

Wood v Capita Insurance Services Ltd

[2017] UKSC 24, [2017] AC 1173, [2017] 4 All ER 615, [2017] 2 WLR 1095, [2018] 1 All ER (Comm) 51, 171 ConLR 1, 167 NLJ 7741, [2017] All ER (D) 182 (Mar)

Court: SC

Judgment Date: 29/03/2017

Catchwords & Digest

CONTRACT - CONSTRUCTION – INDEMNITY CLAUSE – APPELLANT COMPANY (CAPITA) BRINGING PROCEEDINGS CONCERNING INDEMNITY CLAUSE IN AGREEMENT (SPA) FOR SALE AND PURCHASE OF SHARES IN INSURANCE BROKER COMPANY – CAPITA AND COMPANY INFORMING FINANCIAL SERVICES AUTHORITY OF MIS-SELLING BY COMPANY – COMPENSATION BEING PAID TO CUSTOMERS OF COMPANY FOLLOWING COMPLAINTS OF MIS-SELLING – COMMERCIAL COURT RULING ON PRELIMINARY ISSUE THAT INDEMNITY CLAUSE IN SPA REQUIRING CAPITA TO BE INDEMNIFIED EVEN WHERE NO CLAIM OR COMPLAINT BEING MADE BY CUSTOMER – COURT OF APPEAL, CIVIL DIVISION, DECLARING INDEMNITY, UNDER RELEVANT CLAUSE, BEING CONFINED TO LOSS ARISING OUT OF CLAIM OR COMPLAINT REGISTERED WITH FSA – WHETHER COURT OF APPEAL ERRING – CORRECT APPROACH TO CONTRACTUAL INTERPRETATION – TRUE CONSTRUCTION OF INDEMNITY CLAUSE IN SPA.

Contract – Construction. The Supreme Court dismissed an appeal by **Capita Insurance Services Ltd (Capita)**, which concerned the true construction of an indemnity clause in a sale and purchase agreement (SPA), entered into by the parties for the purchase of the shares in a company by **Capita**. **Capita** had claimed, under the indemnity clause, in respect of compensation paid to customers who had allegedly been mis-sold **insurance** products or **services** by the company. The court held that, on the approach to contractual interpretation, *Rainy Sky SA v Kookmin Bank* [2012] 1 All ER 1137 and *Arnold v Britton* [2016] 1 All ER 1 were saying the same thing and that, on the true construction of the clause, and in circumstances where the indemnity clause fell to be assessed in the context of time-**limited** warranties, the Court of Appeal, Civil Division, had been correct in declaring that the indemnity, under the clause, was confined to loss that arose out of a claim or complaint that had been registered with the Financial **Services** Authority.

Case History

Annotations	Case Name	Citations	Court	Date	
—	Wood v Capita Insurance Services Ltd	[2017] UKSC 24, [2017] AC 1173, [2017] 4 All ER 615, [2017] 2 WLR 1095, [2018] 1 All ER (Comm) 51, 171 ConLR 1, 167 NLJ 7741, [2017] All ER (D) 182 (Mar)	SC	29/03/2017	
Affirming	Wood v Sureterm Direct Ltd and another	[2015] EWCA Civ 839, [2015] All ER (D) 328 (Jul)	CACivD	30/07/2015	
Reversing	Wood v Sureterm Direct Ltd	[2014] EWHC 3240 (Comm), [2014] All ER (D) 152 (Oct)	Comm Ct	14/10/2014	

Cases referring to this case**Annotations:** All Cases**Court:** ALL COURTS**Sort by:** Judgment Date (Latest First)

