

XXIV

OLD BUILDINGS

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Steven Reed

Call: 2005

He's very good in court and very smooth - great with clients. He's creative in his thinking and always has a good strategy in mind.

Chambers & Partners 2021



Steven is a specialist commercial barrister with a substantial, heavyweight litigation and arbitration practice in company, civil fraud, media, sport and insolvency disputes. He regularly appears in the Business and Property Courts and has extensive experience dealing with everything from procedural and interim applications, including freezing injunctions, search and seize orders, interim injunctions, strike outs and disclosure issues, to multi-day trials.

Steven is an effective advocate in court and is in demand for litigation. Ranked in Chambers and Partners client's comment *"Steven excels in oral advocacy, making his points firmly and succinctly. His advice is tailored to maximise the chances of success at hearings"*, he is valued for his collaborative approach *"He is great to work with and clients love him"*.

Expertise

Commercial Litigation

Steven is a specialist commercial barrister and as such his experience is extensive. A selection of his commercial experience includes:

- **Starting Point Recruitment Ltd v Walsall Metropolitan Borough Council [2024] EWHC 982 (Comm):** Counsel for the claimant in a multi-million-pound claim against Walsall Council for breach of contract by causing temporary workers supplied by the claimant to be supplied by another provider.
- **Betta Oceanway Company v SC Tomini Trading SRL [2024] EWHC 1736 (Comm):** Counsel for the claimant in a complex, multi-jurisdictional contract dispute worth in the region of USD \$50million arising from scrap metal shipping contracts. The Court rejected an application of a minority shareholder of the defendant to be joined to the proceedings as an "intervenor" or as a party to enable allegations of fraud and illegality to be advanced against the claimant.
- **Ebury Partners Belgium NV/SA v Grossiste Francochine SARL [2023] EWHC 3396 (Comm); [2024] I.L.Pr. 14:** Counsel for the claimant in successfully obtaining an anti-suit injunction restraining proceedings in France brought by the defendant that was seeking to nullify its contract, which was governed by English law and contained an exclusive jurisdiction clause in favour of the English courts.
- **Management Information Centre Limited v Royal Berkshire NHS Foundation Trust [2023] EWHC 3497 (Ch):** Counsel

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for the defendant in a claim brought in respect of an alleged breach of a framework agreement for the provision of IT services alleged to have arisen either orally or by implication and was subject to an implied obligation of good faith.

- **Betta Oceanway Company v SC Tomini Trading SRL [2023] EWHC 2707 (Comm):** Counsel for the claimant in a challenge made pursuant to section 68 Arbitration Act 1996 of an arbitration award.
- **Zymurgorium Ltd v Hammonds of Knutsford Plc [2023] EWCA Civ 52:** Counsel for the respondent successfully opposing an appeal of a decision following trial that there was no overarching master wholesale agreement, that there could be variation of an existing contract arising from an assumed state of affairs where there is otherwise no evidence of an intention to vary the contract and that the alleged agreement was not 'relational'.
- **Zymurgorium Ltd v Hammonds of Knutsford Plc [2021] EWHC 2295 (Ch):** Counsel for the claimant in a 9-day liability trial concerning a claim for breach of an alleged overarching master agreement in the sum of £4.8m. The trial considered the existence of an overarching agreement, whether there could be implied variation of an agreement and whether the alleged agreement was 'relational'.
- **PPG Architectural Coatings Ltd v Young:** Counsel for the Claimant in a claim brought pursuant to s.25 of the Civil Jurisdiction and Judgment Act 1982 in respect of fraud proceedings brought in Scotland in the Court of Session. The claimant sought and obtained (i) an urgent, ex parte freezing order over bank accounts in England which had been fraudulently credited, (i) an order for service out of the jurisdiction and (iii) Norwich Pharmacal orders against various banks.
- **Solihull MBC v One51 ES Plastics Ltd:** Counsel for the Defendant in a £2m breach of contract. The Defendant is a manufacturer of, inter alia, plastic bins, which the Claimant purchased for the residents of Solihull. The Claimant claims that the bins were defective and not supplied in accordance with the contract.
- **Fundo Soberano de Angola v Jose Filomeno dos Santos [2018] EWHC 2199 (Comm):** Junior Counsel for the First Defendant, the son of the former president of Angola and former chairman of the sovereign wealth fund, in a \$3bn civil fraud claim brought by the State of The Claimant had obtained a without notice freezing injunction, which was subsequently discharged as a result of failures in giving full and frank disclosure, and it was later held that the Courts of England and Wales did not have jurisdiction.
- **Republic of Angola v Perfectbit Limited & 7 others [2018] EWHC 965 (Comm):** Junior Counsel for two of the Defendants in a \$500m civil fraud claim brought by the State of Angola. The Claimant obtained a worldwide freezing injunction and proprietary injunction, which was subsequently continued following a contested hearing.
- **West Bromwich Commercial Ltd v Unadkat [2018] EWHC 469 (Comm):** Junior Counsel for the lender in the trial of a claim brought on eight guarantees provided to the claimant by the defendant in relation to the indebtedness of a number of companies in which he was interested. The indebtedness of the various companies ran into millions of pounds and, following trial, the defendant was found liable on all guarantees.
- **Keyfresh IT Ltd v Itech Information Technology Ltd [2018] EWHC 1337 (Ch):** Counsel for the defendant opposing an injunction and hard drive mirroring order for alleged breach of confidence, copyright infringement and passing off.
- **A v B:** Counsel for the Claimant in a claim brought pursuant to section 25 of the Civil Jurisdiction and Judgment Act 1982, in respect of proceedings brought in Scotland in the Court of Session seeking a freezing order over accounts which the Defendant, it was alleged, had fraudulently credited with monies belonging to the Claimant.
- **Certas Energy UK Ltd v Gat Oil Ltd:** Counsel for the Claimant in two consolidated claims for breach of contract in relation to the supply of fuel to petrol stations pursuant to a "Retail Supply Agreement" and defended on the basis of, inter alia, frustration and economic duress.
- **Vibrant Doors Ltd v Rohden UK Ltd [2018] EWHC 1761:** Counsel for the defendant successfully opposing an application for an injunction to compel the defendant, a supplier of goods to the claimant, to reinstate its supply and a services agreement for an extended period of six to nine months.

