
MATTHEW SHERIDAN

Call: 2000

"An absolute standout junior for injunction work" "Peers commend the strength of his advocacy" Chambers & Partners (2016)

"A superb junior, who is increasingly involved in high-value High Court matters." Legal 500 (2017)

"Has a reputation for intellectual rigour, and an acknowledged ability to understand the most convoluted & Partners (2016)

"A go-to junior for High Court employment and team-move disputes." "He is great to work with; he picks forceful advocate." Chambers & Partners (2016)

"Turning into a real star when it comes to High Court matters." Legal 500 (2016)

"Has impressed with his work on restrictive covenants..." "He has gravitas, but he also adopts a friendly talented and robust advocate who can pick through the detail to get to good points." Chambers & Partners (2016)

Called to the Bar in 2000, the focus of Matthew's High Court practice is **business competition: confidential information, springboard relief**, particularly in a **team-move** context. As a result, he is regularly instructed to make and resist injunctions. Matthew's Tribunal practice include complex discrimination/victimisation claims, whistleblowing, and employee/woman

Matthew has experience across a variety of sectors: banking/finance, technology, publishing, the legal sector, the security, religious institutions, telecommunications, the health sector and professional regulatory bodies.

High Court / Business Competition

Matthew has considerable experience of acting in breach of employment contract and business competition cases (injunctions, injunctive relief). He has expertise in relation to abuse of confidential information/database rights, enforcing restrictive covenants, diversion of business opportunities and all of the other issues which arise in the context of team-moves. He also represents clients in other contractual claims arising from employment contracts.

Matthew has acted for clients across a variety of sectors including insurance, technology, recruitment and pharmaceuticals.

- **ICAP Management Services Ltd v (1) Dean Berry (2) BGC Services (Holdings) LLP** [2017] EWHC 132: acted for Dean Berry in defending ICAP's claim for a garden leave injunction. In addition to 'classic' garden leave injunctions, the claim included an application of TUPE to the sale (by share acquisition) by ICAP Plc of its inter-dealer broking business to Tu
- **Hume Brophy Communications v Mary Clark & others**: acted (as sole counsel) for Hume Brophy in seeking injunctions against two defendants (each separately represented) in the context of an alleged unlawful team-move in the investment industry.
- **Alvarez & Marsal v KPMG LLP & others**: acted for KPMG in (i) defending a claim for declaratory relief and (ii) seeking an injunction against Alvarez & Marsal in relation to its alleged breach of confidentiality obligations to KPMG.

alleged unlawful team-move. Led by Gavin Mansfield QC. The case settled before trial. Opposing counsel Craig QC. (2016)

- **Bluefin Insurance Services Limited v Global Risk Partners & others**: acted for the claimant in a substantive claim (led by Gavin Mansfield QC). Conducted advocacy at the interim stage. The case settled at trial. Opposing counsel Adam Solomon. (2016)
- **Hitachi Rail Europe Ltd & anor v Matrix Research Ltd & anor**: acted (as sole counsel) successfully for the claimant in obtaining a **Norwich Pharmacal** order sought by the claimants in support of rights under the **Data Protection Act 1998**.
- acted (as sole counsel) for a FTSE 100 technology company defending claims for injunctive relief in support of springboard relief and *Wrotham Park* damages. The case settled shortly before the speedy trial. Opposing counsel were David Reade QC and Dale Martin. (2015)
- acted (as sole counsel) for four defendants in the travel bond market defending claims for injunctive relief in support of springboard relief and damages in circumstances where there was an alleged attempt to re-create/divert the business. Opposing counsel were David Reade QC and Dale Martin. (2015)
- acted (as sole counsel) for a Lloyd's broker in seeking to enforce against a former employee/shareholder pursuant to a shareholder's agreement. Favourable undertakings were extracted and the case was then settled. Opposing counsel were David Reade QC and Dale Martin. (2015)
- acted successfully on behalf of a well-known City-based foreign exchange brokerage house to prevent competition from a competitor which sought to move to a competitor. (2014)
- acted for a team of defendant employees who worked in the marine insurance broking industry in resisting a claim by their former employer sought to prevent them from working for a competitor. (2014)
- acted for defendants who, in the context of a failed management buy-out, were alleged to have conspired to form a new company and to have poached staff (led by Selwyn Bloch QC). (2014)
- acted for a global telecommunications company in defending a breach of contract claim by a senior executive (and accepted) was subsequently withdrawn prior to his starting employment (the claimant having already resigned). (2014)
- applied successfully for injunctive relief in support of an action for breach of confidence (unlawful access to confidential information) under international law (jurisdiction and applicable law). (2013)

Statutory Employment

Matthew has extensive experience of defending and bringing statutory employment claims at Tribunal, Employment Appeal Tribunal and Employment Appeal Tribunal level. In particular, he has expertise in relation to the following types of claims:

- Discrimination, victimisation and harassment
- Whistleblowing/public interest disclosure
- Employment status
- Transfer of undertakings
- Breach of contract and unlawful deductions
- Unfair dismissal
- TUPE

Recent Cases

The following are some examples of Matthew's most recent cases:

- **ICAP Management Services Ltd v (1) Dean Berry (2) BGC Services (Holdings) LLP** [2017] EWHC 132: acted for Dean Berry in defending ICAP's claim for a garden leave injunction. In addition to 'classic' garden leave injunction, the claimant sought application of TUPE to the sale (by share acquisition) by ICAP Plc of its inter-dealer broking business to Tl

