MAITLAND

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TIMOTHY EVANS

CALL: 1979

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OVERVIEW

Tim spent his first ten years of practice specialising in traditional Chancery fields, principally capital taxes, trusts and contentious probate. He joined Maitland Chambers in the early 1990's.

Tim's practice now centres on disputes over family money, typically in the context of wills and trusts disputes, proprietary estoppel claims, shareholder and other commercial disputes, insolvency, partnership disputes and associated professional negligence claims.

As a senior junior, his considerable experience equips him to assimilate complex material and identify the key issues with speed. He is commonly instructed to work with another junior, providing experienced advice and advocacy skills.

While Tim will generally encourage all such disputes to be settled without the need for a full-blown trial, he is an accomplished litigator. Examples of the sorts of dispute in which he is commonly instructed, and which did go to trial, are to be found in ***Yusuf v Yusuf*** at [2019] EWHC 90 (Ch) and ***McDonald v Rose*** at [2018] EWHC 445 (Ch) and [2019] 1 WLR 2828 (Court of Appeal).

QUALIFICATIONS

- MA (Oxon)

EXPERTISE

MEDIATION

The pressure continues to grow on parties to settle their disputes without incurring the time, expense and stress of taking them to a tribunal or a court.

As well as practising as an adviser and litigator, Tim is a certified Mediator, and offers a mediation service designed to identify the issues that really matter and to use the process to help the parties find practical solutions to their differences.

While Tim welcomes the opportunity to mediate almost any kind of dispute (other than in the specialist fields of matrimonial and employment disputes), his focus is on disputes over family money (whether or not held within corporate vehicles), which is the subject of his special expertise

INSOLVENCY & ASSET RECOVERY

Tim acts and advises in personal as well as corporate insolvencies, including insolvent partnerships and insolvent deceased person's estates. All aspects of asset tracing and priorities.

COMPANY & PARTNERSHIP

Tim has extensive experience in advising on practical solutions to shareholder disputes in private companies.

PRIVATE CLIENT

- Contentious probate:

Tim acts and advises personal representatives, beneficiaries, and disappointed family members, including Inheritance Actwork.

- Contentious trusts:

In particular, disputes with offshore trustees, involving disclosure, professional negligence, asset tracing and fraud.

CHARITIES

Tim has wide experience in dealing with the Charity Commission at all levels. His extensive work with the Trustees of the Borough Market resulted in the Commission accepting that the Market is a charity and has contributed to the subsequent revitalisation of the Market in recent years.

PROFESSIONAL NEGLIGENCE

Principally arising out of probate matters, including complaints about negligent inheritance tax advice.

DISCIPLINARY TRIBUNALS

Principally the SDT, although some work in other professional disciplinary tribunals.

NOTABLE CASES

- *(1) John Anthony Popely (2) Andrew Popely v (1) Ronald Anthony Popely (2) Cosmos Trust Ltd (3) Casterbidge Properties Ltd (2019)*
- *Sueda Yusuf (Claimant) v (1) Tanju Yusuf (2) Pekalp Properties Ltd (Defendants/Part 20 Claimants) & Ors (2019)*
- *Gary Joseph McDonald v Michelle Rose & 8 Ors (2019)*
- *(1) John Anthony Popely (2) Andrew Popely v (1) Ronald Albert Popely (2) Cosmos Trust Ltd (3) Casterbridge Properties Ltd (2018)*
- *D Ltd v A & Ors (2017)*
- *Jonathan Smyth v St Andrew's Insurance Plc (2012)*
- *Nedim Ailyan & Mark Fry (Trustees In Bankruptcy Of Kevin Foster) v Lee Smith & Ors (2010)*
- *Philip Norman McCall v Revenue & Customs Commissioners (2008)*
- *Grace Ellen Carr & Ors v Jacqueline Isard & Ors (2006)*
- *Hill (As Trustee In Bankruptcy Of Nurkowski) v Spread Trustee Company Ltd & Anor (2006)*
- *Richard John Hill v Spread Trustee Company & Ors (2005)*