



James Goodwin

Call: 2013

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Clerks' Details

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Qualifications and Appointments

- MA in Law, University of Cambridge, graded First (1st in University)
- LLM, University of Cambridge, graded First (1st in University)
- Awarded a number of University and college prizes, including the Chancellor's Medal for English Law and Tapp Scholarship
- Taught contract law at several colleges in the University of Cambridge
- Bedingfield Scholar of Gray's Inn

Publications

'[AIB v Redler](#)' (2014)
Wilberforce Legal Digest (Issue 1) March 2015

'Where there's a will there's a way: *Marley v Rawlings*' [2015]
Modern Law Review 140-150

'Purpose Trusts: Doctrine Policy' [2013] *King's Law Journal* 102-110

'Reflexive Effect and the Bursells Regulation' [2013]
Law Quarterly Review 317-320

'A Remotely Interesting Case' [2013] *Law Quarterly Review* 485-488

'Failure of Basis in the Contractual Context' [2013]
Restitution Law Review 24-45

'Secret Profits, Opportunities, and Constructive Trusts' [2013]
Restitution Law Review 85-92
(with Edward Granger)

'The last Defence of *Wednesbury*' [2012] *Public Law* 445-467

'Contract, Unjust Enrichment, and Risk' [2012] *Law Quarterly Review* 503-507

Practice Overview

James has a very busy and diverse commercial chancery practice. He regularly appears in the High Court and the County Court, both as sole counsel and as a junior. His principal practice areas are:

- Commercial litigation (including civil fraud)
- Pensions
- Trusts (both offshore and onshore), wills and probate
- Property
- Professional negligence

Recent notable instructions include:

- *Al-Dowaisan v Al-Salam*. James (led by Nikki Singla QC) acted for the Claimants in a wide-ranging commercial dispute. The judgment contains important guidance on fiduciary duties, the duty to account, and the defence of illegality in the context of tax evasion. See [2019] EWHC 301 (Ch).
- *Meridian v Batista*: James acts (led by Graeme Halkerston) for the successful applicant in the Cayman Islands, obtaining a Worldwide Freezing Order against the Brazilian oil magnate and sometime 7th richest man in the world, Eike Batista. The case makes new law in respect of the circumstances in which a court will grant WFOs against non-residents and in support of 'treble damages' claims.
- *Deutsche Bank v SHI and Vik; SHI v Sarek et al*: James acts (led by Tim Penny QC) for Receivers appointed over assets of a Turks and Caicos Islands company previously controlled by Alexander Vik. James has appeared as sole counsel in the English High Court, and has acted in litigation in England, Guernsey, and the TCI. See e.g. [2017] EWHC 3265 (Comm)
- The Pensions Regulator: James regularly acts both for TPR and for Targets in respect of regulatory action brought by the Regulator. The nature of such projects is often confidential, but James has significant experience of the Regulator's powers to impose Financial Support Directions and under s. 231 of the Pensions Act 2004.



Memberships

- APL associate membership
- Chancery Bar Association

Commercial

James undertakes a variety of commercial work, both in his own right and as part of a larger team.

Recent instructions include:

- *Al-Dowaisan v Al-Salam*. James (led by Nikki Singla QC) acted for the Claimants in a wide-ranging commercial dispute. The judgment contains important guidance on fiduciary duties, the duty to account, and the defence of illegality in the context of tax evasion. See [2019] EWHC 301 (Ch).
- *Meridian v Batista*: James acts (led by Graeme Halkerston) for the successful applicant in the Cayman Islands, obtaining a Worldwide Freezing Order against the Brazilian oil magnate and sometime 7th richest man in the world, Eike Batista. The case makes new law in respect of the circumstances in which a court will grant WFOs against non-residents and in support of 'treble damages' claims.
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- *Thomas v Frogmore Real Estate Partners GP1 Ltd* [2017] EWHC 25 (Ch): James acted, led by Marcia Shekerdemian QC, in an application to set aside an administration order on grounds of improper purpose and COMI.
- Acting, led by Marcia Shekerdemian QC, in an application to set aside an administration order on grounds of improper purpose and COMI: *Thomas v Frogmore Real Estate Partners GP1 Ltd* [2017] EWHC 25 (Ch)
- Acting in a major commercial breach of contract case against a major bank in respect of the sale of a portfolio of non-performing loans
- Acting (led by Martin Hutchings QC) for a defendant property developer in respect of a large dispute over architectural services
- Acting as sole counsel for a defendant forex broker in relation to a substantial claim for unlawful commissions and trading losses
- Advising (alongside Harris Bor) in a large claim brought by a Kuwaiti investor for losses in respect of property developments in various jurisdictions
- Acting, as part of a large team, in litigation brought by a US investor concerning losses in investment companies in Eastern Europe

James also has extensive experience of acting as sole counsel in significant contractual disputes, the subject matter of which has ranged from the international sale of car polish products to the provision of consultancy services for anaerobic digestion plants.