



## Caspar Bartscherer

Call: 2019

cbartscherer@wilberforce.co.uk

### Clerks' Details

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### Qualifications and Appointments

- LLB, University College London (2014, First, placed second in cohort)
- BCL, The Queen's College, Oxford (2015, Distinction)
- PhD Law and Legal Theory, University College London (2020)
- BPTC, BPP (2019, Outstanding)
- Dean's List, UCL Faculty of Laws (2014)
- Herbert Hart Prize in Jurisprudence and Political Theory, Oxford Faculty of Law (2015)
- LAHP Doctoral Scholarship, Arts and Humanities Research Council (2015-2018)
- Lord Mansfield Scholarship, Lincoln's Inn (2019)

### Publications

- Bartscherer C, 'Two Steps Forward, One Step Back: *One Step (Support) LTD v Morris-Garner and Another*' (2019) 82 *The Modern Law Review* 367

### Practice Overview

Caspar joined Chambers in 2020 upon successful completion of his pupillage. Caspar accepts instructions in all of Chambers' main practice areas and is equally comfortable being instructed in his own right or as part of a larger team.

#### Recent and ongoing work includes:

- Acting for the applicant/plaintiff in civil fraud proceedings in *Raiffeisen v Scully Royalty* in the Grand Court of the Cayman Islands, claiming over €40m under the Cayman Fraudulent Dispositions Law and in conspiracy (with Tim Penny QC and Jamie Holmes). This includes two separate interlocutory appeals to the Cayman Islands Court of Appeal this term.
- Acting for the defendants in a cross-border commercial dispute (with Tim Penny QC). This includes serious allegations of breach of fiduciary duty, related proceedings in another jurisdiction and pleading extensive provisions of foreign law.
- Acting for the defendants in a £50m fraud claim in the Commercial Court (with Bobby Friedman).
- Advising the trustee of a substantial offshore settlement in relation to attacks on the trust made in the context of a multi-jurisdictional dispute (with Jonathan Hilliard QC and Jack Watson).
- Advising in a contentious pensions matter (with Jonathan Hilliard QC).
- Acting for the claimant in a joint venture dispute (with Jack Watson).
- Acting for the claimants in Part 8 proceedings in the Chancery Division seeking rectification of a transfer of freehold land. This has included a successful application to dispense with service of documents on an untraceable Defendant.
- Successfully obtaining strike out of a claim alleging deceit, dishonest breach of fiduciary duty and conspiracy. The claim related to the sale of residential property in the UAE and involved questions of jurisdiction, and choice of law.
- Successfully obtaining a possession order over woodland occupied by squatters, including an order against persons unknown.
- Successfully resisting an overly broad application for specific disclosure.



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## Practice Overview *continued*

- Acting for the applicant freeholder in proceedings in the First-Tier Tribunal, Property Chamber.
- Advising investors in a failed hotel investment scheme regarding potential challenges to decisions made by the insolvency officeholders in charge of the freehold and management companies.
- Advising both claimants and defendants in professional negligence claims
- (As a pupil) assisted Joanne Wicks QC and Jonathan Chew in obtaining summary judgment in a dispute concerning a £100 million property sale.
- (As a pupil) gained experience of numerous aspects of pension law, including accrued rights, equalisation, the amendment of scheme rules, employer debt and protected persons legislation.
- (As a pupil) assisted in the early stages of a substantial professional negligence claim, which included allegations of intentional breach of fiduciary duty and arose out of unsuccessful commercial litigation.
- (As a pupil) assisted Jonathan Chew in obtaining Part 8 relief for executors seeking to be appointed directors of a company.
- (As a pupil) gained experience of various aspects of property law, including landlord and tenant disputes, development disputes, contracts for sale, and mortgage enforcement.
- (As a pupil) assisted Thomas Robinson in a successful application to put a £25 million group of investment companies into administration, followed by a successful application for a world-wide freezing injunction against its founder.

Prior to joining Chambers, Caspar obtained a PhD on the subject of primary and secondary rights in private law under the supervision of Professor Charles Mitchell at UCL. Caspar's PhD was funded by an LAHP Doctoral Scholarship from the Arts and Humanities Research Council. Caspar also taught and examined undergraduate tutorials in land law and trusts at LSE and UCL during this time.

Caspar completed his undergraduate studies at UCL, graduating with first class honours and on the Dean's List for academic excellence in 2014. Caspar then obtained a BCL from the Queen's College, Oxford, graduating with a distinction and winning the Herbert Hart Prize for Jurisprudence. He is also a Lord Mansfield Scholar of Lincoln's Inn.

Caspar is also a native German speaker.