

## ALEXANDER ROBSON

Call: 2006



Alexander enjoys a burgeoning reputation in his two core areas of practice: commercial litigation and employment law.

***“He wields the law like a scalpel and is ready to go the extra mile. He is commercially savvy, personable with clients and passionate about ensuring a first-class service. A perfect barrister for all occasions.”***

Chambers & Partners 2018

***“Praised from a range of sources for his tactical awareness in litigation and for the quality of his client service”,*** Alexander is recognised as being ***“very bright and highly proactive”, “excellent”*** and ***“one to watch for the future”*** (Chambers & Partners). He takes pride in his ***“hands-on approach”*** and is known for ***“coming back with tactics instead of just providing abstract legal advice”*** (Chambers & Partners).

Alexander is particularly experienced at trial tactics and advocacy. A robust oral advocate, Chambers & Partners describes him as an ***“incisive cross-examiner”*** whose ***“delivery and timing are excellent”***. He is ***“extremely approachable with incredible clarity of thought on how to run a case”*** and ***“able to construct an impressive legal argument – he’s one to watch”***.

See the individual tabs below for details of his areas of expertise.

Alexander writes and lectures on commercial and employment law. He is a published author. He sits on the committee of the London Common Law and Commercial Bar Association, and is a member of COMBAR, LCIA and ELA.

### Commercial Litigation

Alexander’s commercial litigation practice covers the range of business disputes including **contractual disputes, commercial fraud, shareholder disputes, disputes between directors/senior employees**, disputes arising out of **JVAs, agency disputes** (including under the **Commercial Agents Regulations**), and **franchising disputes**.

He has experience across a range of industries with particular recent expertise in the IT, banking, recruitment, telecommunications, sports and me-dia sectors. Recent cases include:

- ***Brainbox Digital Ltd v Backboard Media GmbH*** [2017] EWHC 2465 (QB). High-value international fraud dispute in IT sector, including freezing injunction. Successful application for security for costs. The Judgment gives important guidance on security for costs and the scope of the undertaking in damages at

the injunctive stage. Alexander was led by David Reade QC.

- **Gashi v Waves Consultancy Limited** (2016) 5 day trial; successful defence of claim under franchising agreement alleging fraud and breach of contract.
- **Hills v Niksun Inc** [2016] EWCA Civ 115. Court of Appeal decision on scope of an employer's discretion under bonus agreements after *Braganza v BP Shipping Limited*.
- **Premier League Club X v Premier League Club Y** (2015) Multi-day arbitration regarding proper construction of sales contract.
- **National Housing Trust v YPSAC Limited** [2015] UKPC 43 Successful appeal to Privy Council re construction dispute. The Board gave important guidance upon: (i) the court's power to interfere with arbitrator's award and (ii) an arbitrator's power to award compound interest. Led by Stuart Ritchie Q.C.
- **AmTrust Europe Limited v Trust Risk Group SpA** Long-running dispute between insurer and broker. Application for anti-arbitration injunction in relation to a Milan arbitration successfully resisted (see [2015] EWHC 1927 (Comm)). Led by Charles Samek Q.C.
- **Farnan v SAFC** [2015] EWHC 3759 (QB) Successful defence to contractual claim by former director against Sunderland AFC. Led by David Reade Q.C.
- **Sanders v Bluebeard Pictures Limited** (2015) Successful representation of claimant in Mercantile Court claim arising out of a dispute in the film industry.
- **Daad Sharab v HRH Prince Al-Waleed Bin Talal Bin Abdal-Aziz-Al-Saud** [2013] EWHC 2324 (Ch). High profile trial relating to the sale of a private jet to Colonel Gaddafi by Saudi Prince Al-Waleed. Extensive press coverage. Led by Clive Freedman Q.C. Succeeding in recovering US\$10m.
- **Burntcopper Limited v ITCA** [2014] EWHC 148 (Comm). Successfully represented the claimant in its claim for breach of contract.

Alexander is co-author, with Charlotte Davies, of the PLC note on Conspiracy in Commercial Fraud.

