



## Paul Burton

Call: 1998

### Barrister

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**Paul Burton** represents clients in business-critical commercial, company law and trust disputes, often involving allegations of fraud. He has extensive trial advocacy experience and his cases frequently start with urgent pre-emptive remedies. His practice encompasses drafting and advisory work and he regularly works with domestic and international lawyers, and other professionals, to assist in the drafting of complex documents. In addition to his court practice, Paul represents parties before a number of different arbitral tribunals, including the ICC and SCC.

#### COMMERCIAL, FRAUD AND INSOLVENCY LITIGATION

Paul is an experienced advocate in litigation and arbitration involving international and domestic transactions, and fraud and asset recovery, including the English law principles of deceit and misrepresentation, and foreign law delict.

A significant portion of his work involves transnational elements and multi-jurisdictional disputes, and he has extensive experience of issues relating to conflicts of law and the application of foreign law in English proceedings. He often works directly with international law firms.

Paul has wide-ranging experience in company and insolvency law, and is often called upon to act in cross-border disputes or advise on cross border transactions.

Paul's recent cases include:

- *Pipia v BGEO Group Ltd (formerly BGEO Group Plc)* [2020] EWHC 1359 (Comm) – Commercial – disclosure – control of documents by parent companies over subsidiary companies – foreign law – CPR PD51U – costs
- *Les Ambassadeurs Club Ltd v Albluwi* [2020] 4 W.L.R. 88 – Commercial – freezing orders – costs
- *Awendale Resources Inc v Pyxis Capital Management Ltd* [2020] EWHC 1286 (Ch) – Commercial – jurisdiction – foreign proceedings – Brussels Convention – choice of law – CPR Part 11
- *Pipia v BGEO Group Ltd (formerly BGEO Group Plc)* [2020] 1 W.L.R. 2582 – Commercial – disclosure – control of documents by parent companies over subsidiary companies – foreign law – CPR PD51U
- *Media Entertainment NV v Karyagdyev* [2020] EWHC 1138 (QB) –

*Commercial – computers -confidential information – injunctions – misuse of private information*

- *Pipia v BGEO Group Ltd (formerly BGEO Group Plc) [2019] EWHC 325 (Comm) – Commercial – security for costs – association agreements*
- *Ennis Property Finance Ltd v Thompson [2018] EWHC 1929 (Ch) – Commercial – real property – secured lending – guarantees – undue influence*
- *Blue Tropic Ltd v Chkhartishvili [2016] EWCA Civ 1259 – Commercial – foreign limitation provisions – amendments to statements of case*
- *Al Nehayan v Kent [2016] EWHC 623 (QB) 21 Mar 2016 – Commercial – security for costs*
- *Metropolitan Housing Trust Ltd v Taylor & Ors [2015] EWCA Civ 1595- Commercial – fraud – freezing injunctions – permission to appeal*
- *Metropolitan Housing Trust Limited v Taylor & Others (Costs) [2015] 3709 (Ch) – Commercial – fraud – freezing injunctions – costs*
- *Metropolitan Housing Trust Limited v Taylor & Others [2015] EWHC 2897 (Ch) – Commercial – fraud – freezing injunctions*
- *Al Nehayan v Kent [2015] EWHC 1176 (QB), [2015] All ER (D) 38 – Commercial – withdrawal of admissions – amendments*
- *Green v Chubb [2015] B.C.C 625 – Companies – commercial – confidential information – disclosure against administrators*
- *Catch a Ride Ltd v Gardner (Costs) [2014] EWHC 209 (Ch) – Commercial – LLP dispute – appointment of receiver over LLP – costs*
- *Catch a Ride Ltd v Gardner [2014] EWHC 1220 (Ch) – Commercial – LLP dispute – appointment of receiver over LLP*
- *O'Donnell v Bank of Ireland [2013] B.P.I.R 509, [2013] I.L. Pr. 16 – Commercial – COMI – bankruptcy jurisdiction – Republic of Ireland*
- *Phoenix Property investors Limited v Grange Securities [2011] EWHC 1131 (Ch) – Commercial – contracts for sale of land- non-performance – repudiation*
- *Sefton v Gallucci [2008] B.P.I.R 1588, [2008] EWHC 738 (Ch) – Companies – commercial – freezing orders – discharge – delay – obstruction – dishonesty*
- *Re: Lafayette Electronics Europe Limited [2007] B.C.C 890 – Companies – commercial – standing of administrators as creditors in relation to fees*
- *Foyle v Turner [2007] B.P.I.R 43 – Real property – human rights – protracted realisation cases*
- *Epis Services Limited v Revenue & Customs [2007] EWHC 3534 (Ch) – Companies – commercial – administration – creditors – winding-up*
- *Re Waterman Homes Limited [2007] EWHC 5747 (Ch) – Companies – commercial – fixed and floating charges*
- *Re: Zebra Industrial Projects Limited (In Liquidation) [2005] B.C.C. 104 – Companies – commercial – voluntary arrangements – trusts of proceeds*
- *Prestige Grindings Limited (Sharma v Yardley & Others) [2006] B.C.C. 421; [2006] 1 B.C.L.C. 440 – Companies – commercial – disqualification orders – joint and several liability*

## **COMMERCIAL ARBITRATION**

Paul has extensive experience as an advocate in international and domestic commercial arbitration.

