lawson (2011)

Mohammad Zahoor v Sohail Masood (2009)

South East Asia Metal v Zahoor (2008)

Jirehouse Capital v Beller (2008)

Sainsbury's Supermarkets Ltd v Olympia Homes Ltd & Ors (2005)

Michael Slattery v Moore Stephens (A Firm) (2003)

John Patrick McGowan v Michael Chadwick (2002)

Redevco Properties v Mount Cook Land Ltd (2002)

Lionel Goldstein v Ronald Conley (2001)

Barings PLC (In Liquidation) & anor v Coopers & Lybrand (A Firm) & ors (2001)

Gillett v Holt & Anor

Qualifications

MA (Cantab)

Recommendations

Chambers UK

Chancery: Commercial

"He is a very user-friendly, immensely hard-working and an intelligent advocate. He really gets under the skin of his cases." "He is very sensible and always on top of the detail." (2021)

"He has a very effective manner with the court." (2020)

"Very resilient and dedicated, he isn't someone who will give up a position lightly. He is definitely someone to go to if you want someone to stick their chin out and take difficult positions." (2019)

"Measured, on the ball and good with clients, he commands and takes control of a situation. His written work is concise and to the point." (2019)

"Expresses himself very clearly, distils the argument down to the basic points, and is very good at dealing with questions from the Bench." "He is smooth in his delivery and has the ear of the judges." (2018)

"A superb advocate who is a nice, clever man. When handling cases he deals with moving goal posts well." (2017)

"He is an understated but engaging advocate who really does his research." (2014)

"Impresses with his handling of technical matters and his superior client-facing skills." "Intellectually able" and "incredibly hard-working," (2013)

"Very hard-working and dogged - a real terrier for his client."(2012)

"Remains phenomenally busy after gaining the trust of many instructing solicitors who appreciate his "hard-working manner" and "hasty return of opinions even when he is stretched for time." (2011)

"Considered a "strong lateral thinker," James Aldridge has a practice that is focused on commercial property, specifically with regard to development issues, possessions and breaches of contract." (2010)

Chambers UK

Art and Cultural Property Law

"A charming and quick-footed opponent, who is very diligent." "He is well liked by clients." (2020)

"A very commercial lawyer who brings strong strategic perspective to a case. He thinks laterally and comes up with innovative solutions." (2019)

"A very fair and decent opponent who's a very sound practitioner." (2018)

"He's commercial and very user-friendly." "He's absolutely brilliant." (2017)

Chambers UK

Real Estate Litigation

"Is "a star of the future," according to observers. He has a special interest in contractual disputes, professional negligence and insolvency-related cases. "Very personable, analytical and bright, he is a good, thoughtful advocate.""(2011)

Chambers Global

Dispute Resolution: Commercial Chancery

"He is an understated but engaging advocate who really does his research." (2014)

"Very hard-working and dogged – a real terrier for his client." (2012)

Chambers 100 UK

"A consummate chancery commercial junior." (2013)

"A great cross-examiner who can completely crush the other side's witnesses." (2013)

Legal Experts

Recommended for Fraud (asset recovery) (2012)

Legal 500 UK

Commercial Litigation

"Very easy to work with; bright, and commercial in his advice." (2014)

"Stands out as one to watch amongst the senior juniors." (2013)

"An excellent trial lawyer with persuasive advocacy skills and excellent cross-examination technique." (2012)

"Hard work and empathy with the client's position." (2011)

Legal 500 UK

Property

"A top-notch Chancery barrister with a strong grounding in property litigation." (2014)