

## Ben Stimmler

Call 2009

Telephone [020 7831 0222](tel:02078310222)

Email [clerks@42br.com](mailto:clerks@42br.com)



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”

## Professional Negligence

In this field Ben’s focus is on claims against solicitors conducting litigation and against legal and professionals working in the property industry, in which he acts for both claimants and defendants. His recent work includes cases presenting particularly thorny issues of limitation and causation.

## 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:

*Klosterkötter-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.