

GIDEON ROSEMAN

"Absolutely superb advocate, leaving no stone unturned."
(Legal 500 2018)



Call 2007

Gideon Roseman is a Chancery and commercial litigator. He advises in contentious and non-contentious partnership matters, representing both firms and LLPs as well as individual partners and members, including professional practices, such as solicitors, financial advisers and recruitment consultants and property developers. He has significant experience of high value and complex litigation in Court and arbitration. He is regularly instructed to attend mediations.

He has recently appeared as sole counsel in a number of successful appeals in the Court of Appeal in relation to both partnership and shareholder disputes.

He also specialises in commercial litigation, commercial fraud, insolvency, shareholders' disputes, property litigation (domestic and international), professional negligence and wills and trust disputes. He has particular expertise in relation to worldwide and domestic freezing orders, as well as other interlocutory prohibitory and mandatory injunctions.

He has acted in a number of committal applications, typically those arising out of breaches of freezing injunctions and ancillary disclosure orders, including appeals to the Court of Appeal.

Partnerships & LLPs

Gideon has significant experience dealing with all aspects of litigation and arbitration concerning traditional partnerships, LLPs and disputes between shareholders. He also advises on non-contentious issues, such as drafting partnership agreements and dealings with share capital, including reductions of share premium accounts.

He has particular experience in dealing with unfair prejudice petitions and derivative actions.

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Reported Cases:

- **Shah v Shah** [2020] EWHC 1840 (Ch) acting for the claimant and First Part 20 Defendant in relation to a claim for breach of trust and wilful default about the trustees dealings with plots of land in India.
- **Shah v Shah** [2019] EWHC 535 (Ch): acting for the claimant and First Part 20 Defendant in relation to the defendants attempt to avoid liability for interest on a £1million loan.
- **Shah v Shah** [2019] EWHC 872 (Ch): acting for the claimant and First Part 20 Defendant in respect of a long-running partnership account, which included issues concerning the level of interest payable by one partner in relation to breaches of fiduciary duty.
- **Brierley v Otuo** [2018] 11 WLUK 135, application for an unless order and costs.
Shah v Shah [2018] EWHC 2075 (Ch), appeal concerning the admissibility of fresh evidence and the application of the Ladd v Marshal test.
- **Muhammad v ARY Properties & Ors** [2016] EWHC 1968 (Ch): Partnership and loan dispute.
- **Popat v Khawaja** [2016] EWCA Civ 362: Successfully opposing an appeal of a committal order.
- **Otuo v Brierley** [2016] EMLR 6: Defendant's successful appeal in relation to a costs and debarring order.
- **Popat v Khawaja** [2015] EWHC 2481 (Ch): Partnership and shareholder dispute, obtaining an prohibitory injunction to restrain the owner of the business from dealing with the same and obtaining a mandatory injunction for the Petitioner to take over the business on an interim basis.
- **Otuo v Brierley** [2015] EWHC 1938 (Ch): Partnership dispute, dissolution agreement.
- **Otuo v Brierley** [2014] EWCA Civ 1804: Successfully opposing the Claimant's application for permission to appeal.
- **Otuo v Brierley** [2014] Lexis Citation 27: Partnership dispute, 5 day hearing with live evidence for the Claimant to re-amend his pleading.
- **Otuo v Brierley** [2013] EWHC 2869: Partnership dispute, 3 day hearing with live evidence in relation to the Claimant's material non-disclosure and discharge of a freezing injunction.

Commercial Chancery

Shareholders' Disputes / Unfair Prejudice Petitioners

Gideon has significant experience in dealing with section 994 disputes.

Reported Cases:

- **Re Priestley Homes (Bradford) Limited** [2019] 7 WLUK 406 (George Bompas QC sitting as a Deputy Judge. Acting for the Claimant in respect of dispute concerning a £15million joint venture which was being carried out through an SPV.
- **Eaton v Caulfield** [2014] BCC 654: Unfair Prejudice Petition, Summary Judgment, Section 996 relief.

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Commercial Fraud

Gideon has particular experience in advising and acting for companies and individuals in disputes concerning misappropriation of monies and assets.

