

***Lawrence Power***

Call (1995) Middle Temple
Bar of Northern Ireland (2005)
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Profile

Lawrence enjoys a solid commercial and chancery practice and is instructed on a variety of different areas of law, in particular:

- Banking and Finance
- Computer and Telecommunication
- Insolvency (including Cross-border)
- Insurance
- Intellectual Property
- International Sale

Lawrence advises on regulation and compliance in 'electronic jurisprudence' in addition to the drafting of computer and Intellectual Property contracts. As an international practitioner he receives instructions from China, Hong Kong, Israel, Malaysia, Vietnam and the USA. Furthermore, Lawrence was instructed to moderate Sanko Steamship Co., Ltd's briefing meeting for international creditors in 2014.

As well as his extensive legal practice, Lawrence has been Head of Chambers at 4KBW for over 11 years during which time he has encouraged the expansion and development of the set in a direction focused on maintaining its reputation for first-rate standards of work based on first class recruitment.

Reported Cases

- **Frederic Uchechukwu Achom, Alexander Charles Nicholl, Boington Anthony Grant v Tihomir Lalic, Vahram Papazyan, Alula Leisure Limited [2014] EWHC 1888 (Ch):** The claimants maintained they were entitled to a 50% interest in a nightclub venture and the company which held the underlease to that nightclub. Held, there was no binding contract between the first claimant and any of the defendants and, in turn, no evidence of a partnership. Additionally, the claim that a *Pallant v Morgan* equity arose failed as did the conspiracy claims.
- **BDMS Ltd v Rafael Advanced Defence Systems [2014] 1 Lloyd's Rep 576 (Comm):** BDMS held Rafael in repudiatory breach of an arbitration agreement. Rafael applied for a stay. Subsequently, Rafael was held not to have committed a repudiatory breach that rendered the arbitration agreement inoperative but BDMS were not blamed for issuing the claim. Rafael invited the judge to make an order for costs on an indemnity basis but instead costs were awarded on a standard basis.

- **Freetown Ltd v Assethold Ltd [2013] 1 WLR 385:** Party wall award case where Lawrence acted for Freetown Limited in the County Court and High Court proceedings. Lawrence advanced arguments that were subsequently successful on appeal.
- **Pathania v Adedeji [2010] EWHC 3085 (QB): Cited in Snell's Equity Third Cumulative Supplement to the Thirty-Second Edition:** Chapter 8 – Fraud, Undue Influence (p14). The presumption of undue influence between a solicitor and a client was rebutted; the client being a sophisticated and experienced doctor.
- **Churchill v Temple and Others [2011] 1 EGLR 73 (Ch):** The case concerned restrictive covenants. The important issue was whether a property owner, whose land was burdened by an obligation to obtain 'vendors' consent' for alterations to his property, still had that obligation following the death of the 'vendors'.
- **PR Drego Ltd v Salim Dugarwalla (2010): Unreported (Ch):** International banking and finance case in Chancery Division of the High Court.
- **Commonwealth of Australia v Peacekeeper International FZC UAE [2008] EWHC 1220 (QB):** Ordinarily any participation in this type of interpleader proceedings for a traditional purpose would not amount to submission to the jurisdiction.
- **R v Farhat Mahmood and Atteeque Shahin [2006] 1 Cr App R (S) 96: Cited in Archbold:** Sentences and Orders on Conviction: Lack of discretion/abuse of process (p895). Court of Appeal case concerning the proceeds of crime in a money laundering action.
- **The Estate of Dr Anandh & Anr v Barnet Primary Health Care Trust [2004] EWCA Civ 05 (CA):** The defendant appealed against judge's decision upholding the master's order refusing permission to extend time for service of defence and permitting the claimant's application for summary judgment. The matter should not have been dealt with by means of summary judgment as there had been competing factual issues that should have been considered.
- **UVC Limited (t/a Power Train Projects) v Doug Kiddie Engineering Limited [2001] EWCA Civ 922 (Ch):** Contract case concerning whether a positive duty on a solicitor exists to reserve position as to costs of Pt 20 defendant.
- **John Amorifer Uzoamaka v Conflict & Change Ltd [1999] ADR LR 05/28 (CA):** The Court of Appeal held that the charity were entitled to summarily dismiss the claimant as his conduct threatened their most important commercial link and was capable of bringing the project into disrepute.

Publications

Lawrence is the IP editor for the Journal of Alternative Dispute Resolution. Moreover, Lawrence has reviewed 'Electronic Finance Law' [1993] in Law, Computers and Artificial Intelligence Journal and contributed to:

- Archiving Computer Transactions [1994]
- The Law of Due Diligence [1997]

Lawrence is current writing a new text book regarding the advocacy required in different court, tribunals and inquiries. This is due for publication in 2015 by Wildys.