

# Tanfield Chambers

## David Guy

David\_guy@elawuk.com

---

## Areas of Practice

Business & Commercial

Public Access

---

## Career

1972 Called to the Bar, Gray's Inn

1997 to 2001 Head of Tanfield Chambers

2004 Benchler

---

## Profile

A commercial barrister who undertakes a wide variety of business cases including international, European Union and cross border disputes, a specialist in financial services and computer related issues and a chartered arbitrator.

David is qualified to accept Direct Access clients and was one of the first barristers to take Conditional Fee cases in commercial disputes.

## Experience

### Business & Commercial

David Guy has extensive experience of all types of commercial, international and arbitration work. He has appeared in every type of court up to and including House of Lords, and many arbitrations and mediations. In the early part of his career he gained experience in a wide range of common law cases and in the last 20 years his work has become exclusively commercial.

For 10 years as counsel he was engaged in a series of computer disputes heard in the Technology and Construction Court. These concerned commercial systems which caused damage to the business purchasing them so that David has worked extensively with computer experts on the technical aspects and accountancy experts as to the losses.

Latterly, he has been instructed in many financial services cases. A specialist in recovery of losses in financial services claims relating to professional negligence of brokers, liability of banks and companies for statements to shareholders, he advised more than 600 investors in Marconi as to the possibility of recovering compensation and he is currently advising groups of shareholders in relation to losses made from investments in listed companies.

He has advised on all aspects of licensing and distribution agreements, including commercial agents, in the UK, Europe and Saudi Arabia. Instructed in cross border and international cases concerning the internet, telecoms and outsourcing, including competition, European and consumer aspects. Examples of his cases include a large group of French claimants against an English Insurance company, an African government in a Paris-based arbitration, a Saudi based distributor against a Spanish principal and a Paris-based property company against a German bank. He is has an interest in a Paris-based legal practice specialising in cross border cases.

Formerly joint head of chambers of Tanfield Chambers he was active within two international associations and has given talks in Holland, France, Czech Republic, Spain and USA about aspects of English practice and law.

He was an arbitrator on the Financial Intermediaries, Managers and Brokers Regulatory Association (FIMBRA) arbitration panel from 1992 until 1999 and from 1996 to 2001 an arbitrator on the Securities and Futures Authority. He is a member of the financial services panel of the Chartered Institute of Chartered Arbitrators (CIARB) and the London panel of the largest association of US brokers Financial Industry Regulatory Authority (FINRA) (previously NASD and NYSE).

As arbitrator, David has given many awards in financial services cases. He has also been appointed by the CIARB on an ad hoc basis in other disputes such as a transatlantic computer software dispute.

## Significant Cases

**Rooks Rider v J R Steel** [1993] 4 AER 716

Solicitors undertaking

**Barret v Ducket** [1995] BCC 362

Company derivative action and minority shareholder

**Gretton v British Millerain** [2001] BLR

Computer supply, professional negligence

**Winther Brown v Anglo Group** [2000] 72 Con LR 118, [2000] ITCLR 559 [2000] Masons CLR 13, (2000) 144 SJLB 197  
Concerning supplier and customers liability under a computer supply contract

**Puolitaival and Pirttiahio v Finland** [23.11.2004] 54857/00  
Article 6 of HR Convention

**Stanley Collymore v Francis and others** 20.10.2008 Commercial Court  
Footballer awarded substantial damages for bad financial advice

## **Membership**

Fellow and Chartered Arbitrator, Chartered Institute of Chartered Arbitrators

Member, Technology and Construction Bar Association

Member, London Common Law and Commercial Bar Association

## **Qualifications**

BA Hons

FCIARB

Chartered Arbitrator

Accredited Mediator

Direct Access barrister

## **Appointments**

Arbitrator, US Financial Industry Regulatory Authority (FINRA)