
JOHN MEHRZAD

Call: 2005



General

Chambers and Partners 2012 describes John as “an outstanding young Junior who pulls out all the stops to get results”.

He acts and advises on Employment, Commercial and Sports law often on cross-over cases litigated before the High Court and specialist tribunals.

John is one of only 15 barristers chosen by the Bar Council, Law Society and British Association of Sport and Law as an Advocate at the London 2012 Olympics.

He is also on the Panel of Approved Counsel for the Equality and Human Rights Commission.

John has recently been instructed on high-profile cases before the High Court, the Court of Arbitration for Sport, the Premier League Arbitration Tribunal and Appeal Panel, the Employment Appeal Tribunal, and the Manchester District Registry. He also maintains a busy Employment Tribunal practice.

John is also experienced in private and judicial mediations in all his practice areas – and has also been instructed to act as a mediator in a complex commercial, employment and tax dispute.

Notable higher court cases include:

- ***Blazevic v Hayashibara International Inc. & Heath* UKEATPA/0738/11/CEA** (Langstaff J, President): Successful argument that an appeal against the strike out of all claims and a costs award made by the Employment Tribunal should be dismissed with a further costs award ordered.
- ***Bullimore v (i) Potheary Witham Weld Solicitors (ii) Hawthorne* [2011] IRLR 18** (Underhill J, President); **UKEAT/0189/10/JOJ**: Advice on whether on an inaccurate reference can found a claim for sex victimisation following the compromise of a discrimination claim.
- ***Humphreys v Norilsk Nickel International (UK) Limited* [2010] IRLR 976; [2010] EWHC (QB) 1867** (HHJ Seymour QC): Claim for a performance bonus in the High Court by a former Chief Economist to one of the world's largest mining companies.
- ***Hunt v Legal and General Resources Limited* UKEATPA/1531/10/DM** (HHJ Peter Clark): Successful argument that an out-of-time appeal should be rejected by the EAT.
- ***K2 Partnering Solutions Limited v (i) Nina Strauss (aka Miriam Schmidt) (ii) Lawrence Harvey Search and Selection Limited* HQ10X03345** (Tugendhat J): Successful application for an injunction before the High Court, preventing a former employee soliciting former customers and her new employer from inducing breach.
- ***Parsons v Burworth Estates (a firm)* UKEAT/0547/08/MAA** (Underhill J, President): Consideration by the EAT of whether a claimant needs to raise a grievance about each act relied upon for a claim of constructive unfair dismissal.

Employment Law

Member of Equality and Human Rights Commission panel of approved counsel.

John regularly appears in multi-day Full Hearings, PHRs and CMDs at ETs as well as appeals before the EAT, representing both claimants and respondents in cases involving the whole range of employment law, including:

- Unfair dismissal
- Breach of contract/unlawful deduction of wages
- All forms of discrimination
- "Whistleblowing"
- TUPE
- Points of jurisdiction (time limits, employment status, etc)

His recent ET cases include:

- ***Durra and others v Joseph Limited (Case Number 2205184/2010 and others)***: Successfully persuaded the ET to reject claims of unfair dismissal, constructive unfair dismissal, race discrimination and breach of contract following a 7-day Full Hearing and also make a costs award against all 3 claimants.
- ***Mohammed v London Borough of Lambeth (Case Number 2351544/2010 and others)***: Successfully persuaded the ET to reject claims of race and religious discrimination, victimisation and unfair dismissal following a 5-day Full Hearing. A costs application is pending.
- ***Boyd v The Crown Prosecution Service (Case Number 251473/2009)***: Successfully and seemingly without precedent persuaded the ET to reject findings of the independent Civil Service Appeal Board and dismiss claims of unfair dismissal and "whistleblowing". Another usual aspect of this case was that an order was made for costs to be assessed at the County Court, which in effect meant that sums awarded by the CSAB would need to be repaid to the CPS by way of costs. This case received extensive press coverage, for example <http://www.chroniclelive.co.uk/north-east-news/evening-chroniclenews/2011/06/15/lawyer-sacked-over-alleged-police-corruption-72703-28882096/>.
- ***Pierre v London Borough of Enfield (Case Numbers: 3301265/2009)***: Successfully persuaded the ET to find a SOSR dismissal despite the breakdown in relations arising following a grievance and ET claim about discrimination.

Commercial Law

John has appeared in the High Court and in multi-track County Court trials involving:

- Bonus/commission entitlement
- Restrictive covenants
- Fiduciary duties
- Confidential information
- Partnership/shareholder disputes
- Effective cause of contractual relationships
- Agency agreements
- Sale of Goods
- Supply of Goods and Services

He has also obtained urgent injunctive relief – and regularly makes other applications before both High Court Judges and Masters.

