MAITLAND

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JOSEPH BUNTING

CALL: 2019
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OVERVIEW

Joseph joined Maitland in September 2020, and enjoys a busy commercial chancery practice, frequently acting in civil fraud, insolvency, property, and commercial disputes.

He appears regularly in both the County Court and High Court, and has experience handling all stages of a dispute, from pre-action through to appeal and enforcement. In addition to led and unled work, he has experience of acting as part of a wider counsel team dealing with high value claims and was seconded to a leading American law firm in London. Examples of his recent work include ***Re Bitumina Industries Ltd*** [2022] EWHC 2578 (Ch) (an insolvency case concerning the creation and enforceability of floating charges); ***Macey v Pizza Express (Restaurants) Ltd*** [2021] EWHC 2847(Ch), [2022] L. & T.R. 6 (an appeal relating to business tenancy renewal); ***Pickle Properties Ltd v Plant*** [2021] UKPC 6 (BVI) (a Privy Council appeal relating to guarantees and the effect of delay on the safety of a judgment); ongoing High Court litigation about errant fiduciaries; and, successfully obtaining or opposing urgent interim injunctions in the High Court (including out of hours).

Joseph read law at Magdalen College (University of Oxford) where he took a double-first (along with subject prizes and a Scholarship). He then went straight onto the BPTC (as a Lord Denning Scholar of Lincoln's Inn), followed immediately by pupillage, becoming a tenant at Maitland aged 23. Alongside his first year of practice, he returned as a Lecturer to Magdalen College (University of Oxford) to teach the Law of Torts. Outside of practice he maintains a keen interest in legal history, and is a member of the Selden Society for the promotion of English Legal history.

EXPERTISE

COMMERCIAL LITIGATION & ARBITRATION

Joseph regularly acts in a range of commercial disputes in the County Court and High Court (led, unled, and as part of a wider counsel team), even appearing in an appeal before the Privy Council. He frequently advises in respect of high value disputes, especially where these involve a property, insolvency, or civil fraud aspects.

CIVIL FRAUD

Joseph regularly acts and advises in civil fraud disputes. He has particular experience in dealing with the taking and fashioning of accounts of profits (and other equitable remedies against errant fiduciaries), and was part of the counsel team dealing with litigation in respect of an account of profit with a value of around $100 million. He is presently acting as junior counsel in fiduciary dispute worth c.£10 million. He is frequently instructed both to advise and to act in claims concerning breaches of fiduciary duty, ***"Hurstanger"*** claims, and civil bribery.

INSOLVENCY & ASSET RECOVERY

Joseph enjoys a busy insolvency practice, and appears regularly in the High Court. He has particular experience advising and acting in urgent, without notice, or out of hours injunction applications. He also frequently advises administrators and other office holders on issues arising in the course of corporate insolvency, particularly in relation to vulnerable transactions.

An example of his recent work is ***Re Bitumina Industries Ltd*** [2022] EWHC 2578 (Ch). Led by **Olivier Kalfon**, Joseph acted for the Joint Administrators of the Company. The case concerned the creation of a floating charge, and its enforceability under Section 245 of the Insolvency Act 1986, which entailed a route and branch consideration of Section 245, its effect, construction, and interaction with older authorities arising under predecessor statutes. The Judge (at [36] and [122]) praised the quality their submissions and ***"closely-reasoned analysis"***.

REAL ESTATE

Joseph has a keen interest in land law, and came top in year at Oxford in the subject. He regularly acts and advises in possession disputes (mortgage, residential, and commercial), appearing (led by **Richard Fowler**) in ***Macey v Pizza Express (Restaurants) Ltd*** [2021] EWHC 2847(Ch), [2022] L. & T.R. 6 (an appeal relating to business tenancy renewal, and the nature of the intention a landlord must prove under Section 30(1)(g) of the

Landlord and Tenant Act 1954). He has successfully appeared in the High Court defending mortgagees against applications and claims seeking to challenge their security or its enforcement.

MEMBERSHIPS

- Chancery Bar Association
- COMBAR

AWARDS

Lord Denning Scholarship, Lincoln's Inn (2018)

Demyship (academic scholarship), Magdalen College, Oxford (2016 - 2018)

Falcon Chambers Prize for Land Law, University of Oxford (2018)

Slaughter and May Prize in Legal History, University of Oxford (2018)

20 Essex Street Prize for Law Moderations, Magdalen College (2015)

QUALIFICATIONS

- BA (Jurisprudence)(Oxon): First Class – University of Oxford (2018)

NOTABLE CASES