

2021/22 Autumn/Winter Lectures

The LSLA is delighted to announce details of the next series of LSLA lectures, which will consist of talks and panel discussions with eminent practitioners on topical subjects of legal interest.

Each lecture will begin at 6 p.m., and will last approximately one hour, which will include an opportunity for questions. The lectures will be followed by an opportunity for drinks and networking. Materials and, if practicable, a video recording will appear on the LSLA website after the event.

We are grateful to the following firms for hosting these lectures:

- **Hogan Lovells International LLP**, Atlantic House, Holborn Viaduct, London EC1A 2FG
- **Simmons & Simmons LLP**, Citypoint, 1 Ropemaker Street, London, EC2Y 9SS

Tuesday 30 November 2021, at Hogan Lovells International LLP

"Bitcoin, blockchain and fintech: Litigation in the new world"

Chloe Carpenter QC and Nik Yeo of Fountain Court

This session looks at the impact of cryptocurrencies and technology on disputes, and as an area of practice itself. It also looks at whether cryptocurrencies such as bitcoin fall within the definition of 'money' and the consequences of that from a legal perspective.

Thursday 9 December 2021, at Simmons & Simmons LLP

"Disclosure Pilot Scheme: Update on recent changes to PD51U"

Sir Robin Knowles CBE, Chief Master Marsh, Ed Crosse of Simmons & Simmons LLP, and Natalie Osafo of Stewarts LLP

In response to feedback sought from professional associations and users, the Disclosure Working Group proposed a number of significant changes to the Pilot earlier this year. These changes were approved by the Civil Procedure Rule Committee in September 2021 and have received ministerial approval, and came into force on 1 November 2021. In this session, members of the Disclosure Working Group who were responsible for drafting these modifications will provide an overview of the changes and explain the thinking behind them.

Thursday 13 January 2022, at Hogan Lovells International LLP

"Material Adverse Effect in a post-pandemic age"

Sonia Tolaney QC, Sa'ad Hossain QC, James MacDonald and Tim Goldfarb of One Essex Court

This talk addresses the landmark Commercial Court judgment in *Travelport & Ors v WEX, Inc* ([2020] EWHC 2670 (Comm)), which concerned whether the effects of the Covid-19 pandemic were a Material Adverse Effect entitling the Defendant, WEX, not to proceed with its widely publicised €1.7bn acquisition of two substantial e-payments companies. As the first English judgment to consider the construction of Material Adverse Effect clauses in light of the pandemic, it will have major and wide-ranging ramifications for the many material adverse effect, force majeure and business interruption cases which are anticipated or already in train as a result of the economic impacts of Covid. The four One Essex Court speakers at this talk appeared on opposite sides (Sonia Tolaney QC and James MacDonald for the defendant, WEX, and Sa'ad Hossain QC and Tim Goldfarb for the claimants), and they will share their unique insight into the case and its implications.

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Wednesday 26 January 2022, at Hogan Lovells International LLP

"Professional negligence: A review of recent cases on scope of duty and recoverable loss"

Michael McLaren QC of Fountain Court

This talk primarily considers the impact of two Court of Appeal cases, *AssetCo* in 2020 and *Manchester Building Society* in 2019, and the interesting light they shed on scope of duty and remoteness issues.

Thursday 3 March 2022 at Hogan Lovells International LLP

"Competition Litigation: panel discussion"

Victoria Wakefield QC of Brick Court Chambers, Anthony Maton of Hausfeld LLP, Mark Sansom of Freshfields Bruckhaus Deringer LLP and Elizabeth Jordan of Slaughter and May

The landscape for class actions in the UK is growing and evolving, with recent decisions in *Lloyd v Google* (currently the subject of an appeal to the Supreme Court) and *Merricks v Mastercard*. This discussion considers the key tactical battlegrounds for claimants and defendants in group actions as to the choice of collective action regime, using these cases to explain the issues: What are the costs and benefits of using the opt-out mechanism? How might these decisions shape the collective action framework more broadly (including outside of the competition sector)? How might the procedural regime impact/be impacted by the litigation funding market? How likely is reform of the traditional Group Litigation Order class actions regime?

Attendance is not limited to LSLA members. Anyone can apply for tickets via the website – <https://www.lsla.co.uk/events> (please note that all bookings are now via the website, rather than by cheque). An email will be sent confirming your place a few days before the event. The cost is £20 per event or £95 for all five (non-members £25 or £120). Our events usually sell out, so please apply early.

The LSLA lectures will start at 6 p.m. All events will last approximately one hour, to include a period for questions at the end, and will be followed by drinks.