

Gabriel Buttimore

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Gabriel Buttimore practice comprises extensive High Court experience in commercial litigation, shareholder disputes, partnership & LLP disputes, trusts, probate, property litigation and professional negligence.

Business Law

Gabriel Buttimore regularly appears in the High Court and in addition to dealing with standard commercial, business and company disputes has been involved in numerous cases involving fraud, deceit and conspiracy. His experience also extends to professional negligence in relevant fields.

Recent Cases include:

Bahia v Sidhu Chancery Division (ongoing) - (Bahia v Sidhu Chancery Division [2022] EWHC 875 (Ch))

Property partnership dispute in relation to £10m+ property portfolio involving significant issues of property, trust and partnership law. Trial of main inquiries (report reference above) took place over several weeks in 2022 and the dispute is ongoing.

Re Tordan Healthcare (ongoing)

Acting for the Claimant in a Companies Act 2006 s.1994 dispute.

Lauralu v Bodypower (ongoing)

Business dispute relating to the provision of 4 temporary warehouses, misrepresentation and their suitability and fitness for purpose

Re XYZ Ltd

Advising on complex company law issues relating to breaches of company law promotion restrictions, breaches of its articles in relation to the allotment of shares and advising and on appropriate steps to resolve those issues and convert to a

plc.

Xx v xx (ongoing)

LLP partnership dispute and S.994 Companies Act 2006 proceedings in relation to a solicitors firm. Proceedings ongoing.

Richardson v Yousef and Southeby Ltd 2024

Acting for the claimant in a claim in deceit and conspiracy in relation to the company share sale. The claim settled during the course of the trial.

Raja v McMillan Court (ongoing) - (Raja v McMillan Chancery Division [2020] EWHC 951 (Ch))

Acting for the Claimant in a claim in conspiracy and deceit against the Defendant arising out of a property sale. Report references above are to the Defendant's unsuccessful application for summary judgment and subsequent appeal which raised important issue of law in relation to intention and conspiracy and whether one-man companies can conspire with the company. The Court of Appeal determined these were all matters for trial which is due to take place in 2024.

Premier Exports 2017-2023

Complex multiparty commercial litigation initiated by a claim against former company directors for breach of fiduciary duty.

Refined (UK) Ltd v Gordon Chancery Division 2022

(Refined (UK) Ltd v Gordon Chancery Division [2020] 12 WLUK 637

Refined London Ltd v Gordon Chancery Division [2021] EWHC 1915 (Ch) 14 Jul 2021)

Acting for the defendant in a £10m+ claim brought by the liquidators who alleged the he (along with other defendants) perpetrated a series of frauds whilst a director. The case references above are to reports of interlocutory hearing. The proceedings were subsequently compromised.

DSC Metropolitan v Etwell 2022

Acting for specialist accounts in a claim for recovery of substantial fees arising out of a tax investigation.

McGann v Bisping, Queen's Bench Division [2021] EWHC 704 (QB) 24 Mar 2021

Acting for the Defendant, a former MMA fighter, in long running proceedings brought by his agent. The report reference above is to a successful application by the Defendant to strike out the balance of the claim on the basis the relevant right of action had previously vested in the trustee in bankruptcy.

Satyam Enterprises Ltd v Burton [2021] EWCA Civ 287

Acting for the Claimant in a claim against former its director for breach of fiduciary duty. The case reference above is to a successful appeal to the Court of Appeal following the dismissal of the claim at the first trial.

Lawrence Brown v Hatcher [2021]

Acting for the Claimant in a claim in deceit between a former couple where Claimant alleged that the Defendant had

procured that various properties and other assets had been given to her on the basis that she said she had terminal cancer.

Ghadami v Bloomfield, Chancery Division [2017] EWHC 2020 (Ch) 2 Aug 2017

Acting for one of the Defendants in a £100m+ claim which was successfully struck out. Case reference above is to the dismissal of the Claimant's application to reverse or vary the decision to strike out his claim.

Property Law

Gabriel Buttimore has considerable experience in all areas of property law, from easements to mortgages to property fraud and consequential issues of professional negligence.

Recent Cases include:

TKC Housing Ltd v Magic Living 2024 (ongoing)

Acting for the defendant in a claim based on an oral right of pre-emption in respect of the long lease of a building.

LVN v Hamilton Downing & Quin (ongoing)

£2m+ professional negligence claim against vendor's solicitor arising out of a (failed) purchase of property from an offshore company which had the same name as the owner registered at the Land Registry but was registered in a different jurisdiction.

Bahia v Sidhu Chancery Division [2022] EWHC 875 (Ch)

Instructed on behalf of the claimant in a property partnership dispute in relation to £10m+ property portfolio involving significant issues of property, trust and partnership law. Trial of main inquiries took place over several weeks in 2022 (report reference above) and the dispute is ongoing.

Re XX 2023

Advising on property identity fraud which resulted in the sale of a client's property without his knowledge.

East Marsh Regeneration Ltd v Ogedengbe (ongoing)

(Report on interlocutory application within an unsuccessful appeal: Ogedengbe v East Marsh Regeneration Ltd [2021] EWHC 3630 (QB) 19 Nov 202)

Property JVA dispute. Acting for the Claimant who provided funding for joint venture and paid off the Defendant's bridging loan. Summary judgment obtained in relation to claim for subrogation which was the subject of an unsuccessful appeal. Proceedings ongoing in relation to a claim in fraud/deceit.

Fraine v Foy Chancery Division [2021]

(report on interlocutory hearing: Fraine v Foy Chancery Division [2021] EWHC 2302 (Ch))

Acting for the Claimant in the successful enforcement of his equitable charge against the Defendant who alleged fraud and

forgery.

Mahdavi v Sterling Avram and others 2018-2021

Acting for one of the defendants (a firm of solicitors) in a professional negligence claim arising out of a £10m property identity fraud.

Medwell v Howarth and others 2021

Successfully defending claim at trial in relation to boundary and access issues over a tract of land near Stansted Airport.

Emmanuel v Avison [2020] EWHC 1696 (Ch)

Acting for the Claimant in seeking a negative declaration in relation to a charge secured against her property on the basis of the document being a fraud and forgery. Claim failed on the basis of the application of the burden of proof. Reference above is to the unsuccessful appeal hearing against that decision. The Court determined that it was for the Claimant, as instigator of the claim, to establish that the fraud had taken place and not for the Defendant to establish that the Claimant had executed the relevant documents.

Alade v Mayer, Chancery Division [2020] EWHC 1736 (Ch)

Acting for the Claimant in relation to an order for sale following obtaining a charging order. Report reference above is to an unsuccessful applicant to, amongst other things, discharge the underlying charging orders (which failed).

Direct Access

Gabriel Buttimore is authorised to accept instructions direct from members of the public.

In suitable cases, Gabriel Buttimore can provide client conferences, written advices and representation at court.