

# LSLA

Welcome to this month's newsletter which contains details of the recently announced Spring Lecture Series, some of our future events and offers to members. We are also circulating the new membership form for 2013 for you to complete.

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## Future Events

### Spring Lecture Series

This spring as part of our popular lecture series we are holding the lectures listed below. Tickets sell out quickly for our lectures so please book as early as you can.

- 16 May 2013, "UN and EU Financial Sanctions – a new world order?" from Tim Owen QC – Matrix Chambers

Tim Owen QC will explore the issues surrounding the expansion of UN and EU sanctions targeted at individuals and suggest that reliance on sanctions is likely to remain a permanent feature of the international and domestic law landscape, exposing individuals and companies to prosecution and litigation risks.

- 10 June 2013, "The New Funding Landscape: Costs post April 2013" by Nicholas Bacon QC – 4 New Square

Nicholas Bacon QC will explain the changes which came into force in April 2013 as a result of the Jackson Reforms, including costs budgeting, proportionality, contingency fees and changes to Part 36.

- 17 June 2013, "Current thinking on piercing the corporate veil and obtaining relief against non-parties" from Duncan Matthews QC and Charlotte Tan – 20 Essex Street

The lecture will consider the implications of *The Mahakam* [2012] 2 All ER (Comm) 513 and *VTB Capital v Nutritek* [2013] UKSC 5 dealing with recovery against non-parties.

- 27 June 2013, "Trench warfare in the Commercial Court: receiverships, committals to prison, refusals to hear contemnors, debarments and other relief" by Stephen Smith QC of New Square Chambers and Richard Lewis of Hogan Lovells

Leading counsel for the claimant will reflect on some of the developments in the JSC BTA Bank saga.

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Attendance is not limited to LSLA members. Anyone can apply for tickets on the attached form and the lectures count for CPD purposes (the reference code will appear on the

admission tickets for the lectures). The cost is £20 per event or £70 for all four lectures (non-members £25 or £90).

The lectures will be held at the Auditorium at Hogan Lovells, Atlantic House, 50 Holborn Viaduct, London EC1A 2FG. They will start at 6.00pm and will last approximately an hour, to include time for questions at the end, and will be followed by drinks.

A copy of the booking form and further details of the lectures is attached.

### **JLSLA/COMBAR Wine Tasting Evening – 9 May 2013**

The Junior LSLA is arranging an evening of wine tasting with junior members of COMBAR. The evening should be another enjoyable opportunity for junior members to meet and get to know each other. Tickets are expected to sell out quickly, so if you are interested in attending, please contact Leigh Callaway, DAC Beachcroft LLP, at [lcallaway@dacbeachcroft.com](mailto:lcallaway@dacbeachcroft.com).

### **Solicitors Journal Conference featuring speakers from the LSLA – 22 May 2013**

Committee members of the LSLA will be speaking at the Commercial Litigation Section of the Solicitors Journal conference to be held at the Emirates Stadium. Again please make a note in your diaries of the date and we shall circulate details when they are available.

### **JLSLA Summer Lecture - 6 June 2013**

The Junior LSLA's Summer Seminar will be held on 6 June 2013 on the topic of injunctions. The evening will cover what to do (and what not to do) when seeking injunctive relief and will include practical tips on how to avoid being on the receiving end of an injunction. We are pleased to announce that our panel for this discussion will be made up of Sue Prevezer QC (Quinn Emanuel), Iain MacWhannel (3 Paper Buildings), Sarah Long (Assistant General Counsel, JP Morgan) and Alex Sciannaca (Hogan Lovells LLP). Further details will follow shortly.

### **Half-day Event with the Law Society Civil Justice Section - 20 June 2013**

Another date for your diaries is 20 June 2013 when we propose to hold an event during the afternoon to consider the impact of the Jackson Reforms once we have experience of how these are being put into practice. We shall let you know details in due course.

### **Costs Budgeting Event – ~~15 May 2013~~ 26 June 2013**

The introduction of Court approved costs budgeting is a major change to be made by the Jackson Reforms. We are planning an event to be held at the Royal College of Surgeons dealing with this topic for members and non-members of the LSLA as well as bar groups. The following speakers have agreed to attend: HH Judge MacKie CBE QC, HH Judge Simon Brown QC and past presidents of the LSLA, David Greene and Graham Huntley. We shall circulate details in the near future. In the meantime, please make a note of the new date in your diaries.

### **Summer Party**

Following the success of last year's 60<sup>th</sup> Anniversary party, we have decided to hold another summer event for members. Dates and venues are being considered and we shall provide you with details as soon as we can.

### **Joint LSLA and COMBAR Party – 25 September 2013**

The LSLA and COMBAR are to hold a joint party at Painters Hall, with music, drinks and food provided. We shall be subsidising the price to ensure as many members and their guests can attend: for JLSLA members tickets will be £35 and for LSLA members and their guests £50. Further details will be circulated nearer the date.

### **Annual Dinner – 27 November 2013**

Our Annual Dinner will take place at the Law Society and we are currently waiting for the proposed speaker to confirm the date. We shall provide full details in due course.

