

JOHN MEHRZAD

Call: 2005



John Mehrzad specialises in business protection, sports and employment law. He is ranked no.1 by Legal 500 2017 in sports law, and no.2 by Chambers & Partners 2017 in employment law.

He has been most recently ***"recognised for his sporting and employment practice that sees him representing senior executives and notable sporting figures in complex issues requiring in-depth industry knowledge. Appears frequently in the High Court and Court of Appeal on business and financial matters in the employment space"*** (Chambers & Partners 2017).

John was previously Vice President of a corporate advisory and investment fund and uses that experience in banking/funds, shareholder and partnership disputes. John regularly makes interim applications in his practice areas.

John has appeared before the Court of Appeal, High Court, Employment Appeal Tribunal, Court of Arbitration for Sport, FIFA Dispute Resolution Chamber and Player Status Committee, Premier League Adjudication and Appeal Panels, FA Rule K Arbitrations, Premier League Managers' Arbitrations, and RFU Disciplinary and Appeal Panels. He also maintains an Employment Tribunal practice across the UK, including Scotland and Northern Ireland.

John is an independent FA Rule K Arbitrator (often as Sole Arbitrator); an independent Chairman on the FA Chairman's Anti-Discrimination Panel; on Sport Resolutions UK's pro bono panel; was commissioned by UK Sport and British Cycling as the only legally qualified panel-member on the first-ever independent review into the climate and culture of an Olympic and Paralympic world class programme, namely that of British Cycling; and was Chair of the independent review into the British Equestrian Federation. In both reviews, John drafted the respective reports as approved by his fellow panel members, the recommendations of which were then accepted in full by all relevant parties. Those reviews and recommendations form a blueprint for positive culture and good governance within publicly-funded sport.

Recent legal directory comments include:

"Extremely knowledgeable, approachable and responsive. A true joy to work with, being personable and a wonderful advocate." (Chambers & Partners 2018 – employment)

"Highly rated by peers and solicitors and is referred to as 'an uber-responsive and always very comprehensive'." (Who's Who Legal: UK Bar 2017)

"Very responsive, efficient and excellent with the law. He's also very strategic and tactical in the way he does things and is a very clear advocate; he's able to explain the law and break down complex issues." (Chambers & Partners, 2017 - employment)

"John Mehrzad is excellent as he's practical, authoritative, confident and very responsive." "He's probably the go-to junior on agents work." (Chambers & Partners, 2017 - sport)

"Very commercial, succinct and straight-talking, as well as being personable and genuine." (Legal 500, 2016 - sport)

He **"runs a very impressive practice which covers commercial, employment and sports law"** who **"is said to create a great relationship with his clients and his knowledge is really first-rate."** (Who's Who Legal: UK Bar 2016)

"He has a real eye for detail and is always prepared to advise in-depth at short notice." "He is very good at partnership and director disputes." (Chambers & Partners, 2016 - employment)

"He is an extremely impressive junior counsel. He takes time and great care to really understand the client's business. He's also very accessible during case preparation." (Chambers & Partners, 2016 - sport)

Further legal directory testimonies are found on John's downloadable CV. He has also received numerous Awards and Appointments in recognition of his professionalism and expertise as listed under the tabs below.

Business Protection Law

John makes interim applications, final appearances and attends mediations on the following commercial issues: shareholder disputes including unfair prejudice petitions or derivative actions; partnership disputes within LLP and Partnership Act contexts; bonus/commission claims; restrictive covenants; fiduciary duties; confidential information; penalty or liquidated damages clauses/claw-backs; agency agreements; freezing or search orders.

Notable cases include:

