

## Profile: Overview

Sophia has a busy commercial and chancery practice with an offshore element. She is an experienced advocate in the High Court, County Court and at appellate hearings.

## Experience and Expertise

Sophia accepts instructions in all areas of chambers practice. In particular, Sophia is regularly instructed in matters concerning:

- Commercial litigation and contractual disputes – instructed on various commercial claims involving the construction and breach of contracts, bonds and guarantees.
- Trusts – advised on numerous cases involving trusts and claims against trustees, including complex offshore trusts, the validity of trustee actions in the administration of trusts, invalid appointments of trustees, indemnities, changes of proper law and amendments.
- Contentious probate, wills and estates – instructed to advise and appear on various probate matters including claims regarding testamentary capacity and knowledge and approval, and cases concerning construction and rectification of wills, foreign property, approval of settlements and will variations.
- Inheritance (Provision for Family and Dependants) Act 1975 claims – advised and appeared in numerous 1975 Act claims by cohabitants, dependants and adult children.
- Insolvency, bankruptcy and company law – instructed to advise and appear at hearings concerning company, partnership and personal insolvency. Regularly appears as sole advocate in High Court and County Court winding up and bankruptcy hearings.
- Property law – instructed in possession actions against residential and business tenants and licensees, mortgage possession actions and claims under TOLATA.
- Professional negligence actions – advised on professional negligence cases.

## Cases and Work of Note:

Commercial litigation and contractual disputes:

- *Mekobia Ltd v Brandmovers Ltd* [2015] EWHC 969 (Ch) – Instructed on behalf of the respondent. Successfully opposed an appeal to the High Court in this multi-million pound breach of contract claim concerning the provision of website development services.
- *Guri v Krasniqi and Neziraj* (2016) – Instructed on behalf of the defendants. Successfully struck out the claimant's breach of contract claim in relation to the sale of a business during a fast-track trial. Then successfully opposed the appeal.
- *Capewell v LEJ Marketing* (2016) – Successfully applied to set aside default judgment in this breach of contract claim against a Cypriot company on the basis that, inter alia, the claimant had failed to effect service out of the jurisdiction.
- *Re an Investment Dispute* (2015) – Instructed on behalf of the claimant in a high value claim against an investment company by its clients in relation to beneficial interest in certain investments.
- *Re a Football Club* (2015) – Instructed by a football club to defend a contractual claim in relation to coaching services.
- *Re an Airline* (2014) – Instructed on behalf of an airline in a breach of contract claim concerning issues under UCTA and the Unfair Terms in Consumer Contracts Regulations 1999.

Wills, trusts, contentious probate and 1975 Act claims:

- *Jabin v Iqbal* (2016) – Instructed by the claimant in a three-day trial of a TOLATA and 1975 Act claim brought by an adult daughter. Issues included interests in foreign property in Pakistan.
- *Mahoney v Andrews* (2015) – Instructed on behalf of the claimant in this probate claim raising issues of knowledge and approval and domicile where the deceased lived in France. Upon settlement, appeared at the application for approval of the

- settlement on behalf of a minor involving a will variation.
- *Kicks v Leigh* [2014] EWHC 3926 (Ch) – As a pupil Sophia was heavily involved with the trial of this presumed undue influence case which considered the issue of capacity to make a gift.
- *Re Walker Deceased* [2014] EWHC 71 – As a pupil Sophia was involved in this probate case concerning issues of testamentary capacity and want of knowledge and approval in circumstances where the deceased had suffered a fatal brain tumour and psychosis. In determining the case, Nicholas Strauss Q.C. established that the correct test for testamentary capacity is the test set out in *Banks v Goodfellow*.
- *Loring v The Woodland Trust* [2013] EWHC 4400 (Ch) and [2014] EWCA Civ 1314 – As a pupil Sophia was heavily involved in the trial and appeal of this will construction claim addressing the impact of section 8A of the Inheritance Tax Act 1984 on the passing of nil rate bands under a will.

#### Insolvency and company:

- *In the Matter of Mekobia Ltd* (2015 – 2016) – Instructed by the petitioning creditor. Successfully opposed an application by the company for an injunction restraining advertisement of a winding up petition ([2015] EWHC 1380 (Ch)). Then instructed to pursue the winding up petition at various hearings culminating in a winding up order being made at the conclusion of a half-day hearing. Sophia then successfully opposed the company's appeal of the winding up order in the High Court.
- *Wyld, in Bankruptcy* (2016) – Instructed by the trustee in bankruptcy. Successfully obtained an order to suspend a bankrupt's automatic discharge from bankruptcy.
- *Hurd v TPL Holdings* [2014] All ER (D) 266 – As a pupil Sophia was involved in defending this application to strike out a section 994 petition.

#### Property litigation:

- *Re a Property* (2015) – Advised on an urgent injunction application in ongoing possession proceedings.
- *Windcastle Enterprise Ltd v Gill* (2015) – Instructed in this possession action concerning premises used for mixed commercial and residential use.
- *Re Soho Properties* (2015) – Whilst volunteering for CLIPS, Sophia appeared for a group of protestors responding to an application by a property developer for an interim injunction against persons unknown to prevent trespass or interference with various commercial premises in Soho, London.

#### Professional negligence actions:

- *Re Solicitor's negligence* (2016) – Advised on a potential professional negligence claim against a solicitor in respect of representation in probate proceedings.
- *Re a Will* (2015) – Advised in respect of a potential professional negligence claim against a will drafter in relation to the drafting of a will.

#### Offshore experience:

Sophia has spent time working at leading offshore firms in the Channel Islands. During her time offshore, Sophia developed her experience and knowledge of offshore litigation and trust disputes.

#### Appleby, Guernsey – Private Client and Trusts Consultant

Between April and September 2015 Sophia worked on secondment as a Private Client and Trusts Consultant for Appleby in Guernsey. Whilst at Appleby, Sophia:

- Drafted trusts, foundations and a broad range of supplemental trust instruments including instruments of termination, release, indemnities, appointments, resignations, removals, changes of proper law, amendments and confirmations.
- Advised trustees on the administration of trusts and provided advice on other trust related matters.
- Conducted an in-depth legal review for a client trust company which consisted of analysing trust documents, identifying any legal issues facing the trustee and advising on any potential liability and practical remedial steps which the trustee could take to resolve the issues.

#### Ogier, Jersey – Disclosure Exercise

Between August and September 2014, Sophia worked with the Ogier Litigation Team in Jersey on an extensive disclosure exercise in a complex trust dispute. The exercise involved

determining in what capacity, in the context of a complex trust structure, the client held each of the documents under his control – as either a trustee or company director.

#### Other experience:

Prior to joining Chambers, Sophia taught Contract Law to undergraduate law students at Kings College London.

### Qualifications

2013: Bar Professional Training Course (City Law School)

2012: Harvard Law School – LLM

2011: Durham University – LLB (First Class Honours)

### Memberships

Chancery Bar Association; COMBAR.

### Awards and Scholarships

- Lincoln's Inn Cassel Scholarship
- Lincoln's Inn Hardwicke Award

### Publications

Sophia regularly writes headnotes for the Wills and Trusts Law Reports.

During her time at Harvard Law School, Sophia served as a Submissions Editor of the Harvard International Law Journal.

### For More Information

Please click on the links to the left or contact a member of the clerking team.