

Simon Hobbs

Partner

'Simon Hobbs is a superb litigator who never misses the important details and always has a watchful eye on the long term strategy when dealing with a case. He develops excellent relationships with clients to fully understand their needs.'

(The Legal 500, 2024)



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Simon is Head of Dispute Resolution in the Milton Keynes office (a team of 8 locally), carrying out commercial, property and insolvency litigation. He is widely considered to be one of the 'go-to' litigators in the South East, as previous client recommendations and commentaries in the legal directories will testify.

He is frequently instructed by a stable of in-house counsel who describe him as "hard working" with a "quietly confident style" (a previous Chambers and Partners testimonial). They all appreciate his ability to grasp technical issues quickly and give sound, commercial and cost effective advice. This is partly due to a secondment to the Legal Department of the Civil Aviation Authority early in his career, making him keenly aware of the frequent and competing pressures on in house counsel's time. Simon prides himself on building up trusted advisor status with his in house clients; he will return calls/emails immediately 24/7 and if he gives in-house counsel options, he will always put his neck on the line and recommend which option the client should take.

Simon is a keen advocate of mediation if and when appropriate in a dispute. He is an accredited ADR Group mediator and uses his mediation training to his clients' advantage both prior to, and during, commercial mediations.

Simon is ranked as a Leading Individual in Chambers & Partners (2024 edition). He is listed as a Recommended Lawyer in The Legal 500 (2024 edition).

He is also a Past President of Middlesex Law Society.

Legal Services

Commercial Contracts

Simon deals with heavyweight contractual claims for major commercial clients and local SMEs, franchising, shareholder and partnership disputes, professional negligence claims, competition, defamation, debt recovery and IP matters. He is extremely easy to deal with, with an ability to put non-legally qualified clients at their ease by his ability to speak 'your language' and not get bogged down in jargon.

Competition

Simon combines his expertise in Competition issues (on which he has advised clients in the drinks, hospitality and leisure sector for a number of years) with his experience in the Transport sector advising both manufacturers and hauliers.

Selected Cases

- Advising potential claimants in respect of claims for damages from the major truck manufacturers, arising out of The European Commission's 2016 Judgment that MAN, Volvo/Renault, Daimler, Iveco, and DAF all broke EU antitrust rules, colluding for 14 years on both truck pricing and the passing on of the costs of compliance with stricter EU emission rules. This resulted in a record fine of €2,926.499,000.

Restructuring & Insolvency

On the Restructuring and Insolvency side, he is described as "a highly rated expert" and the "first port of call" on a broad range of contentious and non-contentious corporate and personal insolvency matters by local insolvency practitioners (Chambers and Partners). He has years of experience of successfully attempting to recoup significant assets from former directors, customers and suppliers of insolvent companies on behalf of administrators/liquidators. Similarly, he has experience of defending such actions on the former directors', customers' and suppliers' behalf, including in relation to EBTs.

Selected Cases

- Advising the Liquidator of an insolvent manufacturing company regarding, and subsequently prosecuting, claims against the former directors for a whole host of issues. These included alleged preferences, wrongful trading and excess remuneration.

Mediation

A veteran of a substantial number of mediations, usually acting for one of the parties involved, but also trained as a mediator by ADR Group. Simon is happy to accept instructions to act as Mediator, with or without the involvement of instructing solicitors.

Selected Cases

- While c. 80% of the mediations Simon has been involved in have settled, including one at 2.30am, he mediated one dispute 3 times without success. It did not matter ultimately, as the client was eventually successful at Trial instead. Whilst mediation is a useful tool, Simon is always there to ensure that his client does not 'give his claim away', or alternatively concede too much.

Dispute Resolution

Selected Cases

- Replacing another local firm to act for a director and 50% shareholder in a local SME and former trustee in a family Settlement. Issues involved alleged unfair prejudice, disputes over the rights pertaining to certain preference shares and the removal of both the Trustees and Protector of the Settlement and the directors of the SME appointed by the Trustees. The client was entirely vindicated over 2 separate High Court Trials.
- Advising the Legal Department of a London airport in respect of a whole host of valuable/important issues. These included contractual, competition and environmental queries, and disputes with its concessions, ground handlers and car park operators.
- Advising the Legal Department of a substantial vehicle leasing company in respect of the recovery of buses and trucks from non-paying customers. This often involves the taking of injunctive proceedings for their immediate delivery up.
- Advising a household name brewer on a product recall of 12 brands, caused by allegedly defective beer bottles manufactured by its glass supplier, and in a potential claim for breach of contract.
- Advising both local SMEs and (separately) former shareholders as regards Bad Leaver provisions in their Articles and/or employment contracts. These often result from allegations of breaches of restrictive covenants, such that he has also threatened, and taken, High Court injunctive proceedings against a number of former employees of a major stationary supplier.
- Acting for a multi-national manufacturer of ball bearings in a claim for breach of trademark and passing off against a competitor.

Sectors