- ***Bourne Rail & Ors. v. Ashton & Ors.*** [2018] EWHC 73 (QB) (HHJ Forster QC sitting as Judge of the High Court) Successfully acted for corporate defendants in resisting claims of conspiracy/common design, breach of confidence and inducement to breach contract.
- ***WRG v Sawyer & Ors.*** (QBD) 2017: Springboard relief, conspiracy, confidential information, restrictive covenant, breach of contract injunction, damages claim.
- ***British Transport Police Authority v. Hill & Ors.*** (QBD) 2017: Confidential information delivery up/deletion and restraint on the use of materials in concurrent proceedings injunctions.
- ***Kintetsu v. Jeffery & Ors.*** (QBD) 2016: Conspiracy, confidential information, restrictive covenant, breach of contract, injunction, damages claim. Led by Gavin Mansfield QC.
- ***Smith v. Huertas*** [2015] All ER (D) 221 (Dec) (Cooke J.): Jurisdiction of Commercial Court to enforce a judgment by French courts. Led by Charles Samek QC.
- ***Elcom Funding Solutions Ltd. & Ors. v. Crossflow Payment Solutions Trading Ltd.*** (QBD) 2015 (Sweeney J.): Delivery up/deletion and affidavit injunction.
- ***HMA (Holdings) Ltd. & Ors. v. IDL Plastics Ltd. & Ors.*** (QBD) 2015 (Supperstone J. & HHJ Gore QC):

Jurisdiction of High Court to injunct party in New Zealand.

- ***Ideal Industries Ltd. v. Harrison*** (QBD) 2015: Non competition injunction. Led by Gavin Mansfield QC.
- ***Hamell Communications Ltd. v. Edmunds*** (QBD) 2015 (Edis J. & Patterson J.): Confidential information injunction.
- ***Mostell Ltd & Or. v. Camilleri & Costello & J Sykes & Sons*** (Manchester) Ltd (QBD) 2015 (Dingemans J.): Non-competition/non-solicitation/non-deal/delivery up/deletion of confidential information/affidavit injunction.
- ***Randstad Ltd. v. Bridge & Bridge Education & Training Ltd.*** (QBD) 2015 (Green J.): Non-solicitation/non-deal/delivery up/deletion of confidential information/affidavit injunction.
- ***Berry Recruitment Ltd. v. Hall & Career Caterer Ltd.*** (QBD) 2015 (Dove J.): Non-competition/non-solicitation/non-deal/deliver up/deletion of confidential information injunction.
- ***Green & Hillersden Estates Ltd. v. Heim*** (QBD) 2014 (Lewis J.): Delivery up/freezing order injunction.
- ***Equity Housing Group v. King*** (Ch.D.) 2014 (HHJ Hodge QC): Delivery up/deletion/preservation/affidavit injunction.
- ***Silverson Machines Ltd v. Aplin & Ors.*** (QBD) 2014 (Mitting J.): Freezing order injunction.
- ***Seaco & Ors. v. Buss Capital & Ors.*** (QBD) 2012: Conspiracy, confidential information, restrictive covenant, breach of contract, injunction claim. Led by Paul Goulding QC and Damian Brown QC.
- ***Rubicon LLP & Ors. v. Attias & Ors.*** (Ch.D) 2012 (Sales J.): Conspiracy, confidential information, restrictive covenant, breach of contract/fiduciary duty claim involving 1.2bn in hedge funds redemptions. Led by Chris Quinn.
- ***Malik v. Golpeykar & Harrington*** (Ch.D) 2011 (HHJ Walden-Smith): Whether there was a partnership in law.
- ***Humphreys v. Norilsk Nickel International (UK) Ltd.*** [2010] IRLR 976; [2010] EWHC 1867 (QB) (HHJ Seymour QC): Contractual bonus claim.
- ***K2 Partnership Solutions Ltd v. Nina Strauss & Or.*** (QBD) 2010 (Tugenhat J.): Non-solicit/non-compete injunction.

Sports Law

John is Head of Littleton's Sports Law Group, which he formed in 2012. He was awarded Sports Law Barrister of the Year 2015 by two legal directories. He is an Anti-Discrimination Panel Chairman for the FA. He is regularly appointed as an FA Rule K Arbitrator and is panellist for Sports Resolutions, the leading independent domestic sports appeals, arbitration and mediation body. He was a selected advocate to the London 2012 Olympics and Paralympic Games as well as the 2014 Glasgow Commonwealth Games for ad hoc sittings of CAS. He also represents parties in all sporting jurisdictions both nationally and abroad, including the FA, Premier League, RFU, UEFA, FIFA and CAS.

