clerks@blackstonechambers.com
+44 (0)20 7583 1770

Warren Fitt



Year of call: **2018**
Degree: **BA (UWA), LLB (Hons) (UWA), BCL (Oxon)**

Warren accepts instructions in all of Chambers' main areas of practice, with a focus on commercial and public law. He has appeared in the Supreme Court, Court of Appeal, High Court, County Court and Employment Tribunal. Warren has been admitted as a lawyer in Australia since 2014. Before coming to the Bar, he worked at the State Solicitor's Office in Western Australia. He appeared, usually unled, in a range of courts and tribunals on behalf of government. His practice in Australia focused on disputes arising under commercial, public and employment law.

EXPERIENCE

Commercial

Warren accepts instructions in all areas of commercial litigation. He regularly acts in complex and high value commercial disputes.

Cases

Vale SA v Steinmetz
[2022] EWHC 343 (Comm)

Acted for three defendants in a c. $1.8bn multi-defendant fraud claim that was dismissed three weeks into an eleven week trial following the claimants' admission that their claim was time-barred (with Tom Weisselberg QC and David Lowe).

PanOptis v Apple
Patents Court, ongoing

Instructed by Apple to defend Optis' claims for injunctive relief in respect of the alleged infringement of FRAND-encumbered telecom patents claimed to be essential to the 4G standard. Appeared at one trial, several CMCs and a PTR (with Michael Bloch QC).

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[A v B]

Commercial Court, ongoing

Acting for a defendant in multi-defendant fraud claim brought by an investor against an investment fund following the Covid market crash (with Robert Weekes QC).

Damage to luxury sports car

Queen's Bench Division

Acted for claimant seeking compensation for damage occasioned to a luxury sports car in a motor accident. Judgment was entered for the claimant shortly before trial, after the defendant failed to comply with an unless order.

Nair v Lagardere Sports and Entertainment UK Ltd

Queen's Bench Division

Acted for defendant in claim by former executive concerning media rights for the Indian Premier League (with Andrew Hunter QC).

The Kanteen Ltd v Three Rivers Property Investments Ltd

County Court, ongoing

Acting for tenant of small business in claim against landlord arising out of wrongful re-entry and an alleged unreasonable refusal to consent to the assignment of the tenancy (with Ian Mill QC).

Application to come off the record

Acted for City law firm in application to come off the record.

Al-Hasawi v Nottingham Forest Football Club Ltd

[2019] EWHC 1287 (Ch)

Trial of claims arising under a share purchase agreement in relation to the sale of a football club (assisting Tom Hickman QC).

Al-Hasawi v Nottingham Forest Football Club Ltd

[2019] EWCA Civ 2242

Instructed by respondents in appeal against judge's interpretation of contracts underlying the 2017 sale of Nottingham Forest Football Club (with Tom Hickman QC).

Glaxo Wellcome UK Ltd v Sandoz Ltd

[2019] EWHC 2545 (Ch)

Trial of passing off claim relating to the fourth-most successful pharmaceutical product in the world (assisting Tom Hickman QC).

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Gruber v AIG Inc

[2018] EWHC 3030 (Comm)

$100m claim made by former banker employees (assisting Andrew Hunter QC and Peter Head).

AXA SA v Genworth Financial International Holdings Inc

[2018] EWHC 2898 (Comm)

Application to strike out Part 20 claim in proceedings for recovery of costs and losses relating to historic PPI mis-selling (assisting Andrew Green QC and Fraser Campbell).

Industrial and Commercial Bank of China v Ambani

Commercial Court

£657m claim under a personal guarantee (assisting Harish Salve SA, Robert Howe QC and Peter Head).

Danilina v Chernukhin

[2019] EWHC 173 (Comm)

Trial in multi-million dollar dispute concerning the ownership of assets based on an alleged oral agreement (assisting Fraser Campbell).

[Recruitment agency v multinational employer]

County Court, 2018

Trial of recruiter's claim for commission in respect of alleged introduction of employee (assisting Fraser Campbell).

[Re a holding company]

Companies Court

Unfair prejudice petition alleging exclusion from management and failure to pay dividends in relation to English company holding shares in a major Russian insurance group (assisting Fraser Campbell).

Dispute over pre-emption rights

LCIA Rules

Dispute arising out of right of first refusal under a share purchase agreement (assisting Peter Head).

Directors' duties

Chancery Division

Claim by alleged de facto director under consultancy agreement and counterclaim for breach of director's duty of care (assisting Peter Head).

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Family business

Proposed claim concerning management of closely-held company vehicle for family business (assisting Peter Head).