Paul's recent cases include:

- *Re A Holding Company incorporated in the Republic of Cyprus – Commercial Arbitration – shareholder dispute – Computer manufacturer – English – BVI and Cypriot law*
- *Re A Californian LLC – Commercial Arbitration – breach of confidence – R&D agreements – exploitation of IP – English and US law*
- *Re A Yacht – Commercial Arbitration – breach of contract – \$35m yacht – English law*
- *Re A Hotel – Commercial Arbitration – breach of contract for the construction and management of hotel – English law*
- *Re An Airport – Commercial Arbitration – breach of lease – terminal*

*buildings – private airport*

- *Re A v B – Commercial Arbitration – fraud – English – Russian and UAE law*

## **CONTENTIOUS TRUSTS AND ESTATES**

Paul often represents high net worth individuals in complex disputes centred on trusts and estates.

Paul's recent cases include:

- *Gardiner v Tabet* [2021] EWHC 563 (Ch) – *Contentious probate – capacity – due execution – knowledge and approval*
- *Hanspaul v Ward* [2019] W.T.L.R. 609 – *Trusts litigation – costs – indemnities – protectors*
- *Scott v Estate of Richard Norman Scott* [2019] EWHC 455 (ChD), [2019] All ER (D) 184 – *Contentious probate – farmland – injunctions – trespass*
- *Sargeant v Sargeant* [2017] W.T.L.R. 1451 – *Contentious probate – family provision – applications out of time*
- *JSC Mezhdunarodniy Promyshlenniy Bank v Pugachev* [2017] EWHC 2426 (Ch) 20 I.T.E.L.R. 905 – *Contentious trusts – sham trusts – Bare trusts – discretionary trusts – protectors – settlors*
- *JSC Mezhdunarodniy Promyshlenniy Bank v Pugachev* [2017] EWHC 1972 (Ch) – *Contentious trusts – disclosure – confidentiality – fear of persecution by the Russian state*
- *JSC Mezhdunarodniy Promyshlenniy Bank v Pugachev* [2017] EWHC 1847 (Ch) – *Contentious trusts – cross-examination – enforcement – freezing injunctions security for costs*
- *JSC Mezhdunarodniy Promyshlenniy Bank v Pugachev* [2017] EWHC 1767 (Ch) – *Contentious trusts – personal information – public inspection – reporting restrictions.*
- *Poole v Everall* [2016] W.T.L.R. 1621 – *Contentious probate – capacity – knowledge and approval – due execution*
- *Hanspaul v Ward* [2016] EWHC 1358 (Ch) – *Contentious trusts – costs – discontinuance – civil procedure*
- *Weetman (Deceased), Re* [2015] W.T.L.R. 1745 – *Contentious trusts – removal of trustees – directors – shareholder beneficiaries – conflict of interest*
- *Walden v Atkins* [2013] B.P.I.R. 943, [2013] W.T.L.R. 1465 – *Contentious trusts – equity – proprietary estoppel – real property*
- *Ogden & Hutchinson (Executors of the Estate of Ronald Henry Samuel Griffiths) v Trustees of the RHS Griffiths Settlement 2003* [2008] STC 776, [2009] 2 W.L.R. 394, [2009] Ch 162 – *Contentious trusts – equity – mistake – relief from consequences of mistake*
- *Heath v Heath* [2010] 1 FLR 610 – *Contentious probate – real property – agreements for provision – specific performance – mistake – financial provision*
- *Ledger v Wootton* [2008] W.T.L.R. 235 – *Contentious probate – capacity*
- *Re: Bates, Bates v Wheildon & Others* [2008] W.T.L.R. 1705 – *Contentious probate – knowledge and approval*

## **RECOGNITION**

- *“Makes a frequent appearance in complex cross-border cases, standing out in particular for his trial advocacy. He is particularly adept at advising on issues relating to the administration of insolvent estates.”* (Restructuring/Insolvency, Chambers UK Bar 2019)
- *“He is a fearless advocate.” “He is very approachable and a very safe pair of hands.”* (Restructuring/Insolvency, Chambers UK Bar 2019)
- *“He’s very honest, really bright, very modest and gets to the nub of the issues very quickly. He is a fearsome advocate – his advocacy is powerful and very persuasive.”* (Restructuring/Insolvency, Chambers UK Bar 2018)
- *“Paul is a tough, no-nonsense advocate who can cut through complex issues with ease.”* (Restructuring/Insolvency, Chambers UK Bar 2017)

- *“He’s absolutely brilliant on his feet” (Restructuring/Insolvency, Chambers UK Bar 2016)*
- *“A robust and steady presence in the court room, who is valued for his pragmatic advice.” (Restructuring/Insolvency, Chambers UK Bar 2015)*
- *“A heavyweight guy for contentious matters”. “Sufficiently tenacious, he knows how far he can push the boundaries.” “He plugs holes in a case and we go to trial knowing the documents are strong enough.” (Restructuring/Insolvency, Chambers UK Bar 2014)*

## **QUALIFICATIONS**

- Accredited Mediators