- **Hume Brophy Communications v Mary Clark & others:** acted (as sole counsel) for Hume Brophy in respect of two defendants (each separately represented) in the context of an alleged unlawful team-move in the investment industry. (2016)
- **Alvarez & Marsal v KPMG LLP & others:** acted for KPMG in (i) defending a claim for declaratory relief against an alleged unlawful team-move. Led by Gavin Mansfield QC (but appeared at the interim hearing alone). The case also included Paul Goulding QC and David Craig QC. (2016)
- **Bluefin Insurance Services Limited v Global Risk Partners & others:** acted for the claimant in a substantial claim for damages (led by Gavin Mansfield QC). Conducted advocacy at the interim stage. The case settled at trial. Opposing counsel included Adam Solomon. (2016)
- **Hitachi Rail Europe Ltd & anor v Matrix Research Ltd & anor:** acted successfully for the respondent to an order sought by the claimants in support of rights under the **Data Protection Act 1998**. (2016)
- **Pemberton v The Bishop of Southwell & Nottingham:** acted successfully in the ET and EAT for the Bishop in respect of an orientation discrimination brought by a priest who entered into a same sex marriage. The case relates to the prohibition on same sex marriage amongst clergy and the ambit of the exemptions for religious organisations. The claimant has permission to appeal to the Court of Appeal. Matthew is led by Thomas Linden QC. Opposing counsel includes Adam Solomon. Links to press coverage:
<http://www.bbc.co.uk/news/uk-england-28638850>
<http://www.telegraph.co.uk/news/religion/11677144/Church-cant-judge-my-same-sex-wedding-said/>
<http://www.theguardian.com/uk-news/2015/jun/16/canon-jeremy-pemberton-first-priest-marry-said/>
- **Vairea & Amini v Reed Business Information Ltd UKEAT/0177/15/BA (3 June 2016):** acted successfully for the claimants in whistleblowing claims brought by two sales managers. The claimants alleged that the company was involved in imposing trade sanctions (under UK and US law) by providing embargoed countries like Syria with the tools to move allegedly facilitating terrorism). The case attracted media interest. The claims failed in the ET and EAT. The claimants were successful in their “last straw doctrine” in constructive dismissal claims. (2016)
- **Reverend Mark Sharpe v The Bishop of Worcester** [2015] IRLR 663 (CA): Matthew acted in the Court of Appeal for the Bishop in a test case concerning the employment status of Church of England clergy. The case raised important questions of contracts and the extended definition of ‘worker’ for whistleblowing claims in section 43K of the ERA 1996. Opposing counsel was John Bowers QC. (2015)
- **X v International Law Firm:** acted for a major international law firm in defending claims of religious discrimination. The claimant’s applications for partnership failed. The claimant had been seconded to and then employed by a separate law firm. The case involved difficult questions about the territorial reach of the Equality Act 2010 (led by Thomas Linden QC).
- **X v Investment Bank:** Matthew acted for a well-known investment bank in defending claims of race discrimination. The claimant sought favourable terms following several interim hearings at which Matthew appeared (and prior to the bank having made witness statements). (2013)

Reported Cases

- **Reverend Mark Sharpe v The The Bishop of Worcester** [2015] IRLR 663 (CA) Employment status of Church of England clergy; Extended definition of ‘worker’ for whistleblowing claims in section 43K ERA 1996.
- **King v Royal Bank of Canada** [2012] IRLR 280 (EAT) - Correct approach to compensation (Polkey) in unfair dismissal.
- **Law Society of England & Wales v Secretary of State for Justice and another** [2010] IRLR 407 (High Court) - Appeal as to the application of TUPE and the *Henke* exception for public administrative authorities.
- **Lindley v Perry’s Motor Sales Ltd** [2008] All ER (D) 32 (EAT) - TUPE, transfer of rights and liabilities.
- **Gravell v Bexley London Borough Council** [2008] All ER (D) 291 (EAT) - Strike out of discrimination claim.
- **Davis v Pyrz** [2007] All ER (D) 160 (EAT) - Employer’s counterclaims- measure of damages.
- **Khan v Premier Private Hire Taxi** [2007] All ER (D) 134 (EAT) - Strike out of claims on paper.

- **Baron v Bliss Mediation Services** [2006] All ER (D) 473 (EAT) - Remedy of procedural unfairness by inter
- **Mayo-Deman v University of Greenwich** [2005] IRLR 845 (EAT) - Validity of compromise agreements.
- **Rabahallah v British Telecom Plc** [2005] ICR 440, [2005] IRLR 184 (EAT) - Rules on composition of emp
- **Holland v BHS** [2005] All ER (D) 5 (EAT) - Unfair dismissal- range of reasonable responses.
- **Greaves v Banner Business Supplies Ltd** [2005] All ER (D) 26 (EAT) - Indirect sex discrimination- test fr
- **Maresca v Motor Insurance Repair Research Centre** [2004] All ER 254, [2005] ICR 197 - Application of Employment Tribunals.

Education, Membership & Lectures

Education

- Called 2000 (Gray's Inn)
- Queens' College, University of Cambridge, Law (MA)

Memberships

- Member of the Employment Law Bar Association (ELBA)
- Commercial Bar Association (COMBAR).

Lectures

Matthew gives lectures and leads seminars on a broad range of topics both in-house for solicitors as well as on p
Lawyers Association (ELA).

Recent Lecture topics include:

- TUPE in the context of share sales: ICAP Management Services Ltd v (1) Dean Berry (2) BGC Services (F
- Employment Litigation in the High Court (ELA) (2017) Springboard Relief in Team Move Cases (2016)
- A Practical Guide to Bringing and Resisting Injunction Applications (2016)
- Employment Litigation in the High Court (ELA) (2016)
- Concurrent claims in the High Court and the Employment Tribunal (2015)
- Employment status: Worker, Employee or Neither? (2015)