## Employment

Alexander has extensive experience of employment litigation, and he is regularly instructed in cases of extreme commercial and/or reputational importance. He has particular expertise in cases involving businesses in IT and financial services.

His practice covers the range of industrial issues, including **discrimination, whistleblowing, unfair dismissal, redundancy (individual and collective) and TUPE**. His EAT experience includes important cases on the effect of s.111 ERA 1996 and *Joao v Mesh Computers*, in which guidance was given by Cox J on the proper approach to amendment applications.

Recent cases include:

- **ICAP Management Services v (1) Berry and (2) BGC** [2017] I.R.L.R. 811. High-profile claim for a garden leave injunction which included the application of TUPE to the sale by share acquisition by ICAP of its inter-dealer broking business to Tullett Prebon Plc. Alexander was led by Matthew Sheridan. Opposing counsel were Daniel Oudkerk QC, Jane McCafferty and Edward Brown; BGC was represented by Paul Goulding QC, Diya Sen Gupta and KerENZA Davis.
- **M v Citibank N.A.** Acted for Claimant in claim for unfair dismissal arising out of the FX price-fixing scandal (2017).
- **Hills v Niksun Inc** [2016] EWCA Civ 115. Court of Appeal decision on scope of an employer's discretion under bonus agreements after *Braganza v BP Shipping Limited*.

- Acting for global IT giant in successful defence to claim by senior business executive for constructive unfair dismissal (2016).
- Acting for global telecommunications giant in successful defence to claim for whistleblowing, disability discrimination and unfair dismissal (2016).
- **Farnan v SAFC** [2015] EWHC 3759 (QB) Successful defence to contractual claim by former director against Sunderland AFC. Led by David Reade Q.C.
- **De Vere Holding Company Ltd v Belgravia Wealth Management Europe Kft** [2014] EWHC 3189 (QB). Multi-jurisdictional team move case, led by Selwyn Bloch QC.
- Acting for leading international IT company defending a claim for equal pay (2015).
- **Gebremariam v Ethiopian Airways Limited** [2014] UKEAT 0439\_12\_0402: important EAT decision on the scope of the implied duty of trust and confidence.
- Advising a major international airline on the TUPE implications of a cross-border £multi-billion merger.
- Successfully defending a major airline in claims for race discrimination. The case received substantial press coverage in the Independent, the Telegraph and BBC News. Judgment reported at [2013] EqLR 552.
- Successfully acting for a number of claimants in a complex TUPE claim against a leading financial services provider.

## Injunctions

Alexander has extensive experience of injunctive applications in QB and Chancery. These include freezing orders, anti-arbitration injunctions, as well as enforcement of restrictive covenants, breach of fiduciary duties, confidential information and economic torts. Recent cases include:

- **Brainbox Digital Ltd v Backboard Media GmbH** [2017] EWHC 2465 (QB). High-value international fraud dispute in IT sector, including freezing injunction. Successful application for security for costs. The Judgment gives important guidance on security for costs and the scope of the undertaking in damages at the injunctive stage. Alexander was led by David Reade QC.
- **ICAP Management Services v (1) Berry and (2) BGC** [2017] I.R.L.R. 811. High-profile claim for a garden leave injunction which included the application of TUPE to the sale by share acquisition by ICAP of its inter-dealer broking business to Tullett Prebon Plc. Alexander was led by Matthew Sheridan. Opposing counsel were Daniel Oudkerk QC, Jane McCafferty and Edward Brown; BGC was represented by Paul Goulding QC, Diya Sen Gupta and Kerenza Davis.
- **AmTrust Europe Limited v Trust Risk Group SpA** [2015] EWHC 1927 (Comm) Application for anti-arbitration injunction in relation to a Milan arbitration successfully resisted. Led by Charles Samek Q.C.
- Application for enforcement of post-termination restraints in board-room bust-up in the property sector.
- Application for interim relief to restrain post-termination competition in the financial services sector (QBD). Led by Gavin Mansfield QC.
- **De Vere Holding Company Ltd v Belgravia Wealth Management Europe Kft** [2014] EWHC 3189 (QB). Multi-jurisdictional team move case, led by Selwyn Bloch QC.

