



## Jennifer Seaman

Call: 2007

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### Clerks' Details

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### Qualifications and Appointments

- TEP (STEP)
- Attorney General's B Panel
- BCL - University of Oxford, New College
- Jurisprudence, MA (Hons.) - University of Oxford, New College
- New College Law Scholar
- Walter Wigglesworth Scholarship and Hardwicke Entrance Award, Lincoln's Inn

*“Jennifer is simply excellent. Very thorough, approachable and has excellent technical knowledge.”*

The Legal 500, 2022

## Memberships

- Association of Pension Lawyers
- Chancery Bar Association
- COMBAR
- STEP Full Member
- Association of Contentious Trust and Probate Specialists (ACTAPS)

## Publications

- Tolley's Pensions Law chapter on Dispute Resolution and Pension Scheme Litigation
- The remedy of equitable compensation following *Auden McKenzie (Pharma Division) Limited v Amit Patel*, STEP/TQR (2020)

## Practice Overview

Jennifer practices in chancery and commercial litigation, with an emphasis on pensions, trusts, probate and estates, and professional negligence litigation.

For several years, Jennifer has been recommended as a Leading Junior in the field of Pensions in Chambers & Partners and in The Legal 500. She has been described in the 2022 editions as:

*“Simply excellent. Very thorough, approachable and has excellent technical knowledge.”*

In previous years she has been described by the directories as: *“extremely assiduous and considered, very thorough, careful and creative”* (2021), *“extremely bright, takes care to absorb the detail of the case and is proactive and very reliable. Also diligent, hardworking and able to work well with counsel from other sets.”* (2021), *“bright, responsive and human”* (2020), *“very experienced and a delight to work with”* (2020), a *“well-balanced junior who forms a clear opinion and communicates it clearly”* (2019), *“an absolute pleasure to deal with, extremely intelligent, self-assured, quietly confident and firm in her views”* (2018) and *“absolutely fabulous. She has the ear of the judge when she speaks.”* (2017).

Jennifer is appointed to the Attorney General's B Panel. Through this appointment, she advises a number of government departments and agencies (including the Ministry of Justice, the Ministry of Defence, the Home Office and the Department of Work and Pensions) on issues concerning trusts, pensions and commercial litigation.

Jennifer was instructed on two high-profile Supreme Court cases: *Futter v HMRC* [2013] UKSC 26 (heard with *Pitt v Holt*, on the 'rule in *Re Hastings-Bass*', trustee powers and mistaken dispositions) and *Benedetti v Sawiris* [2013] UKSC 50 (restitution and quantum meruit awards).



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## Publications continued

- Guernsey's recent controversial decision on the so-called 'rule in *Hastings-Bass*': *M v St Anne's Trustees Limited*, *Trusts & Trustees* (2018)
- *Shannan & Others v Viaui Solutions UK Limited & Others* [2016] EWHC 1530 (Ch), [2016] Pens LR 193, *Trusts & Trustees* (2017)
- The 'best interests' principle and seeking the Court's blessing: *Merchant Navy Ratings Pension Fund Trustees Ltd v Stena Line Ltd*, *Trusts & Trustees* (2016)
- Commonplace mistakes in drafting wills and trusts and what can be done to resolve them, *Trusts & Trustees* (2015)
- An Exercise in Good Citizenship? on the *Pitt v Holt* and *Futter v Futter* decisions, *TQR* (2013) (co-author)

## Commercial

Jennifer's practice includes areas of general commercial and commercial chancery litigation, such as contractual disputes and commercial fraud.

Jennifer has a particular interest in cases involving restitution / unjust enrichment. She was in the landmark Supreme Court case of *Benedetti v Sawiris* [2013] UKSC 50, which concerned issues of restitution and the valuation of a quantum meruit award.

### Notable cases:

- *Caribonum Pension Trustee Ltd v Pelikan Hardcopy Production AG* [2019] 6 WLUK 362: Acted with Richard Hitchcock QC for Pelikan in a case concerning whether a pension trustee was entitled to summary judgment on a deed of guarantee given by Pelikan. The matter involved issues of construction and questions of Swiss law.
- *Cross-Border Merger Project* (2018): Acted for the trustees of a pension scheme alongside Andrew Spink QC and Ceri Bryant QC in a matter involving the Companies (Cross-Border Mergers) Regulations 2007.
- *Benedetti v Sawiris* [2013] UKSC 50 Acted, with Mark Howard QC and Andrew Twigger QC, for Mr Benedetti in his appeal to the Supreme Court, which concerned issues of restitution and the valuation of a quantum meruit award.
- *Arab Banking Corporation & ABC Islamic Bank v Ahmad Hamad Algosaibi & Brothers (AHAB)* (2011) Acted with Andrew Twigger QC on behalf of ABC and ABCIB banks to recover a sum in excess of US\$100 million from AHAB, a partnership based in Saudi Arabia. The case was set to be one of the largest cases before the Commercial Court in 2011, but ended on the 4th day of trial after AHAB admitted contractual liability.