### **Offers to Members**

#### 20% discount on “Blackstone’s Guide to the Civil Justice Reforms” and “The Jackson ADR Handbook”

Oxford University Press has announced the publication of two new titles: “Blackstone’s Guide to the Civil Justice Reforms” and “The Jackson ADR Handbook”.

“Blackstone’s Guide to the Civil Justice Reforms” is a practical guide to the Jackson Reforms. Available in paperback (reference code 978-0-19-968515-8) the book is currently being sold at £39.99, but is offered to LSLA members at a 20% discount (ie £31.99). Each purchase comes with a free eBook version.

“The Jackson ADR Handbook” focuses on ADR post the Jackson Reforms and aims to be the authoritative handbook for ADR. Available in paperback (reference code 978-0-19-967646-0) the book is currently sold for £34.99, but is offered to LSLA members with a 20% discount at £27.99.

To order and claim your discount, please call 01536 452640 and quote ref ALLSLA13 before 1 June 2013. More information on both titles can be found at [www.oup.com/uk/law](http://www.oup.com/uk/law)

#### 20% discount on “Cook on Costs 2013 Jackson Review Supplement” and “Litigation Funding”

To be published in June 2013, the one-off “Cook on Costs 2013 Jackson Review Supplement” will discuss the costs reforms, including those concerning: the irrecoverableness of success fees and ATE insurance premiums, the introduction of DBAs, what might be considered unreasonable refusal of a Part 36 offer, the 10% increase in personal injury damages, qualified one-way costs shifting (QOCS), compulsory costs budgeting, case and costs management of litigation and proportionality of costs.

The price of the book is £70, but is offered to members for £56 (20% off the published price).

“Litigation Funding” aims to help civil litigators develop a better understanding of litigation funding and what it means for them and their practice. This brand new title to be published in August 2013 will provide an introduction and summary of the means of funding litigation, including by CFAs, DBAs, ATE insurance, disbursement lending and third party funding, and a summary of the new costs rules.

The published price of the book is £90, but it is offered to members for £72 (a 20% discount).

To reserve a copy of either book visit [www.lexisnexis.co.uk/lslaoffer](http://www.lexisnexis.co.uk/lslaoffer) or call 0845 370 1234 and quote 16611EA when placing your order to receive the 20% discount.

#### “Shareholder Claims” by David Greene

One of our former Presidents and current Committee Member, David Greene, has written a book entitled “Shareholder Claims”. Click on

<http://www.jordanpublishing.co.uk/shareholderclaimsleaflet> to see a copy of the leaflet explaining the matters covered in it.

Jordan Publishing is offering LSLA members a 10% discount on the book. To claim this discount, you must enter the promotion code 'S502X' at the checkout stage of an online order. Alternatively you can order the book by telephone by calling 0117 918 1492. Jordan has also said that it would be happy to discuss a further discount on bulk orders. If you would like more information on this, please call their sales team on 0117 918 1555.

### **IMPORTANT LEGAL NEWS - THE NEW STANDARD BAR CONTRACT**

From 31 January 2013 the Bar's Code of Conduct changed to give effect to a decision by the Legal Services Board of 27 July 2012, whereby the cab rank rule now obliges a barrister to undertake work either under the Standard Contractual Terms in Annex T1 to the Code ([http://www.barcouncil.org.uk/media/161048/the\\_new\\_standard\\_contractual\\_terms\\_for\\_the\\_supply\\_of\\_legal\\_services\\_by\\_barristers\\_to\\_authorised\\_persons\\_2012.pdf](http://www.barcouncil.org.uk/media/161048/the_new_standard_contractual_terms_for_the_supply_of_legal_services_by_barristers_to_authorised_persons_2012.pdf)) or on the basis of standard terms of work published by the barrister.

The Law Society has responded by issuing guidance to solicitors (see <http://www.lawsociety.org.uk/Advice/Practice-notes/Instructing-a-barrister/>) to the effect that these new terms have been written by the Bar Standards Board unilaterally, and that the balance of obligations is weighted strongly in favour of barristers. The Law Society raises a number of issues of concern for solicitors who enter into a contract with a barrister on the Bar's standard terms, and suggests a number of alternative clauses.

However, the changes to the Bar's Code do not prevent barristers from agreeing different contractual terms. In an attempt to avoid the need for individual law firms and barristers to negotiate balanced terms from scratch each time a barrister is instructed, the Commercial Bar Association (Combar) and the City of London Law Society (CLLS) have negotiated a new set of standard terms on which solicitors may instruct barristers. The Combar/CLLS standard terms (see <http://www.citysolicitors.org.uk/FileServer.aspx?oID=1322&IID=0>), together with the accompanying guidance (see <http://www.citysolicitors.org.uk/FileServer.aspx?oID=1321&IID=0>), are available without charge to all solicitors and barristers.