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- **Alliance Surgical Plc v Tran & Primus Medical Indemnity Ltd:** Counsel for the First Defendant in a claim for misuse of confidential information, breach of contract and database right infringement by a former employee, who was subsequently employed by the Second Defendant.
- **Smith v Woolley:** Counsel for the Defendant, who is the daughter of the Claimant, in a claim brought by her litigation friends, who are the Defendant's brother and The claim is for the repayment of the sum of £795,000, which the litigation friends contend is a loan and the Defendant alleges is a gift. The litigation friends consequently seek a declaration that payment of the sum was procured by undue influence.

Civil Fraud & Asset Recovery

- **Betta Oceanway Company v SC Tomini Trading SRL [2024] EWHC 1736 (Comm):** Counsel for the claimant in a complex, multi-jurisdictional contract dispute worth in the region of USD \$50million arising from scrap metal shipping contracts. The Court rejected an application of a minority shareholder of the defendant to be joined to the proceedings as an "intervenor" or as a party to enable allegations of fraud and illegality to be advanced against the claimant.
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Company

Steven's company experience includes:

- **Dodson and another v Shield and 7 others:** Counsel for the Respondents in an unfair prejudice petition where it is alleged that the Respondents diverted a multi-million pound business opportunity into another company in which the Petitioners were not members.
- **Hashmi v Lorimer-Wing & Fore Fitness Investments Holdings Ltd:** Counsel for the Petitioner in an unfair prejudice petition, in which it is alleged that the First Respondent unlawfully removed the Petitioner as a director of the company and terminated a corresponding consultancy agreement in order to invoke the bad leaver provisions and acquire the Petitioner's shares at par The First Respondent seeks to rely upon a counterclaim brought in the Petition by the company in the sum of £1.15m.

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- **Humphrey & Humphrey v Bennett & Bennett:** Counsel for the Respondents in a £5m derivative claim where it is alleged that the Respondents, as the directors and 51% shareholders, have breached their fiduciary duties by diverting money and opportunities to other companies in which they are shareholders and the Claimants are not
- **Witheridge v Maher:** Counsel for the Petitioner in an unfair prejudice petition, in which it was alleged that the Respondent, the Petitioner's sister, had unlawfully forfeited the Petitioner's shares pursuant to the exercise of a lien as a result of an alleged outstanding directors' loan

Media

Steven's experience includes commercial disputes across the media sector including acting in relation to allegations of defamation and libel.

- **Aslani v Sobierajska [2021] EWHC 2127:** Counsel for the Claimant, a plastic surgeon and pioneer of the "Brazilian butt lift", in a libel claim against a social media 'influencer' in relation to various Instagram
- **Watkins v Mackle [2021] EWHC 1723:** Counsel for the Claimant in a libel claim against a former shareholder and director of a company in which the Claimant was also a shareholder and director.

Sports Law

Steven's commercial practice frequently involves matters that across the sport sectors. In addition Steven was standing commercial counsel for Birmingham City Football Club.

- **British Gymnastics v UK Gymnastics Ltd [2021] EWCA Civ 425, [2020] EWHC 1678 (IPEC):** Counsel for the Defendant in a trademark infringement and passing off claim by British Gymnastics in which it was alleged that the Defendant's "UK Gymnastics" sign was confusingly similar to the Claimant's "British Gymnastics" mark and that British Gymnastics was the sole national governing body for the sport of gymnastics in the UK and that by the Defendant asserting to be an alternative governing body it was passing itself off as or associated with the
- Instructed on behalf of joint liquidators to advise in relation to a proposed claim against a premier league football club following the onward sale of a footballer formerly registered with the company in liquidation.

Academic History

- LLB English and German Law (1st Class) University of Kent and Philipps-Universitat, Marburg.
- LLM (Lond) (Queen Mary College).
- BVC – Inns of Court School of Law (Very Competent – Outstanding in Civil Procedure and Advocacy)
- Inner Temple scholar

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