Reported Cases:

- **Domestic & General Group Ltd v Premier Protect Holdings Ltd** [2021] EWHC 135 (QB): Acting for two of the defendants in respect of a dispute involving allegations of a conspiracy by unlawful means, causing loss by unlawful means and in respect of an application for a prohibitory injunction.
- **Central Europe Business Development Ltd v Mena Ventures Limited and ors** [2016] EWHC 3138 (Ch)
- **Central Europe Business Development Ltd v Mena Ventures Limited and ors** [2016] EWHC 2480 (Ch)
- **Allied Irish Banks Plc v Nolan & Ors** [2016]: Acting for the main defendants in relation to £9million claim pursuant to section 423 of the Insolvency Act 1986).
- **Deep Purple (Overseas) Limited & Ors v Rao & Ors** [2015] Chancery Division: Acting for the companies which own intellectual property in rock group, Deep Purple, in a £4million claim against their former director
- **Central Europe Business Development Limited v MENA Ventures Limited & Ors** [2015] Chancery Division: Acting for the Claimant in a claim against 4 defendants involving an advance fee fraud and a claim against Clyde & Co LLP in relation to their position as escrow agents. Successfully managed to strike out the entirety of the 4 defendants' 40-page defence.
- **Bari & Ors v Alternative Finance Limited** [2014] Lexis Citation 93: Acting for the Defendant director in relation to a claim concerning an Islamic investment scheme

Insolvency

Gideon has experience of dealing with insolvency disputes in relation to both corporate and personal insolvency.

Reported Cases:

- **Re Brake and others (trading as Stay in Style), Patley Wood Farm LLP v B rake** [2017] 1 WLR 343
- **Re Stay in Style (A Firm)** [2016] EWHC 1688 (Ch): Partnership administration application.
- **Re Stay in Style (A Firm)** [2015] EWHC 1041 (Ch): Section 9 Arbitration Act 1996 application and application for Court appointed Administrator and Receiver.
- **Invokon Limited & Ors v Riley & Ors**: Acting for 6 respondents in a claim brought the liquidators of two companies in relation to a failed tax avoidance scheme. The claims have been brought on the basis of fraudulent trading, transactions to defraud creditors and transactions at an undervalue.
- **Patley Wood (Farm) LLP v Brake & Brake**: Acting for the LLP in its successful opposition to an application to set aside a statutory demand and the debtors entering into an IVA. Successfully obtained a bankruptcy order against both debtors after a full-days hearing, with live-evidence. Advising the LLP on all aspects of the winding up process of an insolvent partnership, the application of the

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Insolvent Partnerships Order 1994 and the interrelationship of the personal insolvency of the debtor partners and the winding up of the partnership.

- **Otuo v Brierley** [2016]: Successful application for a prohibitory injunction to prevent the Claimant from bankrupting himself.

Interlocutory Applications

Gideon has a vast amount of experience in obtaining and resisting applications for interlocutory relief, principally in the Chancery Division. He has particular experience in dealing with applications for freezing and proprietary injunctions in complex high value multi-party litigation.

He has particular experience in dealing with pre-action applications in disputes involving arbitration clauses and associated issues concerning section 44(3) of the Arbitration Act 1996.

Recent Cases:

- **State Bank of India v Qatar National Bank** [2019] 7 WLUK 369, acting for the trustees in relation to the enforcement of a claim worth £1.24billion.
- Acting for a large firm of solicitors in a claim for prohibitory and mandatory injunctions against a former partner for the deliver up of client files and the enforcement of non-compete and non-solicitation restrictive covenants.
- Obtaining a £4million worldwide freezing and proprietary injunction against a director of 3 companies, his wife and another associated company.
- Obtaining a £400,000 freezing injunction against a director and two associated companies notwithstanding the applicants' years' delay.
- Obtaining a mandatory injunction to force a landlord of a commercial property to deliver up possession of the property.

Contempt of Court and Committal Applications

Gideon has expertise in relation to applications to commit people to prison for contempt of court, both at first instance and in the Court of Appeal, which compliments his expertise in obtaining interlocutory relief and ensures that the defendant or respondent in question is, effectively, forced to comply with court orders.

Gideon acted for the applicants in their committal application that was heard over 3 days and which resulted in the respondent being sentenced by the Honourable Mr Justice Newey to an immediate custodial sentence of 12 months by reason of her breaches of a freezing order, particularly in relation to her failure to comply with the disclosure provisions therein. The proceedings relate to the administrator of the parties' late mother's estate (the background to this matter is set out in Master Matthews' Judgment – **Kimyani v Sandhu** [2017] EWHC 151 (Ch)).

Gideon acted for the applicants in their committal application, which resulted in the respondent being handed down a 3 month prison sentence by the Honourable Mr Justice Peter Smith, which was suspended for 12 months against the respondent, by reason of his breaches of a freezing order in the context of a partnership dispute, both

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in relation to dissipation of assets and the failure to comply with his disclosure obligations. Gideon appeared in Court of Appeal where the applicants successfully opposed the respondent's appeal (**Khawaja v Popat** [2016] EWCA Civ 362).

