

ADAM WILLOUGHBY



YEAR OF CALL

2011, Middle Temple.

EDUCATION

LLB (Hons), University of Hull (first class honours; obtaining a first class in every year). BPTC, BPP Law School Leeds

SCHOLARSHIPS

Outstanding Academic Achievement

Scholarship, University of Hull

Master Rose Scholarship, Middle Temple

ASSOCIATIONS

Northern Circuit Commercial Bar Association; Chancery Bar Association; Social Housing Law Association; The Professional Negligence Bar Association

PROFILE

Adam undertakes all aspects of commercial and chancery work, and has a particular interest in contentious probate cases. He has been described as a “*barrister beyond his call*”, and regularly conducts complex, multi-day litigation. He is also experienced in conducting cases at appellate level. In addition to advocacy, Adam provides drafting and advisory services.

Adam has developed a reputation for being a strong advocate, delivering practical and pragmatic advice, and for his meticulous preparation. Those that have instructed Adam have commented that he is “*outstanding in cross examination and oral submissions*”, and “*excellent at cutting to the core issues*”. Solicitors have also commented Adam is a “*great support throughout case preparation*” and “*very pleasant and easy to deal with*”.

AREAS OF PRACTICE

- **Commercial Contracts**
Including all types of contract disputes.
- **Construction Disputes**
Including defective and non-compliant building work disputes.
- **Bankruptcy & Corporate Insolvency**
Compulsory and voluntary liquidations, administration petitions, transaction avoidance applications and, Insolvency Act 1986 applications of all types.
- **Professional Negligence**
Solicitors (including misconduct of conveyancing and litigation), accountants, and surveyors.
- **Real Property**
Including restrictive covenants, boundary disputes, easements, adverse possession and co-ownership.

- **Landlord and Tenant**

Including disrepair, possession claims, forfeiture, and Landlord & Tenant Act 1954 applications.

- **Trusts, Wills, Probate & Administration of Estates**

Construction of wills and trusts, deathbed gifts, “capacity disputes”, contentious probate, administration actions, and “Beddoe” applications.

- **Family Provision**

Inheritance Act 1975 applications for all classes of applicant.

- **Partnership**

Actions for dissolution remedies, partnership disputes and insolvency.

NOTABLE CASES

- *Larbey v. Grimwood*
Adam represented the Defendant in a 1975 Act claim and a challenge to the validity of the deceased’s Will on the ground she lacked testamentary capacity owing to Alzheimer’s disease.
- *Wright v. Brackenbridge*
Adam represented the Claimant in a complex boundary and adverse possession dispute concerning the planting of hedgerows and construction of fencing.
- *Purpose Properties Ltd v. Court*
Adam represented the Defendant in a trespassing claim which included a claim for injunctive relief.
- *Supreme Finance Ltd v. Metcalfe*
Adam struck out a £250,000 misrepresentation claim in the Admiralty Division.



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- *Mellor v. Buckley*

Adam defended a claim for repayment of money that the Claimant alleged was owed to him under an oral contract. Adam undermined the Claimant's testimony that such contract existed.

- *RGS v. Connect IT Solutions*

Adam represented the Claimant at its application for an injunction forcing the Defendant to reinstate the Claimant's IT services and website pending trial. Adam was successful in this application and the subsequent litigation that followed.

- *Pincus v. Santander UK Plc*

Adam represented the Claimant in a claim for an interim injunction restraining the charging of further interest on her loan account pending trial. The substantive case concerned a claim for relief following misrepresentation and financial mis-selling.

- *Hopkins v. Lloyds TSB*

Adam represented the Claimant in respect of her claim for the mis-selling of financial products and discharge of securities against her property.

- *Nunns v. Capital One*

Adam represented the Claimant in his claim for financial mis-selling. The case concerned several volumes of complex evidence relating to historical loan accounts.

- *Williams v. Richards*

Adam obtained summary judgment for the Defendant in a very high value case concerning the passing of property in respect of a ship and discharge of the seller's lien

- *PIP Breast Implant Litigation*

Adam represented a group of Claimants in their claims against a number of credit card companies under the Consumer Credit Act 1975 following the winding up of the companies that carried out breast augmentation surgery, in breach of contract.

PUBLICATIONS

Adam has authored a number of internationally published articles on subjects including: Testamentary capacity, boundary disputes, right to light litigation, sale of goods reform, and restrictive covenants in employment contracts.

SEMINARS

Adam has recently presented the following seminars:

- "A Practical Approach to Boundary Disputes"
- "Strike Out in a Post-Jackson World"

- "Restrictive Covenants and Restraint of Trade: An Update"

- "Testamentary Capacity and Evidential Issues"

- "Adverse Possession: A Case Law Update"

- "Freezing Injunctions: Nuclear Weapons and How to Handle Them"

- "Administration and the Dissipation of Assets"

- "Claiming Against an Insolvent Party"

RECREATION

Adam is a qualified pilot and in his spare time takes to the skies over Yorkshire and Lancashire. He also enjoys playing rugby and travel.



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