Treatment	Case Name	Citations	Court	Date	
Applied	Dreams Ltd v Pavilion Property Trustees Ltd and another	[2020] EWHC 1169 (Ch), [2020] All ER (D) 78 (May)	ChD	12/05/2020	
Considered	Towergate Financial (Group) Ltd and other companies v Hopkinson and others	[2020] EWHC 984 (Comm), [2020] All ER (D) 156 (Apr)	Comm Ct	24/04/2020	
Considered	Carr v Thales Pension Trustees Ltd and another	[2020] EWHC 949 (Ch), [2020] All ER (D) 146 (Apr)	ChD	22/04/2020	
Considered	Smo v Hywel Dda University Health Board	[2020] EWHC 727 (QB), [2020] All ER (D) 137 (Apr)	QBD	26/03/2020	
Considered	Yuanda (UK) Company Ltd v Brookfield Multiplex Construction Europe Ltd and another company	[2020] EWHC 468 (TCC), [2020] All ER (D) 51 (Mar)	TCC	28/02/2020	
Considered	Alfred Street Properties Ltd v National Asset Management Agency	[2020] EWHC 397 (Comm), [2020] All ER (D) 164 (Feb)	Comm Ct	26/02/2020	
Considered	Persimmon Homes Ltd v Country Weddings (Cardiff) Ltd	[2020] EWHC 302 (Ch), [2020] All ER (D) 115 (Feb)	ChD	18/02/2020	
Considered	Re Atos UK 2011 Pension Scheme Atos IT Services UK Ltd v Atos Pension Schemes Ltd v Atos Pension Schemes Ltd	[2020] EWHC 145 (Ch), [2020] All ER (D) 139 (Jan)	ChD	27/01/2020	
Considered	Sara & Hossein Asset Holdings Ltd v Blacks Outdoor Retail Ltd	[2019] EWHC 3414 (Ch), [2019] All ER (D) 63 (Dec)	ChD	09/12/2019	
Considered	Apache North Sea Ltd v Euroil Exploration Ltd and another company	[2019] EWHC 3241 (Comm), [2019] All ER (D) 41 (Dec)	Comm Ct	06/12/2019	
Applied	Joseph v NSE LLP	[2019] EWHC 3354 (QB), [2019] All ER (D) 35 (Dec)	QBD	05/12/2019	
Considered	Iraqi Civilians v Ministry of Defence	[2019] EWHC 3088 (QB), [2019] All ER (D) 180 (Nov)	QBD	21/11/2019	
Applied	Everwarm Ltd v BN Rendering Ltd	[2019] EWHC 3060 (TCC), 187 ConLR 240, [2019] All ER (D) 167 (Nov)	TCC	18/11/2019	

Treatment	Case Name	Citations	Court	Date	
Applied	Newton and another v Revenue and Customs Commissioners	[2019] UKFTT 688 (TC), [2019] All ER (D) 40 (Dec)	UKFTT	12/11/2019	
Considered	77m Ltd v Ordnance Survey Ltd; Ordnance Survey Ltd and another v 77m Ltd and another	[2019] EWHC 3007 (Ch), 169 NLJ 7865, [2019] All ER (D) 63 (Nov)	ChD	08/11/2019	
Considered	Maroil Trading, Inc. and another v Cally Shipholdings, Inc. and others	[2019] EWHC 2949 (Comm), 169 NLJ 7865, [2019] All ER (D) 57 (Nov)	Comm Ct	07/11/2019	
Considered	Munich Re Capital Ltd (suing as the sole corporate member of Munich Re Syndicate 457 at Lloyd's) v Ascot Corporate Name Ltd (as sole corporate member of Lloyd's Syndicate 1414)	[2019] EWHC 2768 (Comm), [2019] All ER (D) 152 (Oct)	Comm Ct	25/10/2019	
Applied	ACON Equity Management, LLC v Apple Bidco Ltd	[2019] EWHC 2750 (Comm), [2019] All ER (D) 127 (Oct)	Comm Ct	21/10/2019	
Considered	Sports Mantra India Private Ltd and another v Force India Formula One Team Ltd (in liquidation)	[2019] EWHC 2514 (Ch), 169 NLJ 7860, [2019] All ER (D) 08 (Oct)	ChD	30/09/2019	
Considered	Lehman Brothers International (Europe) (in administration) v Exotix Partners LLP	[2019] EWHC 2380 (Ch), [2020] 1 All ER (Comm) 635, [2020] Bus LR 67, 169 NLJ 7856, [2019] All ER (D) 22 (Sep)	ChD	09/09/2019	
Considered	Zedra Trust Company (Jersey) Ltd and another v The Hut Group Ltd	[2019] EWHC 2191 (Comm), [2019] All ER (D) 97 (Aug)	Comm Ct	21/08/2019	
Considered	Stobart Group Ltd and another company v Stobart and another	[2019] EWCA Civ 1376, [2019] All ER (D) 26 (Aug)	CACivD	31/07/2019	
Applied	Ingenious Games LLP and others v Revenue and Customs Commissioners	[2019] UKUT 226 (TCC), [2019] STC 1851, [2019] SWTI 1466, [2019] All ER (D) 94 (Aug)	UKUT	26/07/2019	
Considered	Classic Maritime Inc v Limbungan Makmur Sdn Bhd and another company	[2019] EWCA Civ 1102, [2019] 4 All ER 1145, [2019] 2 All ER (Comm) 592, [2019] Bus LR 2854, [2019] All ER (D) 43 (Jul)	CACivD	27/06/2019	

