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Stefano Braschi (Stefano Theodoli- Braschi)

Year of Call: 2021

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Practice Overview

Stefano joined chambers in October 2022 after successfully completing his pupillage under the supervision of Constance McDonnell KC, Matthew Morrison, Dan McCourt Fritz and Gareth Tilley. During pupillage Stefano assisted several members of Chambers and worked in a range of practice areas including Civil Fraud, Company Law, Partnership, Probate, Insolvency and Intellectual Property.

Before coming to the Bar, Stefano studied History at Yale University and trained as an actor at the London Academy of Music and Dramatic Art. He worked as a professional actor for over ten years, performing on screen and stage, including on London's West End.

Stefano is interested in a wide range of Commercial and Chancery work and is developing a broad practice in all of Chambers' core areas, as well as in Intellectual Property.

Areas of Expertise

Company

Loveridge v Loveridge (2021-): Assisted Dan McCourt Fritz in an ongoing dispute between members of the same family in respect of several family-run companies and partnerships. Subsequent to the decision of the Court of Appeal in *Loveridge (No.2)*, this involved applying for injunctive relief and advising on the prospects of an administration application against one of the companies involved.

Assisted Matthew Morrison who was instructed to present a petition for relief under s.996 of the Companies Act 2006, alternatively for the just and equitable winding up of a property-investment company which had been allegedly set up as part of a wider international joint venture involving several interested parties.

Assisted Gareth Tilley in responding to an unfair prejudice petition brought in relation to a joint venture to develop and operate a medical practice.

Private Client Trusts and Probate

Assisted Constance McDonnell KC in respect of matters relating to the Claimant's application for permission to re-open her application under CPR 52.30 for permission to appeal the judgment of Michael Green J in *Reeves v Drew [2022] EWHC 159 (Ch)*. Lewison LJ ordered the unsuccessful applicant to pay the client's costs on the standard basis.

Re Estate of Jones (2021-2022): Assisted Gareth Tilley, acting for the residuary beneficiary and co-executor of an estate. The Defendant, her co-executor and the director of a company which formed part of the estate, had threatened to bring claims on its behalf against the estate. Considerations included, inter alia, an application for removal under AJA 1985 s.50 and a possible unfair prejudice petition under CA 2006 s.994.

Re W Trust (2021): Assisted Gareth Tilley, acting for the beneficiaries of a will trust who alleged that the trustees had failed to properly protect a trust company from alleged breaches of duty by its director. The central question was whether costs incurred by the beneficiaries prior to the trustees deciding to take steps against the director were "costs in or incidental to" the proceedings.

Shokat v Khan (2021): Assisted Gareth Tilly on a case in which the client had been granted letters but was prevented from administering the estate. Each party claimed to be the true surviving spouse of the deceased. The dispute

concerned (a) the validity of the purported marriages and (b) the entitlements of the parties, as well as the deceased's various children, under the 1975 Act.

International and Offshore

Kuwait Ports Authority v Port Link GP: Assisted Dan McCourt Fritz in preparing submissions for the Cayman Court of Appeal. The respondent client alleged that the general partner of a Caymanian exempted limited partnership conspired with others to cause losses of over £100 million to the fund's LPs.

Assisted Gareth Tilley, instructed to advise the liquidator of a BVI company on matters connected to a proposed private prosecution of the former controllers of the company. Questions arose in respect of the recognition of powers, the scope of those powers and the application of POCA 2002 s.48(2).

Commercial Litigation

Assisted Gareth Tilley on a case involving the pursuit of a debt related to the sale of diamonds. The case spanned (at least) three jurisdictions, requiring the registration of a foreign judgment in order to secure a Third-Party Debt Order, which related to the sale of artworks allegedly owned by the debtor.

Assisted Gareth Tilley, instructed to advise a client on whether to pursue a claim for sums owed to him and/or his company in respect of historic dividends and unpaid invoices. The central questions were (a) which claims, if any, would escape a limitation defence and (b) what sums could realistically be recovered.

Assisted Matthew Morrison in responding to an application for permission to appeal in a case concerned with the proper construction of a contract for the supply of commercial vehicles.

Civil Fraud

Isbilen v Turk [2022] EWHC 572 (Ch): Assisted Dan McCourt Fritz, instructed by Peters and Peters, in a long-running fraud case spanning several jurisdictions. The client had entrusted the Defendant with her personal fortune of around £90 million, almost half of which later went missing. She brought various personal and proprietary claims against the defendant to try and recover her money. The Court agreed to grant a Search Order at an unusually late stage in the proceedings and the case received significant attention in the press.

Insolvency

Loveridge v Loveridge (2021-): Assisted Dan McCourt Fritz in an ongoing dispute between members of the same family in respect of several family-run companies and partnerships. Subsequent to the decision of the Court of Appeal in *Loveridge (No.2)*, this involved applying for injunctive relief and advising on the prospects of an administration application against one of the companies involved.

Assisted Matthew Morrison, led by Lance Ashworth KC, in relation to a case arising out of the liquidation of several energy companies. The question for consideration was on whom various statutory payment obligations fell.

Assisted Gareth Tilley, instructed to advise the liquidator of a BVI company on matters connected to a proposed private prosecution of the former controllers of the company. Questions arose in respect of the recognition of powers,

the scope of those powers and the application of POCA 2002 s.48(2).

Intellectual Property

Assisted Michael Edenborough KC and Stephanie Wickenden on the upcoming trial of *easyGroup Ltd v Easy Live (Services) Ltd (2022)*.

Assisted Stephanie Wickenden on other cases involving allegations of copyright infringement, trade mark infringement and passing off.

Property

Assisted Thomas Braithwaite, who acted for the Defendant to a claim for relief sought on the basis of proprietary estoppel and/or common intention constructive trust.

Assisted Gareth Tilley, advising a client who sought relief from her solicitors in respect of an option agreement entered into with a property developer.

Partnership and LLP

Kuwait Ports Authority v Port Link GP. Assisted Dan McCourt Fritz in preparing submissions for the Cayman Court of Appeal. The respondent client alleged that the general partner of a Caymanian exempted limited partnership conspired with others to cause losses of over £100 million to the fund's LPs.

Professional Negligence

Assisted Gareth Tilley in advising a client who sought relief from her solicitors in respect of an option agreement entered into with a property developer.

Scholarships and Prizes

Civil Advocacy Award from Falcon Chambers (1st in the year, ICCA)

Professional Ethics Award from No.5 Chambers (1st in the year, ICCA)

Ashworth Scholarship (Inner Temple)

Exhibition Award, GDL and Bar Course (Inner Temple)

Education & Qualifications

The Inns of Court College of Advocacy: Bar Course (4th in his year)

City University: GDL (Distinction)

Yale University: B.A. History
