



Justin Emerson

Partner

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Justin joined Gepp Solicitors in 2001 and is now Head of the Dispute Resolution, Employment, and Commercial and Corporate teams.

He has 25 years' experience covering all aspects of the litigation process across a broad range of disputes.

Justin has expertise in contract and property disputes as well as professional negligence claims. Justin represents both corporate and the private clients including the education and hospitality sectors, aiming to achieve a commercial, practical solution to avoid the time and cost of litigation.

As a successful litigator, Justin will always try to find the most cost-effective way of achieving the client's objectives. His non-confrontational approach and calm manner ensures his clients are guided to the most practical solution. If matters go to Court, Justin's firm approach has helped his clients 'come out on top'.

Whilst his background is in litigation this experience also places him in the perfect position to draft commercial and employment contracts that will minimise the risk of disputes arising in the future.

Expertise

Commercial and corporate

Justin can help review and draft commercial contracts to ensure they are clear, legally sound, and aligned with his clients' interests. He analyses contract terms to identify potential risks and negotiates favourable terms, aiming to protect his clients' rights and obligations. Through precise and enforceable agreements and expert advice, he seeks to prevent disputes and facilitate smooth business transactions.

In the event of a dispute, Justin can assist by reviewing contract terms, identifying breaches, and advising on legal rights and obligations. He

negotiates settlements, represents clients in mediation or arbitration, and litigates in court if necessary, striving to safeguard his clients' interests by enforcing contracts, seeking damages, or defending against unjust claims.

Professional negligence

Justin represents clients who have experienced loss or harm due to the negligence of professionals such as accountants or lawyers. He evaluates the situation, collects evidence, and determines if the professional's conduct fell below the accepted standard of care. If so, he seeks compensation through negotiations or litigation to recover damages for the client's financial or personal losses caused by the negligence.

Employment

Justin can help draft employment contracts to ensure compliance with employment laws and protection for both employers and employees. He creates clear and fair terms to prevent disputes and establish a solid foundation for a positive working relationship.

In the event of an employment dispute, Justin advises and represents clients on issues such as contract disputes, wrongful termination, discrimination, harassment, and wage claims. He helps clients understand their rights and obligations, negotiates settlements, and guides them through legal processes.

Property disputes

Justin assists clients in resolving property disputes, including boundary issues, lease disagreements, right of way issues, and adverse possession claims. He examines property laws, negotiates settlements, and represents clients in mediation or court. His goal is to protect property interests, ensure legal compliance, and achieve a practical resolution to disputes.

Shareholder/Partnership Disputes

Shareholders and partnership agreements define the rights, responsibilities, and relationships between business owners. They outline key aspects such as decision-making processes, profit distribution, dispute resolution, and exit strategies. By ensuring these agreements are clear and legally robust, Justin helps prevent conflicts and provide a stable framework for managing and growing the business.

When conflicts arise, Justin resolves issues such as breaches of agreements, management disagreements, and profit distribution disputes. He offers strategic advice, negotiates settlements, and represents clients in mediation or court to protect their interests and ensure a fair resolution in line with corporate and partnership laws.

Case Studies

Director / shareholder dispute resolved before trial

Justin represented a company director in a dispute with a co-director who resigned and filed a petition for unfair prejudice under the Companies Act 2006. Allegations included unpaid dividends, excessive remuneration, and underreporting profits. After filing a defence and obtaining expert valuation, the case settled through mediation, allowing Justin's client to buy out the co-director's shares and avoid trial.

Contract dispute

Justin represented a Care Home provider in a commercial litigation case over allegedly outstanding fees. The client denied owing a referral fee to

an agency, arguing they already knew the staff. Despite attempts to settle, the case went to trial. The client won, the claim was dismissed, and the claimant was ordered to contribute to the client's legal costs.

Professional negligence

Justin represented a client in a professional negligence claim against a firm that provided faulty will drafting and tax advice. The firm failed to advise on the full tax implications of a settlement trust, leading the client to pay unexpected taxes and penalties. A settlement was reached through a letter of claim, avoiding the costs and delays of court proceedings.