## Director and Senior Executive Disputes

Alexander has extensive expertise of the nexus between commercial and employment law. His High Court employment practice covers all aspects of commercial employment disputes including wrongful dismissal,

employee competition, economic torts, director disputes and shareholder disputes. He is equally at home acting as sole counsel or as part of a team.

Recent cases include:

- **ICAP Management Services v (1) Berry and (2) BGC** [2017] I.R.L.R. 811. High-profile claim for a garden leave injunction which included the application of TUPE to the sale by share acquisition by ICAP of its inter-dealer broking business to Tullett Prebon Plc. Alexander was led by Matthew Sheridan. Opposing counsel were Daniel Oudkerk QC, Jane McCafferty and Edward Brown; BGC was represented by Paul Goulding QC, Diya Sen Gupta and Kerenza Davis.
- **Hills v Niksun Inc** [2016] EWCA Civ 115. Important case on scope of an employer's discretion under bonus agreements after *Braganza v BP Shipping Limited*.
- **Farnan v Sunderland Association Football Club** [2015] EWHC 3759 (QB) Successful defence to contractual claim for bonus by former director against Sunderland AFC. Led by David Reade Q.C.
- Acting for global IT giant in successful defence to claim by senior business executive for constructive unfair dismissal (2016).
- Successful defence of application for interim relief in board-room bust-up in the property sector. Sole Counsel.
- Successful defence to claim by senior executive under bonus provisions.

## Sport

Alexander appears regularly in the High Court, the employment tribunal and arbitration in sports disputes. He has particular expertise in sports litigation in relation to contractual or employment disputes.

Recent cases include:

- Acting for a sports agency in respect of its claim for damages and/or restitution against a Premier League footballer.
- **Premier League Club X v Premier League Club Y**. Representing a PL football club in a Rule K arbitration turning on the construction of a player transfer agreement.
- **Farnan v Sunderland Association Football Club** [2015] EWHC 3759 (QB) Successful defence to contractual claim for bonus by former director against Sunderland AFC. Led by David Reade Q.C.

## Arbitration

Alexander has a particular interest in arbitration. His recent experience includes:

- Representing a Premier League Football Club in a Rule K arbitration on the construction of a player transfer agreement.
- Advising the claimant in a claim in arbitration for breach of contract arising out of the supply of military equipment to the UAE.
- Successful appeal to Privy Council concerning: (i) the court's power to interfere with arbitrator's award and (ii) an arbitrator's power to award compound interest. Led by Stuart Ritchie Q.C. *National Housing Trust v YPSAC Limited* [2015] UKPC 43.
- Acting for the successful respondent in an application for anti-arbitration injunction in relation to a Milan arbitration. Long-running dispute between insurer and broker. Led by Charles Samek Q.C. *AmTrust*

*Europe Limited v Trust Risk Group SpA* [2015] EWHC 1927 (Comm).

- Acting as Secretary to the Tribunal in an ICC Arbitration concerning an energy dispute in Oman.

## Appellate Work

Alexander is an experienced advocate at an appellate level. He has appeared in the Privy Council twice (led by Adam Solomon and Stuart Ritchie Q.C. respectively), and alone in the Court of Appeal and in the EAT.

## Publications, Education & Legal Awards

Alexander is a contributor to *Termination of Employment* and co-author, with Georgina Wolfe, of *The Path to Pupillage*, now in its third edition.

He regularly writes articles for publications and gives seminars on a range of commercial and employment law issues. Please contact Alexander's clerks for all enquiries.

Education and Awards:

- BA Hons Law (Pembroke College, Cambridge)
- BPTC (Nottingham Law School)
- Harold G. Fox Scholarship (6 months working in the litigation of a top Canadian law firm)
- Winner of Middle Temple Mooting Competition, judged by the then Lord Chief Justice
- Middle Temple Student of the Year
- Queen Mother Scholar, Middle Temple
- Harmsworth Exhibitioner, Middle Temple
- The Chartered Institute of Arbitrators President's Prize for Excellence in the Study and Application of ADR