



## Ashley Pratt

Year of call: 2006

Email: ashley.pratt@39essex.com

Phone: +44 (0)20 7832 1111

*"He is straight-talking, gets to the heart of complex issues quickly and provides excellent client care." The Legal 500 2022*

Ashley is a busy commercial practitioner. He regularly appears in the Commercial Court, Technology and Construction Court and the Property Tribunals. Ashley is often instructed to advise on appeals. Ashley's cases are frequently reported. Ashley has appeared against silks and is regularly led.

Ashley is instructed in international commercial cases, which have included arbitrations. Recent cases include jurisdictions such as Dubai, Bahrain, Bahamas, the Balkans and America. His international work usually consists of jurisdictional issues, civil fraud, insolvency and enforcement.

Ashley is regularly instructed on freezing injunction applications.

Ashley also has vast experience of professional negligence and insurance claims and co-authored the Professional Negligence Journal review of the year chapter for Bloomsbury Press in 2020.

## Areas of expertise

Commercial

Construction

Property

## Commercial

---

### Cases of note:

- ***GFH Capital v Haigh* [2021] EWHC 3203, [2021] EWHC 1533 (Comm), [2022] EWHC 3110 (Comm)** – Ashley continues to be instructed by Gulf Finance House in this widely reported case. GFH are a Bharani Bank based in Dubai. This long-running litigation is brought by GFH against their former deputy CEO following his conviction in the Dubai Court for defrauding them. At the time of the fraud Mr Haigh was a qualified solicitor and had also been the managing director of Leeds United FC. Ashley has appeared in multiple divisions of the High Court in hearings involving complex issues concerning trusts, property, contract, fraud and asset-tracing, an extended civil restraining order, as well as advising on various appeals.
- ***ACM Investments LCC v Ronald Charles Finley & Ors* [2023] (Comm)** – Instructed by the Claimant company at late notice to assist in the drafting of documents and to appear as junior

counsel at the return date to a world-wide freezing injunction in support of its continuance against the NCADS. Complex issues in the case concerned whether the NCADS could be served out of the jurisdiction. Following the ruling to set aside the injunction Ashley was instructed as part of a counsel team of four to draft the skeleton and appeal grounds for the PTA. The basis of the action concerns a judgment debt order obtained in the High Court and its enforcement in Bulgaria.

- ***The Royal London Mutual Insurance Society Ltd v Segro* [2022-2023] (Comm)** – Ashley advised the Royal London Mutual on the disputed terms of a £120 million sale regarding a commercial property on a West London Retail Park. A dispute arose as to whether the terms of sale had been fulfilled. Royal London Mutual brought an injunction to enforce completion, the matter was settled and the transaction completed prior to the hearing.
- ***X v Bahamas Building Company* (2022)** – Instructed by a Silk at a leading Bahamas law firm in respect of high value dispute under the American Institute of Architects rules. Ashley acted on behalf of a HNWI against a construction firm on a point in the contract which affected the way the works and the final valuation and developments costs were calculated.
- ***Elias v Mamistvalov & Soda Holdings Ltd* [2022] EWHC 1930 (Ch)** – Instructed to act for the appellants Mamistalov and Soda Holdings Ltd for permission to appeal to the Court of Appeal. The Court was ultimately asked to decide which party beneficially owned the single share in Soda Holdings. Issues in the case concerned whether the SPA was a sham, the unwinding of a swap agreement and the basis of ownership. The PTA application focussed on the admitted failure of Elias to properly disclose documents and the impact it had on Fancourt J's decision.
- ***Simwood e SMS v GovData* [2022] 1 WLUK 359** – Acting for Simwood in successfully resisting an application in a high value telecommunications dispute to strike out its claim prior to trial. Ashley appeared alone against leading counsel. The case concerned an alleged failure to have Simwood appointed to a government telecommunications panel. The dispute involved complex factual and legal issues concerning loss of chance in a breach of contract dispute.
- ***R. (on the application of Bembridge Harbour Trust) v Bembridge Harbour Improvement Co Ltd* [2023] 6 WLUK 357** – Acting for Bembridge Harbour Trust, a charity, in its judicial review concerning the distribution of finances of the statutory harbour authority. Led by Thomas Hill KC.
- ***A v B (Confidential)* (2021)** – Acting on behalf of a HNWI on a potential injunction and disclosure arising out of matrimonial dispute. It was alleged that \$120m of crypto currency was being dissipated to various jurisdictions to avoid being caught by the ancillary relief proceedings.
- ***Kazakhstan Kagazy v Arip* [2021] EWHC 521 (Comm)** – Advised the defendants leading up to the trial in a civil fraud claim worth more than \$100m. Led by Richard Spearman KC.
- ***Atkinson v Varma* [2021] 3 WLUK 240 (Comm)** – Acting for the defendant following the theft of monies from investors arising out of the purported development of the Grosvenor Hotel in Bristol. Ashley was subsequently instructed to defend the contempt proceedings in the Commercial Court.
- ***Outfox the Market v Dong Energy SALG* [2021]** – Advising Outfox the Market on a contractual hedge that was set to expire. Had the hedge expired under the agreed terms, it would have cost the energy company £96million. The matter settled prior to the expiration of the contractual hedge.

## Recommendations

---

*"He is straight-talking, gets to the heart of complex issues quickly and provides excellent client care."* The Legal 500 2022

## Memberships

---

- The Commercial Bar Association (COMBAR)
- HK45

# Qualifications

---

## Education

- ICSL (Bar Finals)
- LLB Hons

---

### London

81 Chancery Lane,  
London  
WC2A 1DD  
Tel: +44 (0)20 7832 1111  
DX: London/Chancery Lane 298  
Fax: +44 (0)20 7353 3978

### MANCHESTER

82 King Street,  
Manchester  
M2 4WQ  
Tel: +44 (0)16 1870 0333  
Fax: +44 (0)20 7353 3978

### SINGAPORE

Maxwell Chambers,  
28 Maxwell Road,  
WC2A 1DD  
04-03 & 04-04, Maxwell Chamber  
Suites  
Singapore 069120  
Tel: +65 6320 9272

### KUALA LUMPUR

#02-9, Bangunan Sulaiman  
Jalan Sultan Hishamuddin,  
50000 Kuala Lumpur,  
Malaysia  
Tel: +60 32 271 1085

BARRISTERS • ARBITRATORS • MEDIATORS

clerks@39essex.com • DX: 298 London/Chancery Lane • 39essex.com