



Peter Guzhar

Partner



Areas of Law: Public & Product Liability, Professional Negligence, Commercial Litigation, Intellectual Property, Employers & Public Liability, Dispute Resolution, Licensing and Gaming Law.

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Background

Peter graduated in 2002 with an LLB Honours degree in Law from Queen's University Belfast. Peter then obtained his qualification from the Institute of Professional Legal Studies in Belfast and completed his apprenticeship with Carson McDowell LLP.

Since qualifying in 2006, Peter has assisted Declan Magee in the firm's Commercial Dispute Team, working for private sector commercial clients in the manufacturing, IT and services industries. Peter was made Partner in 2017.

Experience

Peter's work involves drafting pleadings, liaising with experts, advocacy and the negotiation of damages and costs. Peter has a broad workload of commercial litigation experience, with experience in both the County Court and High Court jurisdictions.

Peter's breadth of commercial litigation experience includes the following:

- **Corporate Dispute:** unfair prejudice petitions, just and equitable winding up petitions, derivative claims against directors, breach of directors' statutory and fiduciary duties, contentious demerger situations, diversion of business claims, warranty claims, breach of shareholders' agreement claims and the potential rescission of a complex share purchase agreement (post-completion and pursuant to an alleged fraudulent misrepresentation).
- **Partnership Dispute:** advising on and representing clients in partnership dissolution actions, breach of partnership, fiduciary and statutory duties and securing injunctive relief or undertakings in respect of same, applications for: an Order for sale of Partnership property; a Syers Order (buy-out of disgruntled minority by majority); and an Order for a Partnership account and inquiry to be taken and made.

- **Intellectual Property Dispute:** acting in a number of high value, complex and multi-jurisdictional patent infringement cases for clients in the technology and manufacturing sectors; advising and acting in copyright, trademark, design right and unregistered design right infringement actions and claims, and, further, misappropriation and misuse of confidential information actions which have necessitated applications for injunctive relief to include mandatory and prohibitory injunctions and search and seizure orders.
- **Commercial Dispute:** advising on and/or litigating in complex contractual breach disputes relating to: supply and manufacturing defect issues and non-performance in the services, manufacturing and IT sectors; the rights and obligations regarding force majeure, jurisdiction and termination clauses and restrictive covenants; an application to stay proceedings under the Arbitration Act 1996; breach of warranty, misrepresentation and indemnity claims; the defence of a number of Commercial Agency Regulations claims (brought by agents); and the prosecution of claims relating to civil fraud, deceit, inducement, interference with economic interests, causing loss by unlawful means and conspiracy to injure.
- **Public Law and Administration:** assisting Declan Magee in the defence of judicial review applications in respect of the decisions of the Parole Commissioners for Northern Ireland. Peter successfully brought an application for judicial review on behalf of interested parties against a decision of the Minister of the Department of Health, Social Services and Public Safety, and the Department itself (as it was then constituted), in respect of the failure to properly consult on the proposed closure of a hospital facility. Peter also prosecuted a claim for a client to the English Court of Appeal in respect of a challenge to HMRC's decision to impose custom duties on imported materials, in contravention of both the relevant EU regulation (comprising the custom tariff code of classification) and the relevant public law principle of legitimate expectation.
- **Professional Negligence and Insurance coverage dispute claims:** Peter has prosecuted claims against planning consultants, accountants and auditors. He has also advised on and prosecuted coverage claims against insurance providers for refusal to indemnify policy-holders.
- Peter has also been instructed initially by clients and subsequently by insurers in respect of some of the matters under the above practice areas including, but not limited to, claims relating to the defence of professional negligence actions, product recall and product liability matters.