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George Vare

Year of Call: 2020

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## Practice Overview

George joined Chambers as a tenant in October 2021 following the successful completion of his pupillage under the supervision of Lance Ashworth KC, Constance McDonnell KC, Dan McCourt Fritz KC, Matthew Morrison, and Gareth Tilley. He is developing a broad commercial chancery practice in line with chambers' profile, with a particular emphasis on work in the private client, trusts, civil fraud, commercial litigation, and company law spheres. George regularly appears both led and unled in the High Court and County Court, and is equally as happy to advise clients in his sole capacity, as he is to work as part of a larger counsel team.

George read History at the University of Cambridge, graduating with a first-class degree whilst receiving several awards and scholarships. He undertook the GDL at City Law School where he was awarded a Distinction (ranking fifth in his year), before completing the BPTC in 2020 (graded Outstanding) having been awarded a Major Scholarship and Duke of Edinburgh Entrance Award by Inner Temple.

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## Areas of Expertise

### Private Client Trusts and Probate

Acting as sole counsel for the adult daughter Defendants to a 1975 Act claim brought by the widow of the deceased.

Acting (led by Constance McDonnell KC) in a 1975 Act claim set for a 10-day trial in the High Court in November/December 2023.

Acting as sole counsel for the Defendant in High Court proceedings in which a historic transfer of a property into the names of the Defendant and his late father is sought to be set aside for alleged undue influence by the executors of the father's estate.

Acting as sole counsel for the Claimant in proceedings seeking to set aside a declaration of trust in respect of the former family home for alleged undue influence.

Advised the widow of the deceased in respect of a proposed 1975 Act claim, and in particular on the relevance to such a claim of a 'no contest clause' in the Will.

*Re Watson:* Acted as sole counsel in respect of a Part 8 claim concerning the proper construction of a Will and/or its rectification, brought in the High Court by the professional executors of an estate worth in excess of £1m.

*Radwan v al-Sultan:* Assisted Amy Proferes and Richard Wilson KC for the Claimant in a dispute between members of a Saudi family as to the beneficial ownership of various assets under an informal family arrangement giving effect to a Letter of Wishes.

*Reeves v Drew:* Assisted Constance McDonnell KC in a claim contesting the validity of a will on the grounds of want of knowledge and approval, and undue influence, which was successful at trial in November 2021. The estate was worth c.£100m.

Assisted Constance McDonnell KC in a claim brought by one sibling challenging two lifetime gifts of £1.8m by each of her parents to her other sibling alone, on the basis of want of capacity and undue influence.

Assisted Constance McDonnell KC in a claim by a widow under the 1975 Act for reasonable financial provision.

Assisted Dan McCourt Fritz KC in bringing Part 8 proceedings for a declaration as to the proper construction of a Trust Deed entered into by two companies as part of a joint venture.

Assisted Constance McDonnell KC in a claim by a former spouse setting aside a trust deed in respect of the family home which was procured by undue influence.

Assisted Beverley-Ann Rogers and Matthew Morrison acting *pro bono* in successfully settling a *Stack v Dowden* claim for a beneficial interest in a family home.

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## International and Offshore

Acted as sole English counsel for the plaintiff in respect of an *Alhamranhi* assessment brought in Guernsey against professional trustees, in a claim worth in excess of £500k. The case settled at a mediation in January 2023.

Assisted Dan McCourt Fritz KC in a two-week appeal to the Bahamian Supreme Court against an arbitral award made in relation to a Bahamian family Trust worth over £100m, on issues of law and procedure including the limit of the Court's inherent jurisdiction to supervise trusts in an arbitration context.

Assisted Gareth Tilley in a judicial review of, and constitutional challenge to, a policy of eradication of shanty towns in the Bahamas.

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## Civil Fraud

*Mozambique v Credit Suisse & Ors; VTBC & Ors v Mozambique*: Acting (led by Jonathan Adkin KC, Zahler Bryan, and counsel from other chambers) for the Republic of Mozambique in one of The Lawyer's Top 20 Cases of 2023, in which the Republic brings multi-billion dollar claims against entities in the Credit Suisse group, the Privinvest group and others. These high profile proceedings concern an alleged enormous international fraud said to have been perpetrated on the Republic to secure its entry into sovereign guarantees purportedly to secure funding for maritime protection and tuna fishing supply contracts.