Public & Regulatory

Warren accepts instructions in all areas of public law. His first case at the Bar was the successful challenge to Prime Minister Johnson's decision to prorogue Parliament in the landmark case of R (Miller) v Prime Minister [2020] AC 373. As a lawyer in Australia he regularly advised government on the interpretation of statutes and the lawfulness of government action.

Cases

R (Miller) v Prime Minister

[2019] UKSC 41; [2019] EWHC 2381 (QB)

Instructed by claimant in urgent judicial review of the Prime Minister's decision to prorogue Parliament in the lead up to Brexit day. The claim was successful following a leapfrog appeal to an eleven member panel of the Supreme Court (with Lord Pannick QC and Tom Hickman QC).

R (Warner) v Secretary of State for Justice

[2020] EWHC 1894 (Admin)

Judicial review claim brought in relation to the Criminal Cases Review Commission, a statutory body whose functions include the investigation of possible miscarriages of justice and the referral of appropriate cases to the Court of Appeal (Criminal Division). Warren acted for the Defendant.

Carillion directors' disqualification proceedings

Chancery Division, ongoing

Acting for a former executive director in disqualification proceedings based on allegations arising from the insolvency of Carillion (with Andrew George QC, Harry Adamson and Tom Leary).

Carillion FCA proceedings

Financial Conduct Authority, ongoing

Acting for a former executive director in enforcement proceedings brought by the Financial Conduct Authority alleging market abuse and breaches of the Listing Rules in relation to the insolvency of Carillion (with Andrew George QC and Harry Adamson).

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R (BMA) v Secretary of State for Health and Social Care

[2020] EWHC 64 (Admin)

Assisted with the preparation of the government's evidence in a judicial review claim concerning amendment to regulations governing the payment of doctors' pensions.

R (FF) v Director of Legal Aid Casework

[2020] EWHC 95 (Admin)

Judicial review of Director's decision that claim was 'out of scope' of legal aid (assisting Tom Hickman QC).

Begum v Secretary of State for the Home Department

Special Immigration Appeals Commission

Appeal against decision to deprive woman detained in Syrian refugee camp of British citizenship (assisting Tom Hickman QC).

R (British Telecommunications Plc) v HM Treasury

[2018] EWHC 3251 (Admin)

Judicial review of HM Treasury's decision to grant indexation for the 'guaranteed minimum pension' component of public sector pensions, following the abolition of additional state pension, in a manner that inadvertently read across to certain private sector schemes (assisting Dinah Rose QC, Fraser Campbell and Celia Rooney).

Uber BV v Aslam

[2018] EWCA Civ 2748

Test litigation regarding the employment status of drivers who use the Uber app (assisting Dinah Rose QC and Fraser Campbell).

BBC advice

Advised BBC on potential judicial review concerning the Commission's compliance with its Charter (with Jason Pobjoy).

Judicial review of diagnostic guidance

Advice to pharmaceutical company about proposed challenge to NICE diagnostic guidance (assisting Thomas de la Mare QC and Fraser Campbell).

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Employment

Warren accepts instructions in all areas of employment law. As a lawyer in Australia he appeared as sole counsel before a specialist employment tribunal to defend government employers from unfair dismissal claims.

Cases

Uber BV v Aslam

[2018] EWCA Civ 2748

Test litigation regarding the employment status of drivers who use the Uber app (assisting Dinah Rose QC and Fraser Campbell).

Quarm v Commissioner of Police of the Metropolis

UKEAT/0200/18/LA

Two appeals before the Employment Appeal Tribunal concerning victimisation, discrimination and the Police Conduct Regulations (assisting Tristan Jones).

Sharma v Cleveland Cable Co Ltd

UKEAT/0227/18/BA

Employment Appeal Tribunal decision regarding the threshold for striking out a claim (assisting Tristan Jones).

Miscellaneous employment advice

Employment Tribunal and Employment Appeal Tribunal

Warren has advised employers and employees in relation to unfair dismissal and discrimination claims and appeals.

Civil Liberties & Human Rights

Warren accepts instructions in all areas of civil liberties and human rights law.

Cases

R (Warner) v Secretary of State for Justice

[2020] EWHC 1894 (Admin)

Judicial review claim brought in relation to the Criminal Cases Review Commission, a statutory body whose functions include the investigation of possible miscarriages of justice and the referral of appropriate cases to the Court of Appeal (Criminal Division). Warren acted for the Defendant.

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Atanda v HSBC UK Bank plc

Acted for defendant bank in respect of claim for compensation by customer alleging racial discrimination.

