



David Berkley KC

Email: clerk@stjohnsbuildings.co.uk

Phone: 0161 214 1500

Year of Silk: 1999

“Recommended Expert” **Legal 500 2022**

Barrister And Mediator

- Educated at Manchester Jewish Grammar School
- Gateshead Talmudical College and Manchester University
- Commercial Litigation Assistant at Halliwell Landau 1978-1979
- Appointed Deputy District Judge 1999
- Appointed Recorder (Civil) 2000
- Experience includes major Commercial Litigation; and Civil and Criminal Fraud trials
- Interested in Music Litigation; Commercial Contract Litigation; Commercial Fraud Trials
- Famous clients have included Gary Barlow of Take That!; Granada Television; Stone Roses Management and several Manchester Bands

David was interviewed on Sky News on 18 July 2018 in relation to privacy laws in light of Cliff Richard's recent award for damages from the BBC.

Legal Directory Recommendations

“An absolute master in cross-examination and an indescribably approachable silk. Very strong analytical skills and an ability to isolate the legal issues very quickly and efficiently.” **Legal 500 2021 (Chancery, Probate and Tax)**

Excellent advocate, orator and communicator. Formidable in court with the ability to quickly capture an audience and the attention of the judge. Calmness under fire. Ability to digest large volume of material, identify the key issues and its application to the facts and law.” **Legal 500 2021 (Commercial Litigation)**

“Noted for his expertise in directors’ disqualification matters” **Legal 500 2019**

“Has a diverse practice which encompasses commercial and chancery litigation. He also has extensive experience with banking and insolvency matters and entertainment law disputes.” **Chambers & Partners 2019**

“Has a diverse practice which encompasses commercial and chancery litigation. He also has extensive experience with banking and insolvency matters and entertainment law disputes.”

Strengths: “A calm, collected and measured barrister, he is an excellent orator and he fights his client’s corner.”

Recent work: “Acted in an interest rate hedging product case relating to a loan to a medical centre.” **Chambers & Partners 2018**

“His technical knowledge is exemplary.” **Legal 500 2017**

“Has more than 20 years’ experience in chancery work. He is known for commercial property disputes, employment, professional negligence and regulatory law.”

Strengths: “A very nice chap; he is a very eloquent speaker with good advocacy skills” – **Chambers & Partners 2017**

“Highly experienced in banking and commercial litigation” – **Legal 500 2016**

“Has a strong commercial and chancery practice. He is experienced in company and commercial work as well as banking and insolvency matters. He also handles landlord and tenant and partnerships disputes and is an accredited mediator. ” – **Chambers & Partners 2016**

“An experienced mediator and commercial all-rounder.” – **Legal 500 2015**

EXPERTISE

Company and Commercial

Particular Specialist Interests

General Commercial Litigation: “Noted for his commerciality” in the Legal 500 (2008 Edition), this is the primary area of practice with an emphasis on major trial work.

Music Litigation: David Berkley KC has developed a niche in this area. His famous clients have included Gary Barlow of Take That!; Granada Television; Stone Roses' management; and several well-known Manchester bands.

Other Activities

Past Chairman of the Northern Circuit Commercial Bar Association and a Member of the Northern Chancery Bar Association.

Frequent lecturer having conducted seminars in-house at Herbert Smith; Freshfields and other leading City firms. Has been closely associated with Nottingham Law School and the National Institute for Trial Advocacy.

Reported/Important Cases

In order to provide an indication of the range and depth of David Berkley KC's practice, the following represents a summary of recent reported cases in which he has been instructed:

Jervis v Harris [1996] Ch 195

Barrett McKenzie & Co v Escada (UK) Ltd QBD 1st February 2001

Rakusens Ltd v Baser Ambalaj Plastik Sanayi Ticaretas [2001] EWCA Civ.1820 (Court of Appeal)

Burnett v Harper – Court of Appeal 4th May 2001

J Barry v J Barry (Plant Hire) Ltd [2001] EQCA (Civ.614)

Mark Blunden v Frogmore Investments Ltd [2002] EWCA (Civ.573) Court of Appeal, [2002] 29 Estates Gazette 153

Coutts & Co v Clarke [2002] EWCA (Civ.943), Court of Appeal

Hayes v Phonogram Ltd and Others [2002] EWHC 2062 (Ch) (Blackburne J)

R v Independent Television Commission ex parte Boyd-Hunt [2002] EWHC 2296 Admin (Newman J)

Russell v Finn [2003] EWCA Civ. 399 Court of Appeal

Goldmile Properties Limited v Speiro Lechouritis [2003] EWCA Civ 49

In re China Jazz Worldwide Plc v Secretary of State [2003] EWHC 2665, Patten J

Halpern v Halpern [2006] EWHC 1728 Comm [2006] 3 AER 113

Halpern v Halpern [2007] EWCA 603 (Comm) The Times 14th May 2006

Banking, Finance and Insolvency

Considerable expertise and experience in contentious security and receivership issues; civil and criminal fraud trials; directors' disqualification work.

Kumar v United Bank Ltd (QBD Commercial Court, Andrew Smith J) 22nd June 2001

Retail Parks SA v JJB Sports Ltd SL Mercantile Court, Manchester Judge Hegarty 19th December 200

Property and Private Client

Partnership

Frequently advises in and acts on behalf of professional clients in partnership disputes including those relating to solicitors and accountancy professional practices.

Landlord and Tenant

Considerable expertise and experience in commercial Landlord and Tenant matters and frequently advises property clients in relation to renewals and reviews.

ADR and Mediation

Qualified Mediator (College of Law credited) and willing to act as Arbitrator in commercial dispute. Member of the Commercial Law Panel of ADR Chambers.

Sport, Media and Entertainment Law

David has developed a niche in the area of Music Litigation. His famous clients have included Gary Barlow of Take That!; Granada Television; Stone Roses' management; and several well-known Manchester bands. He has dealt with cases involving intellectual property, copyright and cases of a contractual nature.