

Ben Stimmler

Call 2009

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Introduction

Ben is a commercial chancery barrister. His practice focuses on property issues (real and landlord & tenant) but embraces expertise and experience in company, insolvency, wills & probate disputes and general commercial litigation.

Ben advises, drafts and acts in matters proceeding in the High Court, County Court (Chancery Business), First-tier Tribunal (Property Chamber; Residential and Land Registration divisions), Upper Tribunal and Court of Appeal.

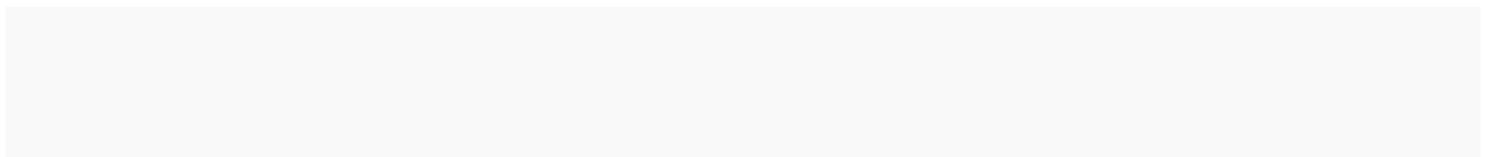
In practice since the completion of his pupillage in 2010, he prides himself on a pragmatic, client-centred approach both to his busy paperwork practice and to his advocacy in the Courts and Tribunals. He also has ample experience of mediation and other forms of ADR.

Ben is also well-versed in avoiding (or, if necessary, mitigating) the effects of the various procedural pitfalls that increasingly beset even the most fastidious of fee-earners. He is additionally an effective advocate and advisor in matters of costs.

Historically, Ben was an avid theatre-, gig- and festival-goer (where work permitted) and a keen traveller (while remaining in 24/7 email contact of course). However, as a recent first-time father, life outside chambers now typically involves home-based pursuits such as cooking and Netflix. He presumes that this will change at some point.

“Personable, knowledgeable and pragmatic, Ben continues to deliver the desired results and is my preferred choice of Counsel every time”

“A source of great help, guidance and wisdom”



Company and Partnership

Ben has diverse experience in handling typical and atypical disputes amongst officers and members of companies, including cases involving directors and their duties, unfair prejudice petitions and derivative actions. He is also all too experienced in dealing with companies whose members and officers conduct their affairs rather more informally than their articles and the relevant duties contemplate. He has a particular interest in the intersection of company law with property law.

Ben advises and conducts proceedings in varied partnership disputes. He is particularly interested in the intersection of partnership and property law where partners' land is involved, along with the circumstances where the very existence of a partnership is at issue (where he has for example succeeded in establishing that a contract in which the parties to a venture were said to be dealing as "partners" in fact gave rise to no partnership at all).

Cases

As part of a varied practice in the High Court, County Court (Chancery Business), First-tier Tribunal (Property Chamber; Residential and Land Registration divisions), Upper Tribunal and Court of Appeal, Ben appeared as successful sole counsel in the following cases:

Klosterkotter-Dit-Rawë v Greyclyde Investments Limited [2017] UKUT 289 (LC). Ben appeared for the successful Respondent, as he had at first instance in the First-tier Tribunal (Property Chamber), whose decision the Upper Tribunal upheld.

Davies v Davies [2016] EWCA Civ 1226. Ben appeared for the successful Respondent, as he had at trial in the High Court where his client succeeded in establishing a proprietary estoppel over certain agricultural land.

Judge Sykes Frixou v Bhabra [2016] EWCA Civ 381. Ben appeared for the successful Respondent, as he had at trial in the High Court where his clients obtained judgment for legal fees due under a guarantee, the Defendant having failed in his defence of set-off.

Qualifications

- 2006 MA (Hons) English. Cambridge University.
- 2008 Graduate Diploma in Law (Distinction). City University.
- Diplock Scholar (Middle Temple, 2008).
- 2009 Bar Vocational Course: Very Competent. City Law School.