Prior to joining the Bar John was Vice President at Chiliogon LLP, a corporate finance advisory and investment management company, advising on deals involving oil/gas, renewable energy and biotechnology.

Sports Law

John has a burgeoning reputation in sports law. He is one of only 15 barristers appointed as an individual advocate to the London 2012 Olympics.

His recent cases include:

- Premier League Arbitration and an Appeal on behalf of a well-known footballer against a leading Premier League club concerning termination payments.
- Advice about a Court of Arbitration for Sport appeal from the International Cricket Council decision in the Pakistan cricket "match-fixing" scandal.
- **Bradford City FC v Manchester United FC**: Dispute concerning the contractual interpretation of "loan transfer" relating to Tom Cleverley.
- **Mandeng v QPR FC**: Employment dispute concerning a number of confidential allegations.
- **Leicester City v FC Betz**: Contractual dispute concerning betting rights.
- High Court claim concerning a dispute between a Brazilian football club and an English club about "solidarity payments" arising from FIFA regulations.
- **Sundew Trading Limited v Middlesbrough FC**: High Court claim concerning company related to Turkish international, Tuncay Sanli, for breach of economic and image rights agreements.
- **Willowshire Limited v Middlesbrough FC**: High Court claim by company related to former Brazilian international, Afonso Alves, for breach of image rights agreement.
- **Arano v Middlesbrough FC**: High Court claim by agent for breach of representation agreement.
- **Phil "the Power" Taylor v Dickens International**: Mercantile Court claim for failure to supply replica shirts of satisfactory quality and fit for purpose to 15-time darts world champion.

Before coming to the law John was an international-level rower; twice national rowing champion of GB & N. Ireland and university champion in different countries.

In terms of other disciplinary jurisdictions John has been instructed before the Solicitors' Disciplinary Tribunal, the Conduct & Competence Committee of the Nursing & Midwifery Council; the Care Standards Tribunal; and by the British Psychological Society

Previous Experience

Prior to practising at the Bar John was a legal assistant at Palmer Wade solicitors, specialists in employment discrimination law; worked at France's largest law firm, Gide Loyrette Nouel, in international arbitration/project finance; and interned in the litigation departments at Clifford Chance and Lawrence Graham.

Whilst at Bar School John worked at the AIRE Centre, advising on points of EC law and human rights. He also wrote articles for "The Times" law section.

John is also able to advise clients in French.

Talks

- **Article 6 and Contractual Remedies in Sport**, Bird & Bird Sports Team, 13 March 2012
- **Costs in Employment Litigation**, Simons Muirhead & Burton, 23 November 2011
- **Dismissing the Undismissable**, London Borough of Lambeth, 21 November 2011
- **Fixed-Term Employees**, London Borough of Camden, 2 November 2011
- **Mock Employment Tribunal**, Bird & Bird, 15 September 2011
- **Fair dismissal following Protected Act**, DWF, 12 September 2011
- **Some other Substantial Reason & Whistleblowing**, Legal & General, 10 August 2011
- **Repudiatory breach of contract**, Withers, 23 June 2011

- **Concurrent disciplinary and grievances**, In-House Lawyer seminar, 16 May 2001
- **The Implied Term, Lewis Silkin**, 8 February 2011
- **Employment Tribunal Practice and Procedure**, London Borough of Enfield, 11 June 2010
- **Mock Employment Tribunal**, Charles Russell, 1 June 2010
- **Seminar to the BBC Employment Department**, 24 November 2009
- **Recent developments in Employment Law**, Newspaper Society, 13 November 2008
- **Case law update in Employment Law**, Newspaper Society, 25 March 2008

Publications

- **A study of Eurosceptic Groups 1990-97**, "The European Journal", August, September and October issues 2006
- **A good pint by way of Dickens, Disney and the Dictionary**, "The Times", Law, 10 June 2006
- **The Schuman Plan**, "The European Journal", March/April 2006
- **Let's Raise a Glass to Old Traditions**, "The Times", Law, 11 October 2005
- **A Supreme Court for the UK; A Flawed Necessity**, "BPP Obiter", May 2004

Awards

- Major Scholarships from Inner Temple for Law Conversion Course and Bar School
- Peter Duffy Scholarship from Bar European Group
- Internship awards from Inner Temple and Keble College, Oxford University, for stages at the European Court of Justice (cabinet of Advocate-General Francis Jacobs QC) and the European Parliament
- Winner of national Ormrod mooting competition
- Founder of debating society at BPP Law School

Memberships

London Irish Lawyers' Association (Treasurer), Employment Law Bar Association, Industrial Law Society, Commercial Bar Association, Bar European Group, Bar Pro Bono Unit, Free Representation Unit.

Qualifications

M.A. (Trinity College, Dublin), D.E.A. (Université de Nantes), M.St. (Oxford University)