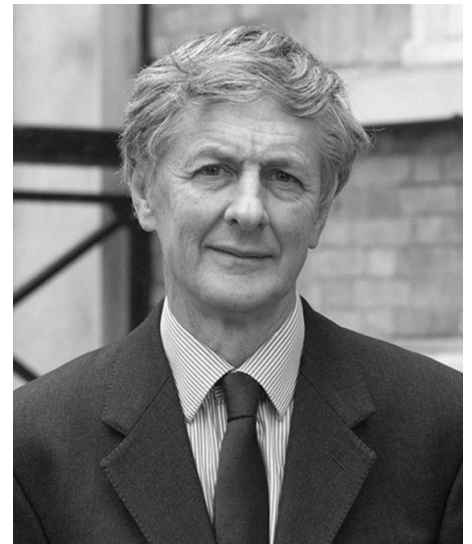


# Nicholas Levisieur

**Year of Call:** 1979

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## Overview

Nicholas Levisieur specialises in Chancery and Common law work with particular emphasis on professional, including medical, negligence. He also regularly undertakes serious personal injury claims, particularly those involving serious disputes between experts as to causation or in high value cases where quantification of damages raises difficult issues of principle. He has considerable experience in bringing actions against the M.O.D.

Recent Chancery and commercial activity has included an indemnity claim arising out of the sale of heavily polluted land (itself the subject of litigation in the House of Lords) and defending a claim for run off damages flowing from the sale of an off-shore telecommunications company.

Nicholas Levisieur is committed to protecting and respecting your privacy. Please contact Nicholas for a copy of his privacy policy which sets out the basis upon which any personal data he may collect about you, or that is provided to him, will be processed by him. He will provide a copy of this policy to you within 2 working days of its request.

## Academic qualifications

MA (Oxon)

## Professional qualifications & appointments

- Legal Adviser to the General Dental Council
- Legal Assessor to the General Optical Council
- Called to the Bar of Southern Ireland
- Legal Assessor to the Nursing and Midwifery Council
- Legal Assessor to the General Chiropractic Council

# Expertise

## Commercial

Nicholas Levisieur has an extensive practice in and considerable experience of commercial litigation in the High Court and Court of Appeal in London and in the negotiated and arbitral resolution of profit sharing, commercial development and buy out agreements and partnership disputes. He is also instructed in arbitral appeals to the High Court.

The subject matter of recent instructions has included passing off, telecommunications, rectification, gas supply solus agreements, land development and mineral extraction contracts, director and shadow director share and bonus agreements, commercial hold harmless clauses and avoidance of liability in commercial insurance contracts.

He is regularly instructed in disputes involving entrepreneurs, businesses and banks and in partnership disputes between doctors, dentists and veterinary surgeons, restaurateurs and solicitors, as well as in negligence actions against solicitors and other professionals.

He has considerable familiarity with pre-action remedies and injunction relief and, in appropriate cases, with the grant and discharge of Anton Piller, Mareva, Norwich Pharmacal, and Khanna orders and in working knowledge of the methods commonly used to place funds in offshore jurisdictions.

Nicholas Levisieur accepts instructions under the CCG's Standard Contractual Terms for Professional Services.

### **25th May 2000**

In *Sloggett and Perry v Stroud and others*, one of Nicholas Levisieur's cases, the Court of Appeal held that the High Court had been in error in considering a claim for rectification of a complex written contract before deciding on the true meaning of the contract as it stood, since rectification can only arise if the document does not give effect to what the parties intended.

## Clinical Negligence

Nicholas Levisieur has an extensive practice and considerable experience in serious personal injury and clinical negligence claims particularly those involving disputes between experts as to causation and high value cases where quantification of damage raises serious issues of principle. He is regularly instructed in brain injury cases and has a particular expertise in managing multi disciplinary teams of experts from an early stage in the litigation process.

Clinical negligence cases of interest have included genital surgery, general practitioner want of care, obstetric disasters, neurological misdiagnosis and those in which there has been a real absence of consent to surgical intervention. He has also appeared in a number of important cases in which very real issues of contributory negligence have been addressed by the Court of Appeal.

He has considerable familiarity with issues which commonly arise in whole life loss of earnings and care cases and is a contributor to the PNBA publication *Facts and Figures*.

### **Notable Cases**

- *Akers v Heald and the MIB* The Times 14 January 2003 CA
- *Eagle v Chambers (No 1)* [2004] RTR 9 CA
- *Eagle v Chambers (No 2)* [2005] 1WLR 3081 CA
- *Roe v Novak and Manchester City Council* The Times 27 November 1998 CA
- *Stacey v Joint Mission Hospital Equipment Board* The Times 5 November 2001

## Personal Injury

Nicholas Levisieur has an extensive practice and considerable experience in serious personal injury and clinical negligence claims particularly those involving disputes between experts as to causation and high value cases where quantification of damage raises serious issues of principle. He is regularly instructed in brain injury cases and has a particular expertise in managing multi disciplinary teams of experts from an early stage in the litigation process.

Clinical negligence cases of interest have included genital surgery, general practitioner want of care, obstetric disasters, neurological misdiagnosis and those in which there has been a real absence of consent to surgical intervention. He has also appeared in a number of important cases in which very real issues of contributory negligence have been addressed by the Court of Appeal.

He has considerable familiarity with issues which commonly arise in whole life loss of earnings and care cases and is a contributor to the PNBA publication Facts and Figures.

Nicholas has experience with marine accidents to include off shore rig cases, falling into holds and two liner holiday cases.

### Notable Cases

- Akers v Heald and the MIB The Times 14 January 2003 CA
- Eagle v Chambers (No 1) [2004] RTR 9 CA
- Eagle v Chambers (No 2) [2005] 1WLR 3081 CA
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## Disciplinary and Regulatory Proceedings

Nicholas Levisieur has a very wide experience of appearing in regulatory tribunals both as an advocate and as a legal assessor. His experience extends beyond the formally regulated to include the disciplinary bodies set up by private organisations to control their membership. He has considerable experience in advising at an early stage before proceedings are instituted, in helping to negotiate consensual disposals, and of appearing at interlocutors and final hearings. His experience crosses all the medical, dental, nursing and ancillary medical professions as well as accountancy, education and the law. He has considerable related experience of judicial review and of private right law proceedings before the High Court.

### Recent significant cases have included:

- Advising on the admissibility of highly prejudicial medical evidence given before a coroner and of the narrative verdict of the coroner itself, and subsequently successfully excluding both evidence and verdict.
- Negotiating successfully with the SRA as to the terms of a compromise agreement not involving the striking off of either client in a case involving the misuse of client funds totalling more than £500,000 over a 4 year period.
- Representing a distinguished practitioner at the end of her career before 3 separate tribunals and professional bodies in cases involving probity, clinical judgement and root and branch attacks on competence, resulting in complete acquittals in all cases.
- Defending a primary school teacher against allegations of physical violence against young children, cross examining hostile teaching assistants, analysing data and social media records and securing acquittals in respect of each allegation.