These terms are expected to become widely used in commercial cases, but it is important to note that they are not binding on any solicitors or barristers, unless they are specifically agreed between an instructing law firm and a particular barrister. It remains the responsibility of all instructing solicitors to ensure that any terms agreed with a barrister (whether the Combar / CLLS terms or any other terms) are appropriate for that particular case, and no liability is accepted by Combar or CLLS for using their terms.

### **LSLA - Recent Press**

Since our last newsletter Committee Members of the LSLA have appeared in and written articles for several publications including:

- The Times, 28 March 2013, "*The true price of costs litigation*" featuring comments from Francesca Kaye (see <http://www.thetimes.co.uk/tto/law/article3724600.ece>)
- Law Society Gazette, 25 March 2013 quoted Francesca Kaye extensively in its piece entitled "*Jackson Reforms: trials and tribulation*" (see <http://www.lawgazette.co.uk/features/jackson-reforms-trials-and-tribulation>)
- Solicitors Journal, 16 April 2013, "*Following Protocol*" by Patrick Wheeler (see <http://www.solicitorsjournal.com/node/15985>)

### **LSLA Membership**

We will be writing to members this month requesting payment of subscriptions for 2013. The form for any new members who wish to join is attached (and can also be used by any existing member for payment of their subscription for 2013). If you are 8 years PQE or less you will automatically become a member of the JLSLA if you complete the section of the application form identifying your year of admission.

The LSLA is now offering corporate membership to firms, and we have written to firms who would be likely to benefit from such a membership explaining how it works. Essentially, for £500 a firm with corporate membership can register an unlimited number of litigation solicitors working for it in London as members. Please contact Julian Copeman on [julian.copeman@hsf.com](mailto:julian.copeman@hsf.com) if you would like to take out corporate membership.

### **Volunteers wanted to assist on the LSLA Subcommittees**

There are several newly established subcommittees of the LSLA including:

- Events (social/dinners and education/lectures);
- Communications (social media, website, newsletter, publications and PR consultants);
- Law & Consultations; and
- Bar Liaison, Court User Groups and other groups.

Each subcommittee shall ideally be comprised of members of the LSLA Committee and other members of the LSLA. In previous months' newsletters we have sought volunteers to assist on these subcommittees. The responses are being considered, but it is not too late for you to help. If you are interested in becoming involved with one of our subcommittees, please contact Alex Luke on [Isla@aklsearch.co.uk](mailto:Isla@aklsearch.co.uk) identifying in which subcommittee you are interested.

### **List of Supervising Solicitors**

As you might know the White Book refers to the LSLA maintaining details of individuals who might be able to act as supervising solicitors for the execution of Search Orders. Our list continues to grow and is updated quarterly. We invite those suitably qualified to provide us with their details, including relevant experience, for inclusion on the list. Please send your details to Alex Luke at [Isla@aklsearch.co.uk](mailto:Isla@aklsearch.co.uk).

### **LSLA on Twitter**

Our user name is LSLA1. Do follow us, as we are tweeting information about the LSLA's events and lectures, submissions to consultations, and news of interest to litigators. Please also encourage colleagues, friends and firms to do the same.

### **LSLA on LinkedIn**

Both the LSLA and JLSLA have profiles on LinkedIn. We have kept these as members' only groups so there might be a slight delay in your being able to use the site initially. The site will be used to:

1. provide a members only discussion forum;
2. encourage feedback and participation in consultations/debates;
3. disseminate details of forthcoming events (including lectures, dinners etc.);
4. circulate LSLA and JLSLA news;
5. provide links to articles written by our members; and

6. update members on any legal issues of interest.

Please do join our group at the following link: [http://www.linkedin.com/groups/London-Solicitors-Litigation-Association-4545696/about?trk=anet\\_ug\\_grppro](http://www.linkedin.com/groups/London-Solicitors-Litigation-Association-4545696/about?trk=anet_ug_grppro) and encourage other members to do so.

The profile for the JLSLA is at [http://www.linkedin.com/groups/Junior-London-Solicitors-Litigation-Association-4438638/about?trk=anet\\_ug\\_grppro](http://www.linkedin.com/groups/Junior-London-Solicitors-Litigation-Association-4438638/about?trk=anet_ug_grppro)

## **The Junior LSLA**

### **About the JLSLA**

The JLSLA provides:

- seminars designed to offer practical tips on procedural and substantive legal issues commonly faced by junior civil litigators, in an interactive and relaxed atmosphere;
- networking events for members to meet and form contacts in their peer group; and
- e-news on recent and future activity and key developments, with the aim of ensuring that the junior perspective is reflected in the LSLA's responses to consultation papers.

### **Membership**

The JLSLA is aimed at solicitors of 8 years PQE and less. Members of the LSLA will automatically become members of the JLSLA if they qualify by year of admission and complete the relevant section of the membership form (copy attached). The JSLA also has firm Champions, who act as the point of contact between the JLSLA committee and their firm.

If you are interested in joining the JLSLA or being the JLSLA Champion for your firm, please contact the JLSLA President, Nikki Edwards, at [nikkiedwards@quinnemanuel.com](mailto:nikkiedwards@quinnemanuel.com).