Recent Cases:

- **Amarfio v Abrahams** [2018] EWHC 391 (Ch), contempt of court, disclosure orders and freezing injunctions
- **Amarfio v Abrahams** [2018] 2 WLUK 340, adjournment of committal application

Business Protection Law

Gideon has a specialist background in interim injunctive relief and is frequently instructed to act for businesses and individuals alike to obtain interim injunctions enforcing restrictive covenants or for spring board relief.

Recent cases:

- **Create Financial Management LLP v Lee and Scott** [2020] EWHC 1933 (QB) (Morris J): Acting for the defendants in respect of a claim for breach of contract and an application for a springboard injunction.
- **Create Financial Management LLP v Lee and Scott** [2020] EWHC 2046 (QB) (Morris J): Successfully applying to vary a springboard injunction that prohibited the defendants from soliciting clients on the basis that the claimant had to inform all clients they were free to move to the defendants' new business – [Article on Lexis](#)

Professional Negligence

Gideon has a great deal of experience in the field of professional liability.

Recent cases:

- **Property Protea Holdings Ltd v 119 Molyneux Road Ltd** [2020] EWHC 1322 (Ch) (Mark Anderson QC sitting as a Deputy High Court Judge): Acting for the claimant in a long-running property fraud transaction, which involved substantial breaches of duties on the part of the claimant's former solicitors.

Commercial Litigation

Gideon has significant experience in this area.

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Reported Cases:

- **Park v Hadi** [2020] EWHC 2687 (QB) (Freedman J): Acting for the defendants in respect of a claim involving a share purchase agreement. The judgment concerns a summary judgment application.
- **Park v Hadi** [2020] EWHC 2612 (QB) (Freeman J): Issue concerning whether permission should be granted under the Legal Services Act 2005 to a layperson/McKenzie friend for him to act for the claimant.

Banking and Financial Services

Gideon has significant experience in this area.

Reported Cases:

- **Ipsium Capital Ltd v RSL and others** [2020] EWHC 3508 (Comm) (Calver J): Acting for the defendants in a claim involving the enforcement of personal guarantees. The judgment concerns an application for relief from sanctions arising out of the late filing of a defence.

Property

Property Litigation (Domestic & International)

Gideon has experience of dealing with a wide variety of disputes involving land, both domestically and internationally. He is frequently instructed to provide advice and appear in court in all areas of residential and commercial property.

Reported Cases:

- **Shilabeer v Lanceley** [2019] EWHC 3380 (QB) (Foster J): Successfully acting for the estate of a deceased person against the deceased's ex-partner in relation to the beneficial ownership of the family home.
- **Rahbarpoor v Brook Green (London) Associates LLP** [2019] EWHC 1348 (Ch): Acting for the owner of a block of flats in relation to an attempt by third parties to fraudulently acquire ownership of the property.
- **Zas Ventures v Forkner** [2016] EWCA Civ 1062
- **Muhammad and ors v ARY Properties Limited and ors** [2016] EWHC 1698 (Ch)

Recent Cases:

- Acting on behalf of thousands of individuals who purchased off-plan holiday apartments in Cyprus in relation to their claims against Cypriot banks, property developers, attorneys and sales agents. The combined value of these claims runs to many hundreds of millions.

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- Advising in relation to a claim to enforce a contingent charge and the ownership of a BVI company that owned properties in London.
- Successfully obtaining a possession order in a claim involving issues concerning the Settled Land Act 1925, secret trusts, constructive trusts, laches, acquiescence and delay.
- Successfully representing the freeholder of 8 properties in a claim involving an easement of parking over a private road. The freeholder obtained a declaration that the defendant had not acquired any easement to park by prescriptive use and an injunction to prevent her from using the land for this purpose.

Arbitration

Gideon has substantial experience acting on behalf of both firms and individuals in relation to all aspects of arbitral proceedings. He is frequently instructed to deal with urgent/emergency pre-arbitration applications, i.e. freezing injunctions and the enforcement of restrictive covenants. He was recently instructed by a corporate member of a traditional partnership who, following a successful arbitration, sought to place the partnership into administration; the administration application raised a plethora of novel issues in relation to the interrelationship between the Arbitration Act 1996, the Insolvency Act/Rules 1986 and the Partnership Act 1890 (**Re Brake [2017] 1 WLR 343**).

Recent Cases:

- **B v J [2020] EWHC 1373 (Ch)** (Chief ICC Judge Briggs (sitting as a High Court Judge): Acting for the claimants in an arbitration claim for the removal of an arbitrator identified in the arbitration agreement on the basis of apparent bias.

