



Commercial Litigation and Dispute Resolution Case Studies

Case Study 1:

We acted on behalf of our client who was a minor shareholder in a construction company. Our client was prejudiced by not being invited to annual general meetings, by resolutions being passed which required his authority and when the majority shareholders diluted his shareholding by increasing the share capital of the company. We threatened to petition the court for an equitable winding up based upon the conduct of the majority shareholder. Following mediation, the dispute was resolved in our client's favour by his shareholding being restored and the majority shareholders paying our client's costs.

Case Study 2:

We acted on behalf of a partner involved in a family retail partnership business. Our client had been disadvantaged in the business over a considerable period of time. We became aware of various breaches of the partnership agreement by the other partners and conduct which was detrimental to the partnership business. We asked the court for a full account of the partnership dealings including finances and were able to settle our client's claim by achieving a favourable exit from the business.

Case Study 3:

We acted on behalf of a software company that was subject to a claim for various breaches of warranty in respect of their software. We managed to prove that the claims were not justified and were in fact an attempt to avoid payment of overdue software license fees. Our client was successful at court and managed to recover costs as well as damages.

Case Study 4:

We acted on behalf of our property company landlord client. Our client had let out a premises subject to a business tenancy. The property had become dilapidated. Our client refused to renew the business tenancy as it wanted to take back possession and redevelop the property. The tenants claim for a renewal tenancy was rejected and our client was successful in regaining possession.

Case Study 5:

Our manufacturing client in the marine industry was subject to a sale of goods act claim based upon the defective manufacture of goods. We were able to defend the claim on the basis of the improper use of the goods and failure to follow manufacturer instructions. The claim settled at mediation.