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The Conditional Fee Agreements Conference 2007

Wednesday 13 June 2007

Jurys Great Russell Street Hotel, London WC1B 3NN

Chairman:

- Master John O'Hare,
Taxing Master and Costs Judge

Speakers:

- Alexander Hutton, Barrister,
Hailsham Chambers
- Jason Rowley, Managing Partner,
Vizard Wyeth
- David Marshall, Managing Partner,
Anthony Gold

The Conditional Fee Agree

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Costs remains the most vibrant and fast changing issue in civil justice and the subject matter of this conference affects the profitability of every firm and fee-earner specialising in litigation. This timely one-day conference brings together and explains in depth the many developments which have occurred in the last 12 months.

You will hear from a panel of distinguished and authoritative speakers, many of whom have personal experience of or involvement in the leading cases.

Among the topics to be addressed:

- CPR and Case Law on Success Fees
- CFAs in Commercial Cases
- Costs and the Civil Justice Council
- CFA cases, including looking at Costs Estimates and Costs Capping
- Applications about CFAs in detailed assessments
- New Law Relating to Costs Draftsmen

At the conference you will benefit from:

- Hearing from some of the most distinguished experts involved in conditional fees
- Establishing how to incorporate the latest and most significant changes into your practice
- A unique opportunity to network with and learn from the speakers
- Having your issues and concerns addressed in a question and answer session
- Earning 6 Law Society and Bar Council CPD Points

Who should attend?

- Barristers and solicitors
- Anyone specialising in litigation

Secure your place today by completing and returning the booking form overleaf

Programme (subject to change without notice)

09.00 Registration with Coffee

09.30 Opening Remarks from the Chair

Master John O'Hare, Taxing Master and Costs Judge

09.40 CFAs: Current Topics

- Types of CFA
- Assignment
- Retrospectivity
- Legal expenses insurance
- CFAs and the summary assessment of costs

Master John O'Hare, Taxing Master and Costs Judge

10.20 CPR and Case Law on Success Fees

- The relevance of statistics
- Post-Regulation success fees
- Success fees where liability is admitted
- Two stage success fees
- The latest cases

Alexander Hutton, Barrister, Hailsham Chambers

11.05 Coffee

11.20 CFAs in Commercial Cases

- Assessing the risk
- Funding
- Drafting
- Insurance

Jason Rowley, Managing Partner, Vizard Wyeth

12.00 Costs and the Civil Justice Council

- DCA's proposals to 'streamline the claim process'
- Predictable costs and success fees
- The proposed Costs Council: more than just another tent?
- CFAs and multi-party actions: access to justice?

David Marshall, Managing Partner, Anthony Gold

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12.30 Questions for the morning panel

13.00 Lunch

14.00 Costs Estimates in CFA cases

- Estimates and Bills – explaining the difference
- Taking the point in dispute
- What happens on assessment?

Jason Rowley, Managing Partner, Vizard Wyeth

14.35 Costs Capping in CFA cases

- ATE: learning from the defamation experience
- The dangers of over-egging the pudding!
- Avoiding costs caps: tactical considerations
- Working with costs caps: tactical considerations

David Marshall, Managing Partner, Anthony Gold

15.10 Tea

15.25 Applications about CFAs in detailed assessments

- Applications for disclosure of CFA and attendance notes
- Requests for Further Information
- Identification of preliminary points
- Relief against sanctions

Master John O'Hare, Taxing Master and Costs Judge

16.00 New Law Relating to Costs Draftsmen

- *Crane v Cannon's Leisure*
- Rights of audience
- CFAs between solicitor and costs draftsman?

Alexander Hutton, Barrister, Hailsham Chambers

16.35 Questions for the afternoon panel

17.00 Close of Conference

About the speakers

Master John O'Hare is Taxing Master and Costs Judge with special responsibility for drafting and updating costs practice directions, costs guides and other judicial papers. He prepared the report into After The Event Insurance annexed to judgement in *Callery v Gray* (No. 2). He frequently sits as an assessor in High Court and Court of Appeal decisions on costs, including *Sarwar v Alam*, *Halloran v Delaney*, the *Claims Direct* test cases, *Atack v Lee*, *Holmes v McAlpine Homes* and *Crane v Cannon's Leisure*. He is also co-author of *O'Hare and Browne on Civil Litigation* (12th edition 2005).

Alexander Hutton is a Barrister at Hailsham Chambers Junior Counsel to the Crown (B Panel) 1999-2005. He specialises in costs disputes and clinical negligence. He sits as an assessor with High Court Judges on costs appeals and has appeared in a number of the most important recent costs cases, including the *Claims Direct* Test cases, *Lownds v Home Office*, *Factortame v Secretary of State for Transport (costs)*, *South Coast Shipping v Havant Borough Council*, *Malkinson v Trim*, and *RSA Pursuit* Test Cases. He has been recommended by both Legal 500 and Chambers UK Directory as in the top rung of recommended junior barristers in costs.

Jason Rowley, is Managing Partner at Vizards Wyeth, and specialises in solicitors costs with an emphasis on CFAs and funding issues. He sits as a Deputy Costs Judge at the Supreme Court Costs Office and is a High Courts Costs Assessor. He was formerly a Member of the Law Society's new model CFA working party, the Supreme Court Costs Office Costs Practitioners Group and the President of the Forum of Insurance Lawyers 2002-2003. He is also an Editor of *Kemp & Kemp: Personal Injury Law, Practice and Procedure* including the chapters on costs and funding (Sweet & Maxwell).

David Marshall is Managing Partner at London firm Anthony Gold. David is a past President of the Association of Personal Injury Lawyers (APIL). He is co-author, *Conditional Fees: Law and Practice* and the *Law Society's Civil Litigation Handbook* and General Editor of and contributor to *Jordans Personal Injury law, Practice and Precedents*.

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conference will constitute late cancellation and payment will still be due or forfeit if already paid.

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