

WELCOME TO MORE FOR LAWYERS.

More for Lawyers - November 2022

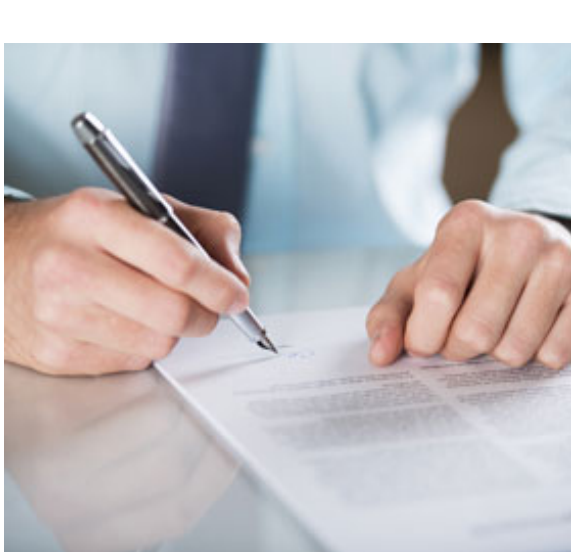
Welcome to our November edition of More for Lawyers.

This month's edition looks at an important company law case in the Supreme Court which is relevant to any company director and their advisors; discusses the cost of living crisis and how businesses need to adapt and looks at a topic of importance to all court lawyers - well drafted written pleadings!

With summer well and truly behind us now we also look back at our Summer of CPD series. Thank you to all those who attended and, if you missed the sessions, the bulletin contains links which will allow you to catch up. From PI to employment; prescription to farming and divorce - there's something for everyone.

RICHARD MCMEEKEN

Partner, Litigation and Solicitor Advocate



AUTHOR: RICHARD MCMEEKEN

Supreme Court confirms existence and content of "creditor duty"

On 4 and 5 May 2021, the Supreme Court heard an appeal in *BTI 2104 LLC v Sequana SA and others* [2022] UKSC 25 and this week it gave its judgment. The length of the time taken to issue the judgment reflects both the complexity of the issues involved and the importance of the questions raised for company law in the UK.

[READ MORE](#) →

AUTHOR: LING DENG

The importance of clarity in written pleadings

As a court practitioner, you sometimes get the impression that the manner in which you express your client's case in writing doesn't matter as much as it used to. A recent judgment, however, highlights the continued importance of written pleadings and lawyers being able to properly express the precise factual basis on which their client's case rests giving their opponent fair notice of the argument to be made.

[READ MORE](#) →



AUTHOR: FIONA SASAN

Experts have to be "expert"

Readers may recall, [I penned a previous article](#) on the pitfalls of getting the instruction of your expert right from the outset. I was reminded of the importance of this again, when reading the recent reported case of *LRCB v AJB Sh. Ct.* 15 July 2022.

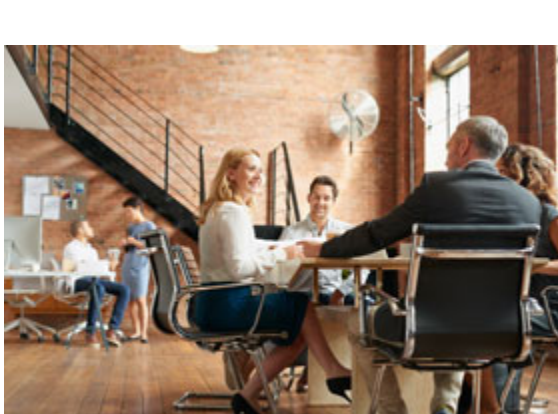
[READ MORE](#) →

AUTHOR: NICOLA ROSS

Advice for businesses in the cost-of-living crisis

While businesses are paying higher prices for essential costs, they walk a tightrope between passing that cost onto customers and trying to absorb the costs. But at what price?