Recent instructions include:

- Chair of FA Arbitration on issue of non-payment related to overseas transfer and the application of foreign law principles.
- FA Arbitration on jurisdiction of Rule K to determine dispute concerning overseas transfer.
- Chair of Independent Review into allegations and the leadership of the British Equestrian Federation (commissioned by UK Sport, the BEF, Sport England and administered by Sport Resolutions).
- CAS case on termination for just cause, liquidated damages and compensation mitigation principles, and sporting sanctions (leading Ashley Cukier).

- FA Arbitration on jurisdiction of Rule K where a representation contract is signed and alleged breach occurs overseas.
- **Sidibe v. CSKA Sofia** FIFA Dispute Resolution Chamber claim for non-payment of wages and bonuses.
- **RFU v. Fenton-Wells** reduced RFU disciplinary sanction for making contact with the eye or eye area.
- Panel Member of Independent Review into Culture and Climate at British Cycling (commissioned by UK Sport, British Cy-cling and administered by Sport Resolutions) (2016 – 2017).
- Non-selection appeal, resulting in the athlete being re-selected by governing body to pre-Rio 2016 World Championships (via Sport Resolutions and the British Athletes Commission).
- **Bristol Rugby v. Borthwick v. RFU** Injunction application to prevent RFU poaching club's coach (led by David Reade QC).
- FA Arbitration on whether Rule K applies to a representation contract between a player agent and an overseas player.
- CAS case on non-payments to a football agent by Middle Eastern club following player transfer.
- **UK Anti-Doping v. Bilton Mitigation** and sanction for doping offence under overlapping 2009 and 2015 WADA Codes.
- FA Arbitration on when a replay should be ordered if club fields an ineligible player.
- **UEFA v. Albania** UEFA Disciplinary and Appeal following Serbia v. Albania abandonment.
- Advice on liquidated damages clause in Premier League manager's contract.
- FA Arbitration on breach of representation agreement and fiduciary duties (led by David Reade QC).
- Court of Arbitration for Sport jurisdiction issue about player's ability to bring claim against Middle Eastern club.
- Court of Arbitration for Sport appeal from FIFA Player Status Committee on agent's commission from a Serie A club follow-ing international player transfer.
- FIFA Dispute Resolution Chamber claim for non-payment to footballer.
- FIFA Player Status Committee claim for non-payments to player agent.
- Football League Committee appeal about club's reprieve from relegation.
- Classification appeal by two-time Paralympic champion (via Sports Resolutions).
- Non-selection appeal to Sochi Winter Games respectively (via Sports Resolutions).
- Take-over of Leeds United FC.
- Advice about George North's contract with Northampton Saints (led by Damian Brown QC).
- High Court claim over FA Cup Final tickets (led by Andrew Clarke QC).
- Cross-border image rights agreement dispute between former Premier League player, club and agent (led by David Reade QC and Damian Brown QC).
- Premier League Managers Arbitration about termination payment (led by Damian Brown QC).
- **Jones v. Cardiff City**: Claim for unpaid salary and bonuses (led by Damian Brown QC).
- Cross-border image rights dispute (led by David Reade QC and Damian Brown QC).
- **Allardyce v. Blackburn Rovers & Kean**: Defamation action by Sam Allardyce.
- **Slough v. Milton Keynes RUFC**: Biting allegation RFU disciplinary hearing and appeal.
- **Rugby Football Union v. Bristol RFC**: Racial abuse RFU disciplinary hearing and appeal.
- Advisory work for Liverpool FC reviewing the Luis Suarez/Patrice Evra racial abuse affair.
- Investigations for QPR into the conduct of Joey Barton.
- Steve Kean's resignation from Blackburn Rovers.
- "Email-gate" concerning Blackburn Rovers' former Deputy Chief Executive.
- Premier League Arbitration and an Appeal on behalf of a well-known footballer against a leading Premier

League club concerning termination payments (led by Andrew Stafford QC).

- **Bradford City FC v. Manchester United FC:** Dispute concerning the contractual interpretation of “loan transfer” relating to Tom Cleverley.
- **Mandeng v. Queen’s Park Rangers FC:** Employment dispute concerning a number of confidential allegations.
- **Leicester City v. FC Betz:** Contractual dispute concerning betting rights.
- High Court claim concerning a dispute between a Brazilian football club and an English club about “solidarity payments” arising from FIFA regulations.
- **Sundew Trading Limited v. Middlesbrough FC:** High Court claim concerning company related to Turkish international, Tuncay Sanli, for breach of economic and image rights agreements.
- **Willowshire Limited v. Middlesbrough FC:** High Court claim by company related to former Brazilian international, Afonso Alves, for breach of image rights agreement.
- **Arano v. Middlesbrough FC:** High Court claim by agent for breach of representation agreement.
- **Phil “the Power” Taylor v. Dickens International Ltd.:** High Court claim for failure to supply replica shirts of satisfactory quality and fit for purpose to 15-time darts world champion.

