

Lesley Timms

PARTNER | LONDON



Lesley is a partner in the litigation and arbitration team.

She has developed a broad commercial practice with a focus on complex contractual disputes, and has been involved in numerous mediations, arbitrations and High Court cases where she has acted in a number of leading cases.

Lesley is co-chair of the firm's international brands and fashion group, which focuses on developing, maintaining and protecting a client's brand and reputation. She often works with eponymous founders, senior creative professionals, commercial agencies and distributors (for both agents and principals). Lesley regularly advises start-up companies on their contractual arrangements and any risks with a view to avoiding the risk of future litigation.

As part of her broad commercial practice, Lesley also regularly advises on issues of company and personal insolvency, including liquidations, bankruptcy and Company Voluntary Arrangements (CVA's).

She is a fluent Italian speaker and is passionate about helping Italian individuals and businesses with interests in the UK continuing Withers' long Italian tradition, and works closely with colleagues in our Italian offices.

SECRETARY **FEDERICA SPAGNOLETTI**

TRACK RECORD

Acting for a former employee of Marathon Asset Management, a well-known London based asset management firm in a multi-million pound claim for, amongst other things, Wrotham Park Damages for misuse of confidential information and for conspiring with other employees to damage Marathon's business by preparing to compete in a start-up competitor as part of a team move.

Acting for an Italian Formula 1 aerodynamics testing company in a claim brought by a Formula 1 team for breach of intellectual property rights.

Acting at first instance and on appeal for a third party funder in respect of a Section 51 non-party costs application made by the successful defendants in the high profile, high value litigation between Excalibur, Texas Keystone and Gulf Petroleum.

Representing a Russian owned BVI company in successfully obtaining judgment setting aside a company voluntary arrangement on the grounds of material irregularity on the basis that the contracts for the purchase of land in St Petersburg entered into between the debtor and alleged Russian vendors, which created the liability of value sufficient enough to pass the CVA, were shams.

Acting for a Swiss pharmaceutical company against its UK distributor for breach of the terms of a Supply Agreement.

Acting for RAI Italia, the Italian national television station in the restructuring of its UK employment affairs.

Acting in an LCIA arbitration for a large Russian gold mining company against its local partner for damages resulting from failure to transfer title to certain mining permits over the property.

Acting in an LMAA arbitration for an Italian luxury yacht building company against the buyer for breach of contract for failure to pay the

purchase price and in defence of a counter-claim that the vessel as-built was not in accordance with the specification.

Advising an ex-employee of a leading investment management company in a conspiracy, breach of fiduciary duty and misuse of confidential information claim alleged to be worth in excess of \$30million.

Assisting an Italian individual in a dispute over title to 15th century illuminated manuscripts against the Italian Republic and a well-known auction house.

Acting for a UK company to enforce an arbitral award against an individual through bankruptcy proceedings.

Acted for an Italian company in a mediation with a UK based supplier arising out of an alleged repudiatory breach of an Agency Agreement.

Obtaining an urgent worldwide freezing injunction in excess of £2 million on behalf of an English company against a fraudulent director. The claim proceeded as a breach of fiduciary duty claim, for which summary judgment was successfully obtained 6 weeks later.

Acting for a major Italian construction company in a claim before the Technology and Construction Court brought against it by a UK microtunnelling equipment and services provider in respect of a construction project in Northern Italy.

Successfully obtaining judgment setting aside a Company Voluntary Arrangement on the grounds of material irregularity pursuant to s6 the Insolvency Act 1986 on the basis that the contracts entered into between the Debtor and the alleged creditors which created the liability of value sufficient enough to pass the CVA were shams.

Having obtained a winding-up order against a UK company, Lesley is now assisting the liquidator in pursuing claims against the former directors to claw-back transactions made at an undervalue and preference payments pursuant to the Insolvency act.

Assisting to secure a major victory in an ICC Arbitration for a Chinese company (listed on NASDAQ) against an Italian company relating to the termination of a high value five-year supply agreement in the renewable energy sector.

ADMISSIONS

- England and Wales, 2008

PUBLICATIONS

Civil procedure, Bar Association of Foggia and Lucera conference, panel speaker

'English Courts Possess Powerful Tools for U.S. Litigation,' Today's General Counsel, March 2019, co-author

MEMBERSHIPS

- Member of the London Court of International Arbitration LCIA (Young International Lawyers Group)
- London Solicitors Litigation Association
- Financial Services Lawyers Association
- British Italian Law Association

EDUCATION

Cardiff University, LLB (Hons)

LANGUAGES

ENGLISH
ITALIAN

DATES

JOINED: 2006

RECOGNITION

2020 Legal 500 UK recommended lawyer



Si autorizza al trattamento dei dati personali L.196/2003, aggiornato con GDPR 679/2016