Private Client: Contentious

Gideon has experience in dealing with all aspects of litigation involving estates and trusts and claims made under the Inheritance (Provision for Family and Dependants) Act 1975.

Reported Cases:

- Acting in a probate claim which involves issues of testamentary capacity and want of knowledge and approval (led by Eason Rajah QC).
- Acting for the Claimants in a multi-million pound probate dispute involving issues of lack of capacity and knowledge and approval.
- Advising in relation to payments into court involving Administrators and Trustees of Trusts and Estates.
- Advising in relation to the construction of Wills and Trust Deeds in respect of clauses concerned with the payment of foreign taxes.
- He appeared in the High Court (Chancery Division) on behalf of the estate of George Best and was successful in obtaining an interim injunction to restrain the sale of various chattels at a Bonhams' auction.
- Acting for the surviving spouse in an Inheritance Act claim, raising issues of domicile, a polygamous

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marriage, breach of fiduciary duty and the equity of exoneration. There is also a separate claim against the estate concerning the matrimonial home, which raises issues of breach of fiduciary duty and the equity of exoneration.

- Gideon appeared in the Principal Registry of Family Division (Probate) in a matter concerning the estate of the fashion designer Alexander McQueen.

Charities

Reported Cases:

Bhamani v Sattar [2020] All ER (D) (50) (Sep) (Tom Leech QC sitting as a Deputy High Court Judge): Acting for a charity in respect of various claims against fifteen defendants in relation to a dispute concerning a Mosque.

Recommendations

“Easy to deal with and very tenacious in his pursuit of the case.”

“If you were in trouble you’d want him in your corner.”

Chambers UK 2021

‘Consistently superb in terms of analysis and detail; leaves no stone unturned and gives every case his all leaving nothing on the field.’

Legal 500 2020

“Gets stuck in with a passion and really fights your corner. He’s a man with a quick mind who it’s a pleasure to work with. If you want blood when fighting a case he is really up for it.”

Chambers UK 2020

“Incredible tenacity and a will to win”

Legal 500 2020

“A favourite for hotly fought cases, he gets stuck in with a passion and really fights your corner. He is a man with a quick mind, who is a pleasure to work with.”

“He commands respect from the bench and is very good on his feet.”

Chambers UK 2019

“Absolutely superb advocate, leaving no stone unturned.”

Legal 500 2018

“A lawyer who has deep knowledge of partnership law, and offers meticulous preparation and razor-sharp analysis. He’s very good with clients and determined not to lose.”

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“A robust and effective court advocate.”

Chambers UK 2018

“Draws praise for his approachability, practicality and responsiveness.”

“A really hard worker with bucket-loads of passion: he’s good on his feet, good at the paperwork, full of energy and liked by clients.”

“Absolutely fantastic: he drills down into the detail very well, explains and advocates in a clear way, and if the other side has got it wrong, he makes sure the judge knows it!”

Chambers UK 2017

“He has an impressive aura in court, and is respected by judges in the Chancery division”

Legal 500 2017

“Highly experienced at handling disputes generated within both traditional and limited liability partnerships in the legal, financial services and property sectors, acting for firms and individuals alike. Respected as a formidable courtroom opponent up to and including High Court level, he also appears regularly in arbitrations and mediations.”

Chambers UK 2016

“Hardworking and tenacious.”

Legal 500 2016

Qualifications

- Bar Vocational Course (Outstanding), BPP Law School
- LLM (First Class), Hughes Hall, Cambridge
- LLB (Hons), University of Bristol

- Inner Temple Prize for BVC performance [2007]
- Exhibitioner, Inner Temple [2005]
- Duke of Edinburgh Entrance Scholarship, Inner Temple [2005]
- E.M. Burnett Prize, Hughes Hall, Cambridge [2005]
- Highest First in Intellectual Property, University of Bristol [2004]
- Blackstone Press Prize, University of Bristol [2002]

Appointments

- Association of Partnership Practitioners (Sub-committee Member)

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Associations & Memberships

- Association of Partnership Practitioners
- Chancery Bar Association

Publications

- [Overview on Unfair Prejudice Petitions](#)
- [Missing or Uncooperative Beneficiaries, What are the Options for Personal Representatives?](#)

Speaking Engagements

Gideon has given talks to firms of solicitors and accountants (including Maurice Turnor Gardner, Fox Williams LLP, Addleshaw Goddard LLP and Smith and Williamson) on company, LLP and Partnership issues.

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