

Annie Sampson



YEAR OF CALL: 2015

INN: INNER TEMPLE

Practice Overview

Annie's broad commercial and chancery practice encompasses wills and trusts work, real estate matters, commercial disputes, professional negligence claims and insolvency proceedings. Annie also has experience of acting at all stages of disputes, including pre-litigation, on interim applications, at trial and on appeal, having successfully appealed errors of law and fact and gone on to obtain judgement for a sum due under a contract which had at first instance been held to be unenforceable.

Areas of Expertise

Agriculture & Rural Affairs

Annie enjoys applying her knowledge of areas such as real estate, commercial disputes, wills and trusts to cases arising in an agricultural context.

Annie's recent cases include:

- ▶ Assisting with the case management of a series of complex claims between members of a farming family, including claims under the TOLATA 1996 and in respect of a partnership.
- ▶ Advising on a claim under the Animals Act 1971 in respect of damage caused to a potato crop by straying cattle.
- ▶ Advising on a claim for the breach of a contract for the sale of a tractor.

Commercial

Annie has experience of a broad range of commercial matters, such as claims in respect of defective goods and services; misrepresentation; building disputes, including in the context of professional negligence; assigned debt; the repayment of loans; rectification; and advising in respect of the enforceability of contractual terms, including in the context of issues in respect of consideration and fairness.

In addition, Annie's experience includes applications for interim relief, such as freezing orders, and applications to enforce judgement, such as by way of orders for sale and third-party debt orders.

Annie's recent cases include:

- ▶ Successfully appealing errors of law and fact and obtaining judgment for the client for a sum due pursuant to a contract which had at first instance been held to be unenforceable for lack of intention to create legal relations.

- ▶ The defence of claims against a variety of construction professionals, including surveyors, architects, and subcontractors.
- ▶ Defending a claim for the rectification of an agreement for sale.
- ▶ Obtaining extensions of time for the registration of charges under section 859F of the Companies Act 2006.

Insolvency

Annie's experience includes both corporate and personal insolvency matters, including advising on and attending interim applications, such as those for substituted service, to set aside statutory demands, or for injunctions restraining the presentation or advertisement of a winding up petition.

Court of Protection

Annie accepts instructions across the spectrum of Court of Protection matters, having gained experience during pupillage of matters arising in the context of both property and affairs and health and welfare.

Professional Negligence

Having undertaken a secondment focussed entirely on professional negligence at RPC, Annie has extensive experience of acting in professional negligence claims arising in a wide variety of contexts, including claims against local authorities; claims involving construction professionals; and claims against solicitors, in respect of which Annie has particular experience of claims by disappointed beneficiaries of wills.

Real Estate

Annie has experience across the breadth of property and real estate matters, including TOLATA claims, trespass, nuisance, residential landlord and tenant and mortgage possession proceedings, boundary disputes, adverse possession, commercial tenancies and the renewal of business tenancies under the 1954 Act.

Annie's recent cases include:

- ▶ A two-day trespass trial arising in the context of the breach of a licence and including extensive expert evidence.
- ▶ A one-day possession trial to evict a tenant on the basis of breach of his tenancy agreement due to anti-social behaviour.
- ▶ Advising the respondent to an application to set aside the transfer of a property due to alleged misrepresentation, deceit, undue influence, unconscionability and mistake.
- ▶ The settlement of a TOLATA dispute at the directions hearing and acting for the successful claimant at the trial of another.
- ▶ Advising in respect of nuisance, restrictive covenants, easements and the enforceability of contracts for the sale of land.
- ▶ Acting for the successful claimants at the trial of their claim for the breach of leasehold covenants by a management company.
- ▶ Possession proceedings involving a dispute as to whether a partnership which the occupied the property did so as a tenant.

Wills & Trusts

Annie's experience encompasses a broad range of wills and trusts work, including both contentious and non-contentious matters.

Annie has particular experience of advising in respect of the construction of wills and challenges to their validity; 1975 Act claims, including advising in respect of settlement where there are minor beneficiaries; applications for the removal of executors and trustees; trusts of land; and professional negligence arising in context of wills and trusts work, including claims by disappointed beneficiaries.

Recent cases include:

- ▶ Successfully proving an unsigned copy of a will.
- ▶ Obtaining permission to appeal a case management decision in the context of high-profile forfeiture claim.
- ▶ Advising trustees how to resolve an apparent stalemate between them and the beneficiary of a life interest.
- ▶ Advising potential claimants how best to proceed when presented with a variety of options to obtain a (greater) benefit from an estate, including whether to challenge the validity of the will or to claim under the Inheritance (Provision for Family and Dependants) Act 1975 or pursue the will drafter for professional negligence.
- ▶ The mediation of a 1975 Act claim in respect of a multi-million pound estate.
- ▶ Advising in respect of the administration of a will trust where the fund was to be divided equally, but each of the beneficiaries obtained a vested interest at a different point in time.
- ▶ Advising executors where the estate principally comprised the deceased's unregistered property, the title deeds to which could not be located.

Recommendations

"Annie did such a great job at representing us in court, and we're so pleased with the outcome."

JAMES ABBOTT
MANAGING DIRECTOR
IT FOCUS

Professional Memberships:

- ▶ Chancery Bar Association

Qualifications & awards:

- ▶ Accredited Civil & Commercial Mediator (ADR Group)
- ▶ BPTC (University of the West of England)
- ▶ GDL (Oxford Brookes University)
- ▶ BA English Language and Literature (University of Oxford)
- ▶ Irene Parker Law Scholarship – Lady Margaret Hall, University of Oxford
- ▶ Exhibition Award and Duke of Edinburgh Entrance Award – Inner Temple

Additional information:

Before commencing pupillage, Annie worked as a self-employed County Court advocate on the Western Circuit for two years. During this time, Annie undertook a wide variety of hearings, including bankruptcies, possession hearings, interim applications and small claims track trials and developed particular expertise in residential possession proceedings and personal insolvency.

In her spare time, Annie is a keen runner and also enjoys the occasional cycling adventure and attempting to play tennis.

Contact Annie:

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