Treatment	Case Name	Citations	Court	Date	
Considered	Minera Las Bambas SA and another company v Glencore Queensland Ltd and other companies	[2019] EWCA Civ 972, [2019] STC 1642, [2019] All ER (D) 88 (Jun)	CACivD	14/06/2019	
Considered	The State of the Netherlands v Deutsche Bank AG	[2019] EWCA Civ 771, [2019] All ER (D) 35 (May)	CACivD	02/05/2019	
Considered	CFH Clearing Ltd v Merrill Lynch International	[2019] EWHC 963 (Comm), [2019] All ER (D) 69 (May)	Comm Ct	01/05/2019	
Considered	Windsor-Clive and others v Rees and another	[2019] EWHC 1008 (Ch), [2019] 4 WLR 74, [2020] 1 P & CR 151, [2019] PLSCS 75, 169 NLJ 7840, [2019] All ER (D) 13 (May)	ChD	18/04/2019	
Considered	Co-operative Group Food Ltd v A & A Shah Properties Ltd and another company	[2019] EWHC 941 (Ch), [2019] PLSCS 72, [2019] All ER (D) 107 (May)	ChD	12/04/2019	
Considered	Deutsche Trustee Company Ltd v Duchess VI CLO BV and others	[2019] EWHC 778 (Ch), [2019] 2 All ER (Comm) 530, [2019] All ER (D) 160 (Mar)	ChD	28/03/2019	
Considered	Equitix ESI CHP (Sheff) Ltd v Veolia Energy and Utility Services UK plc	[2019] EWHC 593 (TCC), 183 ConLR 129, 169 NLJ 7837, [2019] All ER (D) 45 (Apr)	TCC	13/03/2019	
Considered	Triumph Controls – UK Ltd and another company v Primus International Holding Co and other companies	[2019] EWHC 565 (TCC), [2019] All ER (D) 92 (Mar)	TCC	11/03/2019	
Considered	Cathay Pacific Airlines Ltd v Lufthansa Technik AG	[2019] EWHC 484 (Ch), [2020] 1 All ER (Comm) 265, 169 NLJ 7833, [2019] All ER (D) 49 (Mar)	ChD	06/03/2019	
Considered	Elite Property Holdings Ltd and another v Barclays Bank Plc	[2019] EWCA Civ 204, [2019] All ER (D) 67 (Mar)	CACivD	21/02/2019	
Considered	Pease v Henderson Administration Ltd	[2019] EWCA Civ 158, 169 NLJ 7832, [2019] All ER (D) 13 (Mar)	CACivD	15/02/2019	
Applied	Zagora Management Ltd and others v Zurich Insurance plc and other companies	[2019] EWHC 140 (TCC), 182 ConLR 180, [2019] All ER (D) 03 (Feb)	TCC	30/01/2019	