*Festival v Murphy & Ors*: Acted (led by Lance Ashworth KC) in successfully striking out a multi-million pound conspiracy claim brought following the collapse of the Festival Hotels Group.

*Entertainment One Ltd & ors v Monex Europe Limited & ors*. Assisted Elizabeth Jones KC and Oliver Jones acting for the Claimant in a claim to set aside a series of forex contracts on the grounds of bribery of an agent.

*Abu Seedo v El Gamal et al.* Assisted Matthew Morrison in successfully representing the claimant in a six-day trial in the London County Court in which the purchase, beneficial ownership and profits arising from a long leasehold interest of commercial property in London were disputed with allegations of fraudulent misrepresentation, deceit, and forgery raised by each party.

*İsbilen v Turk & Ors*: Assisted Dan McCourt Fritz KC in a claim worth upwards of £50m involving allegations of fraud, breach of fiduciary duty and undue influence arising out of complex dealings with the claimant's assets by her former advisor over a number of years.

Assisted Dan McCourt Fritz KC in a claim arising out of the sale of a construction company in which claims based in deceit and breach of contract have been made by both sides.

Assisted Hugh Norbury KC and Dan McCourt Fritz KC in the defence of a claim for fraudulent breaches of directors' duties concerning historical property transactions.

Assisted Matthew Morrison in acting for a factoring company which brought claims in contract and fraudulent misrepresentation against two of its customers who had been falsifying invoices in order to obtain finance from the

claimant in excess of £2.6m.

Assisted Lance Ashworth KC and Dan McCourt Fritz in proceedings seeking the setting aside of a Judgment allegedly procured by fraud and in which damages are claimed in deceit, conspiracy, and in restitution.

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## Commercial Litigation

*Jamie Stevens Media Limited v Brand Architekts Group Plc:* Acting (led by Dan McCourt Fritz) for the Claimant in a claim for c.£2.6m alleging various breaches of a joint venture agreement, appearing unled at the CCMC.

Acting as sole counsel for the Defendant in a claim brought in respect of a Claimant's pre-action costs incurred in relation to separate proceedings which were never issued.

Acting for the Claimant in a claim alleging deceit and transactions defrauding creditors and seeking to trace the Claimant's funds into property held by the Defendants, in the context of a purported investment scheme.

Acting for the Claimant in a contractual dispute arising out of the provision of high-tech equipment for use in the aviation manufacturing industry and services provided in respect of the same. Around £850k in damages is claimed in respect of the claim and counter-claim combined.

*SPI North Limited v Swiss Post International (UK) Limited & Ors:* Acted (led by David Drake) for the Defendants in a contractual dispute (now settled) in respect of various postal services, in which the Claimant claimed to have suffered damages in excess of £17m.

Acted as sole counsel in successfully obtaining judgment at trial in favour of the Defendant to a TOLATA claim, as well as obtaining an indemnity costs order against the Claimant.

*IGE USA Investments Ltd (formerly IGE USA Investments) v Revenue and Customs Commissioners [2021] EWCA Civ 534* (on appeal to the Supreme Court). Assisted Philip Jones KC, Gareth Tilley and Max Marenbon, representing HMRC in the Court of Appeal proceedings and on HMRC's successful application for permission to appeal to the Supreme Court. HMRC's claim is to rescind a tax settlement worth c.£700m for misrepresentation/non-disclosure. The appeal concerns whether a claim to rescind agreements for fraud in equity is subject to a 6-year limitation period.

Assisted Dan McCourt Fritz KC in defending a claim for an injunction preventing the defendants from retaining and using allegedly confidential information.

Assisted Dan McCourt Fritz KC in advising the administrator of a multinational bank as to the beneficial ownership of various funds in an anticipated claim worth upwards of €40m.

Assisted Dan McCourt Fritz KC at the mediation of a claim arising out of a joint venture agreement.

Assisted Matthew Morrison acting for a multinational bank in bringing personal and proprietary claims against two owner guarantors in relation to fraudulent borrowing by a company in excess of £6m.

