



## 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

*“Extremely effective and an advocate who is able to hold his own against silks”*

The Legal 500 2022

### Publications

Contributing author, **Kerr & Hunter on Receivership & Administration (21st Edition)**

**'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 Brussels 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)

### Practice Overview

James is a commercial and chancery specialist. He is ranked in The Legal 500 as a 'Rising Star' (Tier 1) in Private Client: Trusts and Probate, being described as *"extremely effective and an advocate who is able to hold his own against silks"* with *"fantastic written advocacy"* (2022) and *"very intelligent, commercial and sensible"* with *"meticulous attention to detail"* and *"very good with clients"*. James' principal practice areas are:

- Commercial litigation (in particular civil fraud)
- Trusts (offshore and onshore)
- Property
- Insolvency
- Pensions
- Professional negligence

In the UK, James regularly appears in the High Court, the County Court and before arbitral tribunals, both as sole counsel and as part of a larger team. Much of James' work has an international element. In recent years, James' instructions have involved cases in Cayman, The Bahamas, BVI, Nevis, TCI, Guernsey, Liechtenstein, and Malta.

#### Recent notable instructions include:

- *Z Trust* litigation. James acts (led by Emma Jordan) for the former trustee of a Jersey trust. The matter was heard before a 7-member panel of the Judicial Committee of the Privy Council in June 2021 to determine the status of a trustee's equitable lien and its priority in circumstances where the trust is 'insolvent'.
- Ad Hoc Arbitration. James acts (led by [John Martin QC](#) and [Fenner Moeran QC](#)) for the claimant beneficiary in a multi-billion dollar trusts dispute, concerning a contested distribution of the entirety of the trust assets to the settlor-beneficiary. The proceedings raise issues of rectification, mistake, breach of trust, dishonest assistance and unconscionable receipt.
- *Eva Green v White Lantern*. James acts (led by [Max Mallin QC](#)) for White Lantern in a dispute between film star Eva Green and a production company in respect of the termination of a sci-fi thriller.



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## Publications continued

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

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

## Memberships

- Chancery Bar Association
- Commercial Fraud Lawyers Association
- The Commercial Bar Association (COMBAR) membership
- Property Bar Association
- Association of Pension Lawyers (associate member)

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## Practice Overview continued

- *Lim and others v Ong and others*. James acts (led by [James Bailey QC](#)) for the claimants in a wide-ranging commercial fraud proceedings. In support of their claims, the claimants applied for and obtained ex parte freezing and quia timet injunctions.
- *Morina and others v Scherbakova and others*. James (led by Giles Richardson) acts for the widow of a deceased Russian businessman in high value international probate litigation and related proceedings concerning the ownership of shares in a BVI company.
- *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 acted (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.

## Commercial

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

### Recent instructions include:

- *Eva Green v White Lantern*. James acts (led by [Max Mallin QC](#)) for White Lantern in a dispute between film star Eva Green and a production company in respect of the termination of a sci-fi thriller.
- *Lim and others v Ong and others*. James acts (led by [James Bailey QC](#)) for the claimants in a wide-ranging commercial fraud proceedings. In support of their claims, the claimants applied for and obtained ex parte freezing and quia timet injunctions.
- *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).
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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.



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## Commercial continued

- 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

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.