Begum v Secretary of State for the Home Department

Special Immigration Appeals Commission

Appeal against decision to deprive woman detained in Syrian refugee camp of British citizenship (assisting Tom Hickman QC).

Human trafficking

Queen's Bench Division

Claim for compensation in respect of failure by police to protect a child from being trafficked (assisting Tom Hickman QC).

Civil Fraud, Asset Recovery & Injunctive Relief

Warren accepts instructions in all areas of civil fraud.

Cases

Vale SA v Steinmetz

[2022] EWHC 343 (Comm)

Acted for three defendants in a c. $1.8bn multi-defendant fraud claim that was dismissed three weeks into an eleven week trial following the claimants' admission that their claim was time-barred (with Tom Weisselberg QC and David Lowe).

[A v B]

Commercial Court, ongoing

Acting for a defendant in multi-defendant fraud claim brought by an investor against an investment fund following the Covid market crash (with Robert Weekes QC).

EM Solar Ltd

Queen's Bench Division, 2019

Claim for injunctive and Bankers' Trust relief in relation to a company trading in solar panels (assisting Peter Head).

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Arbitration

Warren accepts instructions in relation to domestic and international arbitrations.

Cases

Dispute over pre-emption rights

LCIA Rules

Dispute arising out of right of first refusal under a share purchase agreement (assisting Peter Head).

EU & Competition

Warren accepts instructions in all areas of EU and competition law.

Cases

PanOptis v Apple

Patents Court, ongoing

Instructed by Apple to defend Optis' claims for injunctive relief in respect of the alleged infringement of FRAND-encumbered telecom patents claimed to be essential to the 4G standard. Appeared at one trial, several CMCs and a PTR (with Michael Bloch QC).

Sky plc v SkyKick UK Ltd

C-371/18

Reference on bad faith defence and scope of the court's ruling in IP Translator (assisting Tom Hickman QC).

Crossley v Volkswagen AG

[2020] EWHC 783 (QB)

Instructed by VW in trial of preliminary issue in emissions group litigation deciding a question of construction of European law (with Michael Fordham QC and Celia Rooney).

Wolseley UK Ltd v Fiat Chrysler Automobiles NV

[2019] CAT 12

Competition Appeal Tribunal decision on whether an additional party in a cartel damages claim is entitled to sue the claimants for a negative declaration (assisting Tristan Jones).

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Veolia Environment SA v Fiat Chrysler Automobiles NV

Chancery Division, ongoing

Cartel damages claim arising out of an EU-wide cartel in trucks (assisting Tristan Jones).

Net neutrality

Advice to content provider about effect of EU net neutrality regulation (assisting Tristan Jones).

Registration of trade mark

Advice on opposition to registration of trade mark (assisting Tristan Jones).

Sport

Warren accepts instructions in all areas of sports law.

Cases

Nair v Lagardere Sports and Entertainment UK Ltd

Queen's Bench Division

Acted for defendant in claim by former executive concerning media rights for the Indian Premier League (with Andrew Hunter QC).

Al-Hasawi v Nottingham Forest Football Club Ltd

[2019] EWHC 1287 (Ch)

Trial of claims arising under a share purchase agreement in relation to the sale of a football club (assisting Tom Hickman QC).

Al-Hasawi v Nottingham Forest Football Club Ltd

[2019] EWCA Civ 2242

Instructed by respondents in appeal against judge's interpretation of contracts underlying the 2017 sale of Nottingham Forest Football Club (with Tom Hickman QC).

Intellectual Property

Warren accepts instructions in all areas of intellectual property law.

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Cases

PanOptis v Apple

Patents Court, ongoing

Instructed by Apple to defend Optis' claims for injunctive relief in respect of the alleged infringement of FRAND-encumbered telecom patents claimed to be essential to the 4G standard. Appeared at one trial, several CMCs and a PTR (with Michael Bloch QC).

Sky plc v SkyKick UK Ltd

C-371/18

Reference on bad faith defence and scope of the court's ruling in IP Translator (assisting Tom Hickman QC).

Glaxo Wellcome UK Ltd v Sandoz Ltd

[2019] EWHC 2545 (Ch)

Trial of passing off claim relating to the fourth-most successful pharmaceutical product in the world (assisting Tom Hickman QC).

Registration of trade mark

Advice on opposition to registration of trade mark (assisting Tristan Jones).

ACHIEVEMENTS

Education

Jean Rogerson Honours Studentship, 2010 (University of Western Australia)

Supperstone Law Scholarship, 2016-17 (Lincoln College, Oxford)

VAT registration number: 329075983

Barristers regulated by the Bar Standards Board