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Year of Call: 2001

Barrister

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Clerk: Joanne Caunt

Clerk: Ellen McInall

PRACTICE AREAS

Insolvency & Restructuring

Commercial

Property

Electronic Disclosure

Data Protection and Data Privacy

PROFILE

Damian's practice covers the areas of work undertaken by chambers with a focus on commercial litigation, insolvency and property law. In addition, Damian is a recognised expert on all aspects of electronic disclosure. His practice also encompasses international data privacy / protection.

His quality as a barrister is enhanced by the skills he has developed and experience he has gained

outside of the self-employed Bar. Before joining the Bar in 2001, Damian worked as a management consultant at Accenture where he divided his time between blue-chip clients in the spheres of investment banking, pharmaceuticals and government.

Damian was a pupil then tenant at 11 Stone Buildings prior to joining Enterprise in 2006. Between 2006-2013, Damian worked from Enterprise before leaving to launch his own chambers, Indiciu, focused on electronic disclosure. Very shortly afterwards, he was approached by UBS whom he joined as an employed barrister and where he became eDiscovery Counsel for EMEA and APAC. He then joined the technology consultancy, Lighthouse Global where he led and grew the data privacy and information protection practice.

PRACTICE AREAS

Insolvency & Restructuring

Damian has advised and represented clients in many personal and corporate insolvency situations in the High Court and County Courts. His work has included applications to set aside statutory demands, orders for sale, bankruptcy and winding up petitions, annulments, validation orders, applications to use prohibited names, administration orders, restraining presentation and advertisement of petitions and transactions at an undervalue / defrauding creditors.

Commercial

Damian's has advised and represented clients in many aspects of commercial litigation in the High Court and County Courts. His work has include applications for freezing orders and other injunctions, contractual disputes, professional negligence, partnership actions and allegations of misrepresentation in the world of vintage sports cars. Damian has represented a hall of fame international cricketer and a major British football club.

Property

Damian has advised and represented clients in many different property-related disputes including actions for possession, orders for sale, declarations as to beneficial interest, rights of way, relief from forfeiture and the extent of repairing covenants and claims arising from water ingress.

Electronic Disclosure

Damian is a leading lawyer in the field of electronic disclosure having run the electronic disclosure element of the major competition law action reported at *EWRG & CEF v Philips and others* [2012]. He then launched his own chambers focused on electronic disclosure. He was eDiscovery Counsel at UBS and then became Head

of eDiscovery for EMEA and APAC.

Data Protection and Data Privacy

Damian has advised on numerous aspects of the UK GDPR, the GDPR and other data privacy regimes including China and Saudi Arabia. He has, in particular, focused on cross-border data transfers both at UBS and at Lighthouse Global.

SIGNIFICANT CASES

EWRG & CEF v Philips and others [2012]

Instructed as part of a counsel team led by Jon Turner QC on this competition law action including various interim applications

Sir John Fitzgerald Ltd v Macarthur [2009] EWHC 2659 (QB), EWHC 3399 (QB)

A dispute about an extremely valuable car which included an important decision on the Court's power to give judgment when a party fails to attend trial

Laureys v Earl [2005] All ER (D) 96 (Nov)

A dispute about vintage sports cars

Themistokli v Spyrou [2005] EWHC 1822 (Ch)

A dispute about a joint venture to develop properties

CAREER AND ASSOCIATIONS

- Certified Information Privacy Professional/Europe (CIPP/E)
- Chancery Bar Association

PUBLICATIONS

A Tangled Web Unwoven -Shankland and Others v McKeand [2024] EWHC 610 (Ch)

Cost Management Order in Big-Ticket Litigation

Counsel Magazine: June 2013: What's on the Menu for Disclosure?

The Barrister: Trinity Term 2013 – E-Disclosure: The Quest for the Smoking Gun.

New Law Journal: September 2013 – A day in the life of a post-Jackson litigator (Part 2). Please note, NLJ requires registration to view articles online.

The Lawyer: November 2013 – e-Disclosure – Electric Avenue

Society for Computers and Law: November 2013 – E-disclosure Headaches: Case Study in Pain Relief

Counsel Magazine: December 2013 – Moneyball – an e-disclosure perspective

JD Supra: The Impact of Schrems II & Key Considerations for Companies Using M365

JD Supra: Making the Case for Information Governance and Why You Should Address it Now



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