In terms of other disciplinary jurisdictions John has been instructed before the Solicitors’ Disciplinary Tribunal, the Conduct & Competence Committee of the Nursing & Midwifery Council, the Care Standards Tribunal, and by the British Psychological Society.

Employment Law

John appears in multi-day Full Hearings, Preliminary Hearings as well as before the EAT and the Court of Appeal, representing both claimants and respondents in cases involving all aspects of employment law, including unfair dismissal; breach of contract/unauthorised deduction of wages; all forms of discrimination; “whistleblowing”; TUPE; and jurisdictional issues/practice and procedure. He has a particular expertise in City-related disputes with past cases involving Goldman Sachs, JP Morgan, Merrill Lynch, Credit Suisse, Morgan Stanley, Deutsche Bank and other financial institutions or funds.

Recent EAT cases include:

- **United First Partners Research v. Carreras** [2018] EWCA Civ 322 (Underhill, Bean, Asplin LJ): Proper approach to identification of a PCP and the reason for resignation. Upholding EAT decision below.
- **Carreras v. United First Partners Research** UKEAT/0266/15/RN (HHJ Eady QC): Proper approach to identification of a PCP, the reason for resignation and the procedure for reply submissions.
- **British Transport Police v. Hill & Ors.** UKEAT/0445/15/BA (Singh J.): Amendment of Public Interest Disclosure Claim.
- **Game Retail Ltd. v. Laws** UKEAT/0188/14/DA (HHJ Eady QC): Social media misconduct.
- **Charlesworth v. Amey Plc & Ors.** UKEATPA/0326/13/MC (HHJ Peter Clarke): Tripartite employment status.
- **Tavistock School & Ors. v. Richards & Ors.** UKEAT/0244/13/SM (HHJ Peter Clarke): Timing of assessment of redundancy dismissal and construction of employment contract.
- **Stuart v. London City Airport Ltd.** UKEATPA/1651/11/MAA (Cox. J.): Whether misconduct investigation into alleged criminal act requires heightened level of scrutiny.
- **Blazevic v. Hayashibara International Inc. & Ors.** UKEATPA/0738/11/CEA (Langstaff J, President): Whether a strike out and costs order should have been made.

- ***Odukwe v. Partners of Hoare Lea Consulting Engineers*** UKEAT/0547/10/SM (Underhill J., President): Statutory dispute resolution procedures and time limits.
- ***Bullimore v. Pothecary Witham Weld Solicitors & Ors.*** [2011] IRLR 18 (Underhill J., President): Advice on whether a reference can amount to an act of victimisation.
- ***Parsons v. Burworth Estates (a firm)*** UKEAT/0547/08/MAA (Underhill J., President): Statutory grievance procedures.

Arbitration and Mediation

John is experienced in arbitration (both as arbitrator and Counsel) in the sports law and commercial law sphere. In terms of sports law, he has been appointed an FA Rule K Arbitrator on several occasions on a sole basis as well as on a panel, determining contractual disputes usually involving money claims. He has also represented numerous clients (players, agents, clubs) as Counsel (usually on an unled basis and frequently against QCs) in FA arbitrations and also before the Court of Arbitration for Sport. In terms of commercial law, prior to pupillage, John worked in the international arbitration department at Gide Loyrette Nouel, Paris, on very high-value arbitrations typically before the ICC.

John has also been appointed mediator and represented clients in mediations usually involving cross-over commercial law and employment law issues, often concerning shareholder's, employee's and director's rights.

