

## Lesley Timms

PARTNER | LONDON

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### Lesley is a partner in the litigation and arbitration team.

Recognised in Legal 500 as a Next Generation Partner, Lesley has developed a broad commercial practice with a focus on complex contractual disputes, mostly with an international aspect. She has acted both in the High Court and in international arbitrations under the LMAA, ICC and LCIA Rules in a variety of sectors including fashion, food and wine, pharmaceutical, cryptocurrency and construction. Lesley has been involved in a number of leading cases and has developed an expertise in interim relief applications such as Worldwide Freezing Orders, but she also encourages early dispute resolution which has resulted in her leading a number of successful mediations as well.

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, distributors and Commercial Agents or Principals. Lesley regularly advises start-up companies on their contractual arrangements and any risks with a view to avoiding future litigation.

As part of her broad commercial practice, Lesley also regularly advises on issues of corporate and personal insolvency and restructuring.

Lesley is a fluent Italian speaker and is passionate about continuing Withers' long tradition of helping Italian individuals and businesses with interests or claims in the UK.

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## Track record

## Obtaining judgement

Advising on Obtaining judgement

## Judgement, global enforcement and asset recovery

Advising on, and obtaining a €172 million judgement against the high profile financier, Lars Windhorst and his group of companies and subsequently leading and coordinating the global enforcement and asset recovery efforts in the Netherlands, Germany, the US, Switzerland and England.

## Commercial Agent

Representing a Commercial Agent in the English High Court against the well-known Australian fashion brand, Lee Mathews, in its claim for compensation and pipeline commissions pursuant to Regulation 8 and 18 of the Commercial Agency Regulations, following which the Commercial Agent was awarded in excess of £1.2m.

## Global enforcement and asset recovery

Coordinating and executing global enforcement and asset recovery efforts on behalf of Mrs Akhmedova against Mr Akhmedov following a £450 million award on divorce, the largest made by the English High Court at the time. This involved successfully obtaining a Worldwide Freezing Order against Mr Akhmedov, getting judgement to lift the corporate veil of his sham companies, seizing his super-yacht in Dubai, his jet in Germany and his helicopter in the Isle of Man. We also brought proceedings in the Marshall Islands where the superyacht was flagged, obtained 1782 disclosure orders in the US and pursued claims in Liechtenstein and Switzerland where Mr Akhmedov held bank accounts.

## LCIA arbitration

Acting for an Italian construction and manufacturing company in an LCIA Arbitration against a Southern African main contractor in respect of a claim for breach of contract and delay, ultimately resulting in an amicable and commercial settlement.

## Defence of former employee

Successfully defending a former employee of Marathon Asset Management, a well-known London based asset management firm in a £30 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. Whilst liability was found against the employee in certain limited respects, he was ordered to pay just £1 in damages and costs were awarded in his favour.

## Italian Formula 1 aerodynamics testing company

Acting for an Italian Formula 1 aerodynamics testing company in its defence of an £18 million claim brought by 1 Malaysia Racing Team for breach of various intellectual property rights. Liability was admitted, but the defence was nonetheless a success because the damages ordered were less than £25,000 and costs were therefore awarded against the Claimant due to a well-place and tactical settlement offer having been made early on in the litigation.

## Excalibur, Texas Keystone and Gulf Petroleum litigation

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.

## BVI company

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.

## Swiss pharmaceutical company

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

## UK employment restructuring

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

## LCIA arbitration

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.

## LMAA arbitration

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.

## Dispute with Italian republic and auction house

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

## Agency Agreement dispute

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

## Worldwide freezing injunction

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.

## Major Italian construction company

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.

## Winding-up order

Having obtained a winding-up order against a UK company, Lesley assisted 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.

## ICC arbitration

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.

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## External 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

## Admissions

England and Wales, 2008

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## Education

Cardiff University, LLB (Hons)

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## Languages

English  
Italian

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## 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

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## Key dates

Year joined: 2006

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