Assisted Matthew Morrison in advising a construction company as to the prospects of bringing contractual claims arising out of various assigned invoices.

Assisted Matthew Morrison in advising a provider of vehicle warranties as to its potential claim for breach of contract, breach of confidence and unjust enrichment against a provider of motor insurance in respect of a proposed joint venture.

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## Company

Acted as sole counsel in respect of an application to rectify the register at Companies House under s.1096 of the Companies Act 2006.

*Zedra Trust (Jersey) v The Hut Group Ltd* [2021] EWCA Civ 904. Assisted Lance Ashworth KC and Dan McCourt Fritz in a successful appeal to the Court of Appeal on the question of the extent of the court's jurisdiction under s. 996 Companies Act 2006 (remedy for unfair prejudice), and the necessary particularisation required for pleading allegations of bad faith in this context.

*Broadcasting Investment Group Ltd v Smith* [2021] EWCA Civ 912. Assisted Dan McCourt Fritz KC in a successful appeal to the Court of Appeal on the issue of the rule against reflective loss and its interrelation with the Contract (Rights of Third Parties) Act 1999 and claims for specific performance.

*Re Keeping Kids Company; The Official Receiver v Batmanghelidjh* [2020] EWHC 2839 (Ch), [2021] 2 BCLC 181; [2021] EWHC 175 (Ch). Assisted Gareth Tilley (led by Lesley Anderson KC) representing the Official Receiver in the disqualification proceedings brought against the former directors of the collapsed charity Kids Company.

Assisted Lance Ashworth KC and Dan McCourt Fritz KC in claims arising out of the breakup of a family business worth over £100m. Various partnerships are being wound up and orders sought under sections 994 and 996 of the Companies Act 2006 (unfair prejudice), and several family companies have sought to be wound up on the just and equitable ground (section 122(g) of the Insolvency Act 1986).

Assisted Lance Ashworth KC in defending a claim for breach of contract and conspiracy to injure in respect of a refinancing of a multi-million pound hotel and restaurant group.

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## Insolvency

Assisted Lance Ashworth KC in advising a well-known energy company as to the ramifications of entering an administration, including how Ofgem's framework for ensuring a continuity of supply to consumers impacts upon those who are able to prove in any administration.

Assisted Matthew Morrison in resisting a winding-up petition brought by a creditor on the grounds of the respondent having a genuine and serious cross-claim against the petitioner, disputing the alleged debt, and the petitioner unreasonably refusing an offer for the value of the Petition Debt.

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## Professional Negligence

Acted as sole counsel for the Defendant surveyors in a professional negligence action brought against them arising out of a home survey.

*Annaloro v Milestone*. Assisted Gareth Tilley in a professional negligence claim against former tax advisers.

Assisted Dan McCourt Fritz KC in two separate professional negligence claims against two high street banks based upon the Quinecare duty of care.

Assisted Dan McCourt Fritz KC in a professional negligence claim against a major consultancy firm in relation to a share purchase transaction worth upwards of £7m.

Assisted Gareth Tilley in advising a high-profile law firm as to its limitation of liability clause in its standard terms of business.

Assisted Gareth Tilley in advising a corporate trustee in the Turks and Caicos Islands in respect of a claim brought against it for professional negligence premised on purported hacked emails authorizing various transfers totaling over \$950,000.

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## **Matrimonial Finance: Trusts and Company law**

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### **Scholarships and Prizes**

Major Scholarship, Inner Temple

Duke of Edinburgh Entrance Award, Inner Temple

Research Coursework Award – Finalist, City Law School

Dr Tindal Hart Prize, Emmanuel College, University of Cambridge

Rowley Mainhood Award, Emmanuel College, University of Cambridge

College Academic Scholarship, Emmanuel College, University of Cambridge

College Academic Exhibition, Emmanuel College, University of Cambridge

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### **Education & Qualifications**

History (MA Cantab), Emmanuel College, University of Cambridge (First-Class)

GDL, City Law School (Distinction, ranked 5<sup>th</sup> in year)

BPTC, City Law School (Outstanding)

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