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Considered	Invista Textiles (UK) Ltd and another company v Botes and others	[2019] EWHC 58 (Ch), [2019] IRLR 977, [2019] All ER (D) 34 (Feb)	ChD	21/01/2019	
Applied	UK Dry Risers Ltd v Maher and another	[2019] EWHC 44 (QB), [2019] All ER (D) 123 (Jan)	QBD	16/01/2019	
Considered	Palliser Ltd v Fate Ltd (in liquidation) and other companies	[2019] EWHC 43 (QB), [2019] All ER (D) 99 (Jan)	QBD	16/01/2019	
Considered	Blackstar Advisors Ltd v Cheyne Capital International Ltd and another company	[2018] EWHC 3496 (Comm), [2019] All ER (D) 51 (Jan)	Comm Ct	20/12/2018	
Applied	ARB v IVF Hammersmith (R, third party)	[2018] EWCA Civ 2803, [2019] 2 All ER 1074, [2019] 2 WLR 1094, [2019] 1 FLR 1317, [2019] Fam Law 354, 166 BMLR 39, [2018] All ER (D) 81 (Dec)	CACivD	17/12/2018	
Applied	Hopkinson and others v Towergate Financial (Group) Ltd and other companies	[2018] EWCA Civ 2744, [2018] All ER (D) 44 (Dec)	CACivD	06/12/2018	
Considered	British Telecommunications plc v BT Pension Scheme Trustees Ltd and another	[2018] EWCA Civ 2694, [2018] All ER (D) 25 (Dec)	CACivD	04/12/2018	
Applied	McDonagh v Bank of Scotland plc and others	[2018] EWHC 3262 (Ch), [2019] 4 WLR 12, [2018] All ER (D) 06 (Dec)	ChD	30/11/2018	
Considered	London Trocadero (2015) LLP v Shinnors and others	[2018] EWHC 3200 (Ch), [2018] All ER (D) 173 (Nov)	ChD	23/11/2018	
Considered	Network Homes Ltd v Harlow	[2018] EWHC 3120 (Ch), [2018] PLSCS 201, [2018] All ER (D) 98 (Nov)	ChD	16/11/2018	
Applied	GPP Big Field LLP and another v Solar EPC Solutions SL (formerly known as Prosolia Siglio XXI)	[2018] EWHC 2866 (Comm), [2018] All ER (D) 53 (Nov)	Comm Ct	07/11/2018	
Considered	Barnardo's v Buckinghamshire and others	[2018] UKSC 55, [2019] 2 All ER 175, [2018] All ER (D) 25 (Nov)	SC	07/11/2018	
Considered	Cavendish Square Holdings B.V. and another v Ghossoub	[2018] EWHC 2755 (Comm), [2018] All ER (D) 13 (Nov)	Comm Ct	26/10/2018	

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Applied	Yuchai Dongte Special Purpose Automobile Company Ltd v Suisse Credit Capital (2009) Ltd	[2018] EWHC 2580 (Comm), [2019] 1 Lloyd's Rep 457, [2018] All ER (D) 48 (Oct)	Comm Ct	09/10/2018	
Considered	United Company Rusal plc (a company incorporated in Jersey) v Crispian Investments Ltd (a company incorporated in Cyprus) and another company	[2018] EWHC 2415 (Comm), [2018] All ER (D) 10 (Oct)	Comm Ct	14/09/2018	
Considered	Council of the City of York v Trinity One (Leeds) Ltd	[2018] EWCA Civ 1883, [2018] EGLR 39, [2018] All ER (D) 152 (Aug)	CACivD	29/08/2018	
Applied	Sprint Electric Ltd v Buyer's Dream Ltd and another; Potamianos v Prescott and another	[2018] EWHC 1924 (Ch), [2018] All ER (D) 205 (Jul)	Compt Ct	30/07/2018	
Applied	The State of the Netherlands v Deutsche Bank AG	[2018] EWHC 1935 (Comm), [2018] All ER (D) 08 (Aug)	Comm Ct	25/07/2018	
Applied	Fraser Turner Ltd v PricewaterhouseCoopers LLP and others	[2018] EWHC 1743 (Ch), [2018] All ER (D) 157 (Jul)	ChD	12/07/2018	
Applied	Trillium (Prime) Property GP Ltd v Elmfield Road Ltd	[2018] EWCA Civ 1556, [2018] EGLR 35, 168 NLJ 7802, [2018] 2 P & CR D57, [2018] All ER (D) 28 (Jul)	CACivD	04/07/2018	
Applied	Holland and Barrett International Ltd and another v General Nutrition Investment Company	[2018] EWCA Civ 1586, 168 NLJ 7808, [2018] All ER (D) 114 (Aug)	CACivD	04/07/2018	
Applied	BNP Paribas SA v Trattamento Rifiuti Metropolitani SPA	[2018] EWHC 1670 (Comm), [2019] 1 All ER (Comm) 680, [2018] 2 Lloyd's Rep 171, [2018] All ER (D) 47 (Jul)	Comm Ct	02/07/2018	
Applied	Minera Las Bambas SA and another v Glencore Queensland Ltd and others	[2018] EWHC 1658 (Comm), 168 NLJ 7801, [2018] SWTI 1856, [2018] All ER (D) 26 (Jul)	Comm Ct	29/06/2018	
Considered	Edgeworth Capital (Luxembourg) S.À.R.L. v Aabar Investments PJS	[2018] EWHC 1627 (Comm), [2018] All ER (D) 14 (Jul)	Comm Ct	29/06/2018	