Talks

- **Business Protection**, Addleshaw Goddard, 8 November 2017
- **Conversation with Annamarie Phelps CBE about Cycling Independent Review**, British Association of Sport & Law Conference, 19 October 2017
- **Athlete Development**, LawInSport conference, 7 September 2017
- **Independent Reviews in Sport**, Farrer & Co., 4 September 2017
- **Interim Injunctions**, Addleshaw Goddard, 18 January 2017
- **Hyperandrogenism**, Sport Resolutions Seminar, 8 December 2016
- **Interim Injunctive Relief**, Pennington Manches, 13 July 2016
- **Talent Selection - Are the best chosen?**, Sport Resolutions Annual Conference, 5 May 2016
- **Equalities and Discrimination in Sport**, University of Gloucestershire Think Tank, 6 April 2016
- **Selection Challenges**, Sport Resolutions Seminar, 11 February 2016
- **Football Mis-selling**, Littleton Sports Law Seminar, 10 February 2016
- **Total Law: overlapping commercial, employment and sports law issues**, Sheridans, 30 September 2015
- **Whistleblowing: dealing with troublemakers and protecting genuine whistleblowers**, Simons Muirhead & Burton, 14 July 2015
- **Employment Law in Sport**, Couchmans, 26 May 2015
- **Off-the-Field Misconduct by Players**, IBC Sports Law Conference, 28 April 2015
- **New FIFA Intermediaries Regulations and Future Agents Disputes**, Wasserman Media Group, 18 March 2015
- **Social Media Misconduct**, Charles Russell Speechleys, 12 March 2015
- **Twitter misuse in the workplace**, Doyle Clayton, 11 March 2015
- **Regulating Agents in Sport**, LawInSport Conference, 26 February 2015
- **Social Media Misconduct**, Lewis Silkin, 10 February 2015

- **Challenging Sports Bodies' Decisions**, M.Sc. Management and Sport, Birkbeck, University of London, 14 January 2015
- **Recent Developments in Restrictive Covenants**, Clintons, 15 December 2014
- **Equality and Discrimination Challenges in Sports**, Sports Resolutions seminar, 5 November 2014
- **The Magic of Player Contract Termination**, World Sports Law Report Player Contracts Conference, 29-30 October 2014
- **Funding and Litigating Shareholder Disputes**, Littleton Manchester Commercial Seminar, 1 October 2014
- **Football Agents Disputes**, Fladgate, 18 September 2014
- **Unfair Prejudice**, Fladgate, 18 March 2014
- **Athlete Selection Challenges**, Harbottle & Lewis, 17 March 2014
- **Shareholder and Member Disputes**, Doyle Clayton, 6 February 2014
- **TUPE/Administration**, Stephenson Harwood, 22 January 2014
- **Football Contract Termination**, Clarke Willmott, 21 January 2014
- **Interpreting Commercial and Employment Contract Terms**, Burgess Salmon, 21 January 2014
- **Sporting Just Cause**, Charles Russell Sports Group, 30 October 2013
- **Social Media at Work**, MBL Webinar, 14 October 2013
- **The Right to Play**, World Sports Law Report Player Contracts Conference, 11 July 2013
- **Restraint of Trade and Selection Challenges in Sport**, Brabners and Pinsent Mason, 19 March 2013
- **Non-solicitation and non-dealing**, Charles Russell, 29 November 2012
- **LLP Member Rights and Duties**, Littleton Commercial Law seminar, 15 November 2012
- **Corporate Law Issues in Shareholder and Employment Disputes**, Pannone and DWF, 8 November 2012
- **Contractual Remedies in Sport**, Field Fisher Waterhouse, 5 November 2012
- **Article 6 and Contractual Remedies in Sport**, Fladgate, 3 October 2012
- **Fixed Term Contracts in Sport**, Square One Law and Muckle, 27 September 2012
- **Service Provision Change**, Mayer Brown, 6 September 2012
- **TUPE**, Mills & Reeve, 31 May 2012
- **Unlawfully obtained evidence and privilege in commercial litigation**, Peters & Peters, 30 April 2012
- **Some Other Substantial Reason/Victimisation**, SNR Dentons, 20 April 2012
- **Article 6 and Contractual Remedies in Sport**, Bird & Bird, 13 March 2012
- **Costs in Employment Litigation**, Simons Muirhead & Burton, 23 November 2011
- **Dismissing the Undismissable**, London Borough of Lambeth, 21 November 2011
- **Fixed-Term Employees**, London Borough of Camden, 2 November 2011
- **Mock Employment Tribunal**, Bird & Bird, 15 September 2011
- **Fair dismissal following Protected Act**, DWF, 12 September 2011
- **Some other Substantial Reason & Whistleblowing**, Legal & General, 10 August 2011
- **Repudiatory breach of contract**, Withers, 23 June 2011
- **Concurrent disciplinary and grievances**, In-House Lawyer seminar, 16 May 2011
- **The Implied Term**, Lewis Silkin, 8 February 2011
- **Employment Tribunal Practice and Procedure**, London Borough of Enfield, 11 June 2010
- **Mock Employment Tribunal**, Charles Russell, 1 June 2010
- **Seminar to the BBC Employment Department**, 24 November 2009
- **Recent developments in Employment Law**, Newspaper Society, 13 November 2008