[READ MORE](#) →



More for Lawyers Summer of CPD Webinars

October marked the end of this year's summer of CPD series. Our thanks to everyone who attended the webinars over the course of the summer. You can catch-up on any of the webinars you might have missed via the links below:

[Pursuing Personal Injury and Clinical Negligence Claims](#)

[Essential Employment Law](#)

[Changes to the Law of Prescription](#)

[The Complexities of Farming Divorce](#)

Litigation updates

- The SCTS have published [new guidance](#) on the electronic submission of documents with the aim of providing consistency of approach across the sheriff courts.
- The Scottish Law Commission have this week published their [Report on Cohabitation](#) which reviews the law relating to claims for financial provision on breakdown of a cohabiting relationship, otherwise than by the death of one of the cohabitants (sections 25-28 of the Family Law (Scotland) Act 2006).

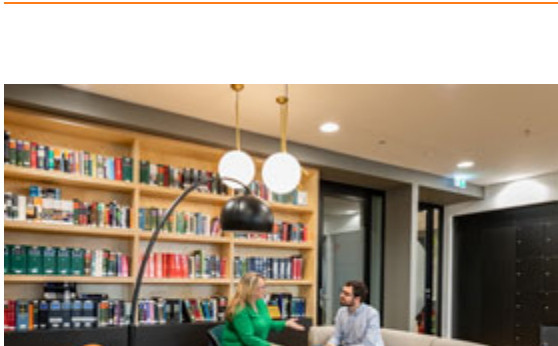
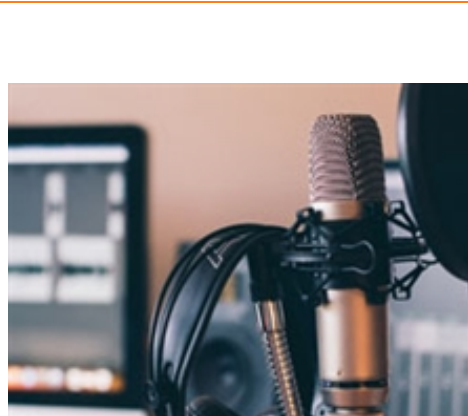
Employment podcasts

Our employment team have considered some interesting employment questions over the past few weeks, you can listen to them by using the following links:

[What does breastfeeding have to do with employers?](#)

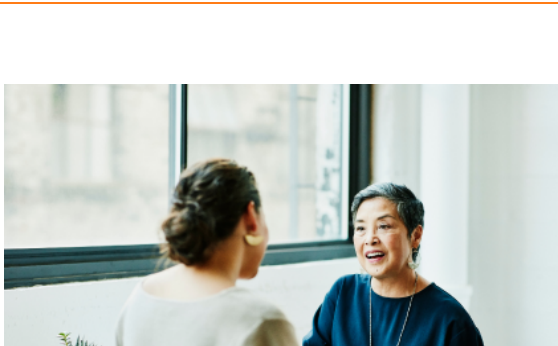
[Pets in the office - "pawsibly" a new way of working?](#)

[Can supporting a particular football club amount to a philosophical belief?](#)



Our Service

More for Lawyers is for our professional colleagues. Working in partnership with other law firms throughout Scotland we can ensure that our clients and theirs get the best possible service. Our focus is on litigation agency work in the Court of Session, Sheriff Appeal Court and the All-Scotland Personal Injury Court. We also offer mediation services.



Areas of Expertise

We provide advice to clients on the following areas: contract disputes; company, partnership & shareholder disputes; insolvency; property & real estate; banking & finance; insurance; reparation & personal injury; and trusts & executry disputes.

Edinburgh
0131 516 9217

Glasgow
0141 530 3675

info@morton-fraser.com

Social

[FACEBOOK](#) →

[LINKEDIN](#) →

[TWITTER](#) →

[PODCAST](#) →

The contents of this update are for information only and are not intended to be construed as legal advice. Morton Fraser accepts no responsibility for the content of any third party websites to which this update refers.

MORTON FRASER
LAWYERS

[Manage Preferences](#)

[Unsubscribe](#)

[Forward to a friend](#)