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Considered	Tees Esk & Wear Valleys NHS Foundation Trust v Three Valleys Healthcare Ltd and another	[2018] EWHC 1659 (TCC), 180 ConLR 146, 168 NLJ 7802, [2018] All ER (D) 54 (Jul)	TCC	29/06/2018	
Considered	Vanezis and another v Ozkoc and others	(2018) 168 NLJ 7803, [2018] Lexis Citation 53, [2018] All ER (D) 52 (Jul)	CC	26/06/2018	
Considered	Vitol E&P Ltd v New Age (African Global Energy) Ltd	[2018] EWHC 1580 (Comm), [2018] All ER (D) 142 (Jun)	Comm Ct	22/06/2018	
Applied	Malone v Birmingham Community NHS Trust	[2018] EWCA Civ 1376, [2018] 3 Costs LR 627, [2018] All ER (D) 60 (Jul)	CACivD	19/06/2018	
Considered	Perkins Engines Co Ltd v Ghaddar and others	[2018] EWHC 1500 (Comm), [2019] 1 All ER (Comm) 371, [2018] 2 Lloyd's Rep 197, [2018] All ER (D) 124 (Jun)	Comm Ct	08/06/2018	
Applied	Botleigh Grange Hotel Ltd v Revenue and Customs Commissioners	[2018] EWCA Civ 1032, 168 NLJ 7795, [2018] All ER (D) 56 (May)	CACivD	09/05/2018	
Considered	Goldman Sachs International v Procession House Trustee Ltd and Another	[2018] EWHC 1523 (Ch), [2018] EGLR 33, [2018] All ER (D) 159 (May)	ChD	03/05/2018	
Considered	Motortrak Ltd v FCA Australia PTY Ltd	[2018] EWHC 990 (Comm), 168 NLJ 7794, [2018] All ER (D) 74 (May)	Comm Ct	30/04/2018	
Considered	Pennant v Watkin Jones & Sons Ltd	[2018] EWHC 790 (Ch), [2018] All ER (D) 86 (Apr)	ChD	17/04/2018	
Applied	Gorst v Knight	[2018] EWHC 613 (Ch), [2018] EGLR 24, [2018] 2 P & CR 109, [2018] HLR 715, [2018] 2 P & CR D15, [2018] All ER (D) 58 (Apr)	ChD	28/03/2018	
Applied	Lehman Brothers Special Financing Inc. v National Power Corporation and another	[2018] EWHC 487 (Comm), [2019] 3 All ER 53, [2019] 1 All ER (Comm) 1027, [2019] 2 BCLC 118, 168 NLJ 7786, [2018] All ER (D) 85 (Mar)	Comm Ct	12/03/2018	

