

JAMES GREEN

Call: 2015



James joined Littleton in October 2018 upon completing his pupillage.

During pupillage, he has gained experience across Chambers' core areas of work, including employment, commercial, and sports law. He is happy to accept instructions in any of these areas.

Prior to commencing pupillage, James spent a year working at the Court of Appeal as a judicial assistant to the former Lord Chief Justice, Lord Thomas, working on cases such as ***R(Miller) v Secretary of State for Exiting the European Union*** and ***R v Alexander Blackman***. Previously James also worked as a paralegal on international commercial arbitrations at a boutique litigation firm, Joseph Hage Aaronson LLP.

Before becoming a barrister, James lived in Japan for two years as a Daiwa scholar, funded by the Daiwa Anglo-Japanese Foundation, where he studied Japanese and worked as a journalist.

Employment

James has been involved in a variety of employment matters, including:

- Drafting Grounds of Claim and Grounds of Resistance across a range of claims including unfair dismissal, constructive dismissal, disability discrimination, sex discrimination and harassment.
- Appearing at preliminary hearings on behalf of respondents seeking the strike out of claims of unfair dismissal, redundancy, and discrimination on the grounds of age and marital status.
- Successfully defending a claim for unlawful deduction of wages under the Agency Workers Regulations 2010, and obtaining a significant costs order.
- Drafting an ET3 and Grounds of Resistance on behalf of a major retailer in a claim for constructive unfair dismissal and harassment on the grounds of age and disability.
- Preparing cross-examination and assisting with the drafting of a skeleton argument for a 4-day Employment Tribunal age discrimination claim
- Drafting Particulars of Claim seeking damages pursuant to an alleged conspiracy between a recently departed senior manager, his new employer, and over half of the staff of the original employer.
- Drafting a Defence and Counterclaim in a claim seeking injunctive relief, springboard relief and damages in the financial services industry following the alleged breach of post-termination restrictions in a shareholders' agreement.

Employment cross-over

James has gained experience in matters involving a cross-over between employment law and other areas of law,

including:

- Drafting a written opinion on the enforceability of restrictive covenants in the context of an LLP
- Drafting an advice note (and subsequently Grounds of Claim) relating to unfair dismissal, breach of contract, misrepresentation and unfair prejudice, following the summary dismissal of a CEO from an organisation which had covered up serious accounting errors.
- Drafting a skeleton argument in reply for a Court of Appeal hearing which concerned employment status and the application of Article 10 ECHR to the territorial reach of the Tribunal's jurisdiction.
- Drafting a written opinion on the status of a non-executive chairman's directorship and shareholding following his purported summary dismissal by another director.

Commercial and company law

James has been involved in a wide range of commercial and company law matters, including:

- Drafting Particulars of Claim for alleged breach of warranties under a share purchase agreement.
- Drafting a Reply and Defence to Counterclaim for the enforcement of monies owed under a personal guarantee within a factoring agreement.
- Conducting research and attending a client conference regarding whether a cap on liability applied to an indemnity given under a tax deal.
- Drafting a note on the merits of a claim arising from a factoring agreement, dealing with issues of assignment, contractual and equitable set off, estoppel and waiver.

Sports law

James has gained experience of FA Rule K arbitrations, particularly as related to player/agent contractual disputes, including:

- Drafting submissions in defence of an intermediary accused of fraud, procuring breach of contract and breach of fiduciary duties.
- Drafting a note on the application of FIFA Regulations to a player on a scholarship contract.
- Researching and attending an FA Rule K arbitration concerning the consequences of an agent's failure to register as an intermediary in the relevant jurisdiction.
- Assisting in a high-profile independent review of the British Equestrian Federation.
- Researching and drafting grounds of appeal against a decision as to the applicable jurisdiction of a claim against a club under Article 7(2) of Brussels I Recast.

Commercial Arbitration

James has also gained experience of international commercial arbitration, drafting a written opinion on the *res judicata* effect of an arbitral decision reached under an international investment treaty upon a further commercial arbitration.

Education, Scholarships and Prizes

James was the winner of the Times Law Award for an essay, published in the Times, on the relevance of the Magna Carta in the modern world. He was awarded a Lord Denning Scholarship by Lincoln's Inn to complete the Bar Professional Training Course.

Prior to studying law, James studied history at the University of Bristol, attaining a First Class Degree, and a

Master's degree in American History at the University of Oxford.

Education

2015: Bar Professional Training Course, Very Competent

2014: Graduate Diploma in Law, Distinction

2010: MSt in American History

2009: BA in Historical Studies, First Class

Scholarships and Prizes

- Winner of the Times Law Award, 2015.
- Lord Denning Scholarship, Lincoln's Inn, 2014.
- City University/11 King's Bench Walk prize for public law: runner up, 2014.
- Daiwa Anglo-Japanese Scholar, 2011-2013.