Publications

- “Who has jurisdiction over International Football Transfer Disputes”, *LawInSport.com*, 2 September 2017
- “The selection of athletes and the grounds for challenges”, *World Sport Law Report*, January 2016 (co-authored with Edward Wheen, Partner, Hewitson Moorhead LLP)
- “Moral Damages for Terminating a Football Player’s Contract”, *LawInSport.com*, 20 August 2015
- “‘Wild West’ or ‘Brave New World’: The new FIFA and FA Intermediaries Regulations”, *LawInSport.com*, 27 March 2015
- “Match-Fixing, Betting and Corruption”, *Sports Arbitration Handbook 2015-2016*, Sport Resolution, March 2015
- “New Guidance on How Clubs Should Treat Social Media Misconduct by Footballers”, *LawInSport.com*, 3 February 2015
- “Restraint of Trade in Player Contracts”, *LawInSport.com*, 3 September 2014
- “Why Suarez’s CAS Appeal may succeed”, *LawInSport.com*, 8 August 2014
- “Could Liverpool sack Suarez?”, *LawInSport.com*, 23 June 2014
- “David Moyes’ Sacking and Legal Rights”, *LawInSport.com*, 22 April 2014
- “State Intervention into Football”, *LawInSport.com*, 22 April 2014
- “The Post-DJ Campbell World of Football Governance”, *LawInSport.com*, 11 December 2013
- “Age and Disability issues in Playing Contracts”, *World Sports Law Report*, January 2011
- “Fixed Term Contracts in Sport”, *World Sports Law Report*, November 2012
- “A study of Eurosceptic Groups 1990-97”, *The European Journal*, August, September and October issues 2006
- “A good pint by way of Dickens, Disney and the Dictionary”, *The Times*, Law section, 10 June 2006
- “The Schuman Plan”, *The European Journal*, March/April 2006
- “Let’s Raise a Glass to Old Traditions”, *The Times*, Law section, 11 October 2005
- “A Supreme Court for the UK; A Flawed Necessity”, *BPP Obiter*, May 2004

Previous Experience

Prior to practising at the Bar John was a legal assistant at Palmer Wade solicitors, specialists in employment discrimination law; worked at France’s largest law firm, Gide Loyrette Nouel, in international arbitration/project finance; and interned in the litigation departments at Clifford Chance and Lawrence Graham.

Whilst at Bar School John worked at the AIRE Centre, advising on points of EC law and human rights. He also wrote articles for “The Times” law section.

John is also able to advise clients in French.

Awards

- Major Scholarships from Inner Temple for Law Conversion Course and Bar School.
- Peter Duffy Scholarship from Bar European Group.
- Internship award from Inner Temple for stage at the European Court of Justice (cabinet of Advocate-General Francis Jacobs QC).
- Internship award from Keble College, Oxford University for stage at the European Parliament.
- Winner of national Ormrod mooting competition.

- Founder of debating society at BPP Law School.

Memberships

Management Committee of Littleton, Head of Sports Law Group at Littleton, Employment Law Bar Association, Industrial Law Society, Employment Law Association, British Association of Sport and Law, Commercial Bar Association, Bar European Group, Bar Pro Bono Unit, Free Representation Unit, London Irish Lawyers' Association (ex-Treasurer).

Qualifications

M.A. (Trinity College, Dublin), D.E.A. (Université de Nantes), M.St. (Oxford University), CPE and BVC (BPP, London)