

Alan Gourgey QC

Call: 1984
 Silk: 2003
 Education: LLB (Bristol); ADR Group accredited mediator
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Alan has an outstanding reputation in the fields of commercial litigation, IT and commercial fraud. He is an experienced trial lawyer with particular strengths in rapid assimilation and analysis of complex material, tactical guidance and forceful advocacy. The major legal directories have recommended him as a leading silk in the areas of commercial litigation, civil fraud and IT for many years. Alan has appeared as counsel in domestic and international arbitrations.

Commercial litigation and arbitration

Alan has a well-established and wide-ranging practice involving complex contractual disputes, increasingly with an international flavour. In addition, he has for many years acted for Royal Bank of Scotland in relation to guarantee claims. He acts as an advocate in both domestic and international arbitrations and has sat as an arbitrator. He is well suited to working closely with the clients' solicitors and in-house legal teams and is closely involved in both the preparation and presentation of the case. He is recommended by Chambers & Partners and Legal 500 as a leading commercial litigation silk.

Recent experience includes:

- A Stockholm Chamber of Commerce arbitration involving claims of around \$1.5 billion on a gas contract dispute
- A claim for VTB Bank for £200 million in relation to bank-lending work
- *Hawksford Trustees Jersey Limited v Stella Global UK Limited* and another [2011] EWHC 503 (Ch): a claim for rectification for a share purchase agreement
- An LCIA arbitration concerning sales of shares in a Russian utility company with claims in the region of \$75 million
- LCIA arbitration concerning the operation of a space satellite
- Giving expert evidence for a Swiss arbitration

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.

Civil fraud

He has acted in many substantial fraud cases ranging from bank to telecommunications fraud. In his commercial fraud work he acts for both for claimants and defendants. Alan has been recommended as a leading silk in the area of civil fraud by Chambers & Partners and Legal 500 for many years.

His work on behalf of claimants includes acting for:

- A banking syndicate involving applications for freezing orders, complex asset-tracing and crossborder 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

Technology

In recent years Alan has acted in some of the UK's largest IT and e-commerce disputes for clients such as EDS, CSC and ITNET. Disputes involved major government contracts, banking IT solutions and a significant CRM project. He was also involved in the NATS case involving air traffic control systems.

A selection of important recent cases:

- Acting for House of Fraser in its claim against Santander concerning the operation of the whole of House of Fraser's customer store card system. The action, which was of major significance to House of Fraser and had potentially significant implication for its customers, settled in July 2010 shortly before the commencement of the trial in the TCC
- Acting for HP Defence in relation to a number of complex disputes in relation to a major ongoing defence IT contract
- Acting for EDS in the claim by BskyB in relation to an IT contract for a Customer Management System. BskyB v EDS [2010] EWGHC 86. The Lawyer featured this case in their "heavyweight litigation" report as one of the 10 big litigation trials of 2008
- Acting for a major IT company in relation to multi-billion point government contract

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. Clients have included pop stars, sportsmen, managers, football clubs and sporting bodies. 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.

What others say

He has been recommended in Chambers & Partners, Chambers UK Guide, and Legal 500 as a leading commercial litigation, IT and civil fraud silk for many years. A selection of his recent quotes include:

... the highly respected Alan Gourgey QC, who is “a fantastic advocate” with an enviable reputation for his efforts in disputes involving joint ventures, franchising, commodities contracts, share sale agreements and banking issues. His work is taking on an increasingly international dimension. (*Commercial Chancery - Chambers UK 2012*)

Alan Gourgey QC of 11 Stone Buildings is a particular favourite amongst solicitors thanks to his “hands-on approach” and “easy manner with clients.” They further note: “He quickly grasps, and then clearly explains, the most complex of issues.” He recently advised Hawksford Trustees on various claims valued at between £10 million and £20 million relating to a share sale agreement for a travel group of companies. (*Commercial Dispute Resolution - Chambers UK 2012*)

Alan Gourgey QC is “a bright professional who fully understands that speed is frequently of the essence,” according to solicitors. He recently acted on the Chancery Division fraud claim of Cadogan v Tolley. (*Civil Fraud - Chambers UK 2012*)

Alan Gourgey QC of 11 Stone Buildings “is a hands-on, detailed lawyer - if you’ve got a situation where you need a safe pair of hands on an IT case, he’s an ideal choice.” (*Information Technology - Chambers UK 2012*)

The set has “a real star” in Alan Gourgey QC, who is “a first-rate trial advocate and tactician” whose “understanding of complex expert accounting and forensic issues is second to none”. (*Commercial Litigation - Legal 500 2011*)

At 11 Stone Buildings, Alan Gourgey QC is “not afraid to roll up his sleeves and immerse himself in a case”. (*Civil Fraud - Legal 500 2011*)

Alan Gourgey QC of 11 Stone Buildings is an “incisive and dynamic thinker” who exhibits a “down-to-earth approach and magnetic courtroom charisma”. His practice comprises contractual, commercial fraud and IT matters, and he recently defended NatWest against breach of contract and duty of care claims valued at several million pounds. (*Commercial Dispute Resolution - Chambers UK 2011*)

Alan Gourgey QC is singled out as “a really great advocate, who is absolutely outstanding in court”. (*Commercial Litigation - Legal 500 2010*)

Alan Gourgey QC is “hard-working, quick, sharp and good in court”. His practice is wide-ranging, covering partnership and shareholder, insolvency, fraud, sports, media and IT disputes. He is hailed as “a brilliant allrounder and a joy to work with”. (*Commercial Dispute Resolution - Chambers UK 2010*)

Alan Gourgey QC of 11 Stone Buildings is “always willing to roll his sleeves up and dive into the detail”. (*Civil Fraud - Legal 500 2010*)

The ‘top-notch’ Alan Gourgey QC of 11 Stone Buildings is acting for House of Fraser on a major IT contract concerning the operation of its store and credit cards. (*Information Technology - Legal 500 2010*)