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Considered	BHC Ltd v Galliford Try Infrastructure Ltd (trading as Morrison Construction)	[2018] EWHC 368 (TCC), [2018] All ER (D) 01 (Mar)	TCC	27/02/2018	
Applied	Obaid and others v Al-Hezaimi and others	[2018] EWHC 243 (Ch), [2018] All ER (D) 196 (Mar)	ChD	16/02/2018	
Considered	Lukoil Asia Pacific PTE Ltd v Ocean Tankers (PTE) Ltd; The Ocean Neptune	[2018] EWHC 163 (Comm), [2018] 2 All ER (Comm) 108, [2018] 1 Lloyd's Rep 654, [2018] All ER (D) 12 (Feb)	Comm Ct	02/02/2018	
Considered	Ziggurat (Claremont Place) LLP v HCC International Insurance Company plc	[2017] EWHC 3286 (TCC), 176 ConLR 161, [2018] ELR 98, [2017] All ER (D) 121 (Dec)	TCC	20/12/2017	
Considered	Systems Pipework Ltd v Rotary Building Services Ltd	[2017] EWHC 3235 (TCC), [2018] Bus LR 718, 176 ConLR 65, [2018] BLR 123, [2017] All ER (D) 72 (Dec)	TCC	12/12/2017	
Applied	Oldham v QBE Insurance (Europe) Ltd	[2017] EWHC 3045 (Comm), [2018] 1 All ER (Comm) 1064, [2018] Lloyd's Rep IR 151, [2017] 6 Costs LR 1109	Comm Ct	01/12/2017	
Applied	Re Olympia Securities Commercial Plc (in administration); Grant and others (in their capacity as Joint Administrators of Olympia Securities Commercial Plc (in administration)) v WDW 3 Investments Ltd and another	[2017] EWHC 2807 (Ch), [2017] All ER (D) 06 (Dec)	ChD	23/11/2017	
Applied	Interserve Construction Ltd v Hitachi Zosen Inova AG	[2017] EWHC 2633 (TCC), 176 ConLR 52, [2017] All ER (D) 82 (Nov)	TCC	31/10/2017	
Considered	Scomadi and another company v RA Engineering Co Ltd and other companies	[2017] EWHC 2658 (IPEC), [2017] All ER (D) 09 (Nov)	IPEC	27/10/2017	
Considered	Generics (UK) Ltd trading as Mylan and another v Yeda Research and	[2017] EWHC 2629 (Pat), [2018] RPC 101, [2017] All ER (D) 30 (Nov)	PatCt	26/10/2017	

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	Development Company				
Applied	North Midland Building Ltd v Cyden Homes Ltd	[2017] EWHC 2414 (TCC), 174 ConLR 1, [2017] All ER (D) 13 (Oct)	TCC	02/10/2017	
Applied	National Health Service Commissioning Board v Silovsky and another	[2017] EWCA Civ 1389, 159 BMLR 92, [2017] All ER (D) 15 (Oct)	CACivD	28/09/2017	
Applied	J H & W Lamont of Heathfield Farm and others v Chattisham Ltd	[2017] CSOH 119, 2017 Scot (D) 15/9	CSOH	07/09/2017	
Applied	Takeda Pharmaceutical Company Ltd v Fougera Sweden Holding 2 AB	[2017] EWHC 1995 (Ch), [2017] All ER (D) 103 (Sep)	ChD	10/08/2017	
Considered	Officeserve Technologies Ltd (in compulsory liquidation) and another v Anthony-Mike	[2017] EWHC 1920 (Ch), 167 NLJ 7759, [2017] BPIR 1291, [2017] All ER (D) 37 (Aug)	ChD	28/07/2017	
Applied	Gaspar v Zaleski and others	[2017] EWHC 1770 (Ch), [2017] All ER (D) 10 (Sep)	ChD	12/07/2017	
Applied	Actavis UK Ltd v Eli Lilly & Co	[2017] UKSC 48, [2018] 1 All ER 171, [2018] 2 All ER (Comm) 1, [2017] Bus LR 1731, [2017] RPC 957, 157 BMLR 96, (2017) Times, 03 August, [2017] All ER (D) 78 (Jul)	SC	12/07/2017	
Considered	Russell and another v Stone (trading as PSP Consultants) and others	[2017] EWHC 1555 (TCC), [2018] 1 All ER (Comm) 839, 173 ConLR 96, [2017] All ER (D) 48 (Jul)	TCC	29/06/2017	
Considered	GB Building Solutions Ltd (in administration) v SFS Fire Services Limited (trading as Central Fire Protection)	[2017] EWHC 1289 (TCC), 172 ConLR 18, [2017] All ER (D) 57 (Jun)	TCC	25/05/2017	
Considered	Gard Shipping AS v Clearlake Shipping Pte Ltd; The Zaliv Baikal	[2017] EWHC 1091 (Comm), [2017] 2 All ER (Comm) 179, [2017] 2 Lloyd's Rep 38,	Comm Ct	12/05/2017	

