

Alan Gourgey QC

QC: 2003
 Education: LLB (Bristol)
 ADR Group accredited mediator
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Alan has an outstanding reputation in the fields of commercial litigation and commercial fraud. His wide-ranging practice includes major business disputes, partnership and insolvency. He has acted in many substantial fraud cases ranging from bank to telecommunications fraud. As a media, sports & entertainment lawyer, clients have included pop stars, sportsmen, managers, football clubs and sporting bodies. His expertise extends to e-commerce and IT disputes. He is an experienced trial lawyer with particular strengths in rapid assimilation and analysis of complex material, tactical guidance and forceful advocacy. He is recommended as a leading silk in the major legal directories in the areas of commercial litigation, civil fraud and IT.

Commercial Litigation:

Alan has a well-established practice covering a wide range of commercial disputes. He is recommended in Chambers & Partners 2009, Legal 500 2008 and Legal Experts as a leading commercial litigation silk.

The extremely brainy and accessible Alan Gourgey QC at 11 Stone Buildings is highly sought-after. (Chambers & Partners 2009)

Alan Gourgey QC is 'extremely bright, very good in court and user-friendly'. (Legal 500 2008)

"Consistently good," Alan Gourgey QC at 11 Stone Buildings "never ceases to amaze" sources with his cast-iron practicality and user-friendliness. He is heavily involved in a multimillion-pound dispute between Sky and EDS premised on allegations of deceit and breach of contract. (Chambers & Partners 2008)

His practice covers the following:

- Complex civil fraud claims, in many cases involving cross-border asset tracing
- Jurisdictional disputes and anti-suit injunctions
- Share warranty claims where his ability to assimilate rapidly and analyse complex documentation, including accounts, is a particular strength.
- Joint venture disputes, whether taking the form of contractual claims, section 994 proceedings or partnership proceedings, in many cases involving applications for interim relief.
- Out-sourcing contracts raising difficult contractual and technical issues.
- Distribution and solus agreements – his clients have included oil companies such as Texaco and Conoco, and motor vehicle manufacturers such as Toyota, Vauxhall and Peugeot
- Acting for both banks and defendants on guarantee and negligence claims. Alan acts for a number of the major banks.
- Complex quantum claims. Alan acted for a large number of Spanish companies in the Factortame litigation against HM Government.
- IT disputes – clients have included EDS, GEAC, CSC and ITNET.

Technology:

In the last seven years Alan has acted in some of the UK's largest IT and e-commerce disputes for clients such as EDS, GEAC and ITNET. The disputes involved complex IT solutions such as the NATS case involving air traffic control systems, major banking IT solutions, major government IT contracts, case involving a major CRM project.

Alan was involved on behalf of EDS in the substantial litigation *BSkyB v EDS*, in which Sky claimed damages of more than £700m against EDS. The case relates to the replacement of Sky's Customer Relationship Management system. The Lawyer featured this case in their "heavyweight litigation" report as one of the 10 big litigation trials of 2008.

Alan Gourgey QC has a strong IT practice focusing on contracts and the supply of computer systems. Solicitors say he 'has that rare combination in a silk of easy accessibility coupled with excellence coupled with excellent written material and perceptive advocacy'. (Legal 500 2007)

Fraud

His commercial fraud work encompasses many cases acting both for claimants and defendants.

Alan is recommended as a leading silk in the area of civil fraud in Chambers & Partners 2009 and Legal 500 2007.

Alan Gourgey QC remains a silk to turn to for complex fraud matters. He is described as a "fantastic advocate" who is popular with both judges and peers. (Chambers & Partners 2009)

Alan Gourgey QC, a barrister of "skill and approachability" who is a popular choice amongst instructing solicitors. He is involved in an ongoing matter concerning a tax avoidance scheme. (Chambers & Partners 2008)

His work on behalf of claimants includes acting for:

- A banking syndicate involving applications for freezing orders, complex asset tracing and cross-border enforcement
- A major retail store on a series of frauds perpetrated by senior management requiring search & freezing orders
- The Department of Health in a substantial fraud claim against dentists – one of the first such claims to be brought
- An insurance company in relation to an large scale HGV fraud
- HM Customs & Excise on 'missing trader' fraud claims

His work on behalf of defendants includes:

- Two sets of claims by Middle Eastern companies relating to alleged aluminium frauds
- Claim against trustee relating to misappropriation of Swiss assets

Company, partnership and insolvency

- Shareholder disputes of all types, including claims by minority shareholders and disputes concerning board control (one such case involving one of the country's leading advertising agencies)
- Numerous partnership disputes, particularly solicitors' and accountants' partnerships
- Application of the Duomatic Principle on claim by former director against company
- Directors' disqualification proceedings
- Registration and priority of charges
- Appointment and removal of administrators, liquidators and interim receivers

Media, Sports & Entertainment

Alan has a practice covering most areas of commercial work, including media & entertainment and sports-related disputes.

He has acted in a number of cases in the entertainment field, including management, publishing and recording company disputes. He has acted for Robbie Williams, Human League and Genesis.

Arbitration

Alan has acted in both domestic and international arbitrations either as an advocate or an arbitrator.

Mediation

Alan is an accredited mediator with ADR Group. He also regularly appears on behalf of clients in mediations of substantial disputes. Recent mediation experience includes a professional negligence claim and representing a claimant in a breach of share warranty claim which after lengthy mediation was adjourned. He acted for a boxer in his dispute with a promoter.