



Andrew Smith

Partner

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Andrew Smith is recognised in the market as a leading litigator, advising on complex and high-value commercial and corporate disputes, with particular experience in complex M&A/transactional claims, company law and shareholder/joint venture disputes. Andrew is joint UK lead for the firm's international Corporate Disputes group and his work frequently includes cross-border and international disputes.

He also focuses on contractual and product liability claims, commercial defamation, civil fraud and Judicial Review in a commercial context. Cases are frequently international in nature, and often involve applications for injunctions or similar relief. Andrew's work covers a wide range of sectors, with a focus on private equity, retail, technology, manufacturing and energy.

AREAS OF EXPERIENCE

- Corporate and company law disputes, including shareholder disputes, transactional disputes, warranty claims and joint venture disputes.
- Electricity and gas disputes.
- Contractual disputes and product liability claims.
- Enforcement of restrictive covenants.
- High Court injunctions, including worldwide freezing orders.
- Claimant professional negligence actions against accountants, solicitors, valuers.

KEY EXPERIENCE

- Acting for a private equity firm on a highly involved and complex GBP100 million shareholder dispute involving claims of unfair prejudice, breach of fiduciary duty and fraud.
- Acting for a big six energy supplier, dealing with contractual and commercial disputes including a substantial claim in relation to a

- Litigation, Arbitration and Investigations
- Regulatory and Government Affairs
- Corporate
- Class Actions
- Restructuring
- Mergers and Acquisitions
- Cross-Border Litigation
- Private Equity
- Public and Administrative Law
- Corporate Disputes

- Industrials
- Consumer Goods, Food and Retail
- Media, Sport and Entertainment
- Financial Services
- Energy and Natural Resources

disputed contract which involved an analysis of electricity pricing models, and advice in relation to sensitive outstanding contracts.

- Acting for a UK accountancy firm in bringing a claim against an employee who had defrauded substantial sums from clients over a period of years. This included obtaining a worldwide freezing order, followed by judgment and subsequent enforcement proceedings.
- Representing a venture capital firm on various multi-million pound post-M&A claims for breach of warranty, covenant, earn-out disputes, misrepresentation and fraud.
- Acting for a US-based shareholder in parallel court and arbitration proceedings in the UK and US.
- Advising a global plastics manufacturing business in relation to the defence of a multi-million pound product liability claim.
- Representing an international chemical manufacturer in relation to a high value dispute arising from the misuse of their confidential formulae by competitors.
- Acting on a number of applications for urgent High Court injunctive relief, ranging from global freezing orders to enforcement of restrictive covenants.

CREDENTIALS

Professional Qualifications

- Solicitor of the Senior Courts of England and Wales

Recognitions

In *Chambers 2019*, Andrew is described as being a "very straightforward, unfussy and gives practical rather than esoteric advice in a way which is readily understood by all."

Education

- University Of Sheffield, BA Law, 1997
- Nottingham Law School, LPC, 1998

INSIGHTS

Publications

Johnson v Eastlight: Another important judgment on de minimis threshold in data protection compensation claims – and other key takeaways

17 November 2021

The High Court in *Emma Louise Johnson v Eastlight Community Homes Ltd* declined to strike-out a claim for damages for distress following an isolated one-off data incident which was quickly remedied.

High Court criticises claimant law firm for seeking to load a compensation claim for a data breach with multiple heads of claim that are not appropriate

2 August 2021

As the data protection compensation claim landscape develops in the UK, the High Court in the case of *Warren -v- DGS Retail Limited [2021] EWHC 2168 (QB)* has given useful guidance as to the appropriate heads of claim.