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		[2017] All ER (D) 98 (May)			
Applied	Cosmetic Warriors Ltd v Gerrie and another	[2017] EWCA Civ 324, [2017] 2 BCLC 456, [2017] All ER (D) 48 (May)	CACivD	05/05/2017	

Cases considered by this case**Annotations:** All Cases**Court:** ALL COURTS**Sort by:** Judgment Date (Latest First)

Treatment	Case Name	Citations	Court	Date	
Followed	Arnold v Britton	[2015] UKSC 36, [2015] AC 1619, [2016] 1 All ER 1, [2015] 2 WLR 1593, [2015] 2 P & CR 282, [2015] HLR 627, [2015] EGLR 53, 165 NLJ 7657, (2015) Times, 19 June, [2015] All ER (D) 108 (Jun)	SC	10/06/2015	
Followed	Rainy Sky SA v Kookmin Bank	[2011] UKSC 50, [2012] 1 All ER 1137, [2011] 1 WLR 2900, [2012] 1 All ER (Comm) 1, [2012] Bus LR 313, [2012] 1 Lloyd's Rep 34, 138 ConLR 1, [2011] NLJR 1558, [2012] BLR 132, (2011) Times, 18 November, [2011] All ER (D) 19 (Nov)	SC	02/11/2011	
Considered	Chartbrook Ltd v Persimmon Homes Ltd	[2009] UKHL 38, [2009] AC 1101, [2009] 4 All ER 677, [2009] 3 WLR 267, [2010] 1 All ER (Comm) 365, [2010] 1 LRC 639, [2009] Bus LR 1200, [2010] 1 P & CR 162, 125 ConLR 1, [2009] 3 EGLR 119, [2009] BLR 551, [2009] 27 EG 91 (CS), (2009) Times, 2 July, 153 Sol Jo (no 26) 27, [2009] All ER (D) 12 (Jul)	HL	01/07/2009	
Considered	Gan Insurance Co Ltd v Tai Ping Insurance Co Ltd	[2001] EWCA Civ 1047, [2001] 2 All ER (Comm) 299, [2002] Lloyd's Rep IR 667, [2001] All	CACivD	03/07/2001	

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		ER (D) 33 (Jul)			
Considered	Investors' Compensation Scheme Ltd v West Bromwich Building Society, Investors' Compensation Scheme Ltd v Hopkin & Sons (a firm), Alford v West Bromwich Building Society, Armitage v West Bromwich Building Society	[1998] 1 All ER 98, [1998] 1 WLR 896, [1998] 1 BCLC 493, [1997] CLC 1243, [1997] NLJR 989, [1997] PNLR 541	HL	19/06/1997	
Considered	Reardon Smith Line Ltd v Hansen-Tangen; Hansen-Tangen v Sanko Steamship Co	[1976] 3 All ER 570, [1976] 1 WLR 989, [1976] 2 Lloyd's Rep 621, 120 Sol Jo 719	HL	07/10/1976	
Considered	Prenn v Simmonds	[1971] 3 All ER 237, [1971] 1 WLR 1381, 115 Sol Jo 654	HL	20/07/1971	

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