

**GORDON EXALL | MANCHESTER,
LEEDS & BIRMINGHAM**

Year of call: 1991

Qualifications: BA Hons (Warwick)

Clerked by: Paul Clarke Aaron Smith

AREAS OF EXPERTISE:

Clinical Negligence & Healthcare
Costs & Litigation Funding Serious
Injury



Profile

Gordon qualified and practised as a solicitor and was a senior lecturer in law before being called to the Bar in 1991. He practises in the area of personal injury, fatal accidents, clinical negligence, sanctions, procedural issues, limitation and costs. He has been involved in several of the leading cases relating to procedure and the assessment of damages.

Gordon is often the first port of call for lawyers faced with procedural, sanctions or limitation difficulties.

Gordon is the author of several of the major texts on personal injury damages. Munkman and Exall on Damages for Personal Injury and Death is in its 14th edition, Gordon's "Guide to Fatal Accidents" is now in its 4th edition as is his book "Personal Injury Practice Notes". He has contributed to several of the major works on damages and procedure including the latest edition of Munkman on Employer's Liability.

In addition, Gordon's blog on civil procedure, "Civil Litigation Brief" has been described as "essential reading for any litigator" receiving well over 1 million views each year.

Year of Call: 1991

Areas of Expertise

Clinical Negligence & Healthcare

Costs & Litigation Funding

Serious Injury

Qualifications:

BA Hons (Warwick) 1984

Admitted as a solicitor 1987

Called to the Bar 1991

Reported Cases

- Seabrook -v- Adam [2021] EWCA Civ 382. Construction of Part 36 offers when claimant makes an offer on liability in a case where causation was in issue."
- Faulkner v Secretary of State for Business, Energy And Industrial Strategy [2020] EWHC 296 (QB). Successfully defended application to set aside notice of discontinuance and disapply one way cost shifting. Court's discretion not to set off costs of application against costs covered by QOCS
- Powell-v-Watford Borough Council [2017] EWHC 2283 (QB). Defendant had not complied with unless order, case stood struck out. Claimant should have succeeded at trial on the merits in the absence of evidence about risk assessments
- Cross-v-Black Bull (Lawtel 2017). Successful appeal against striking out of action when the claimant had given an inaccurate statement of value on the claim form
- Murray-v-BAE [2016]. Successful appeal on relief from sanctions hearing where costs budget served late
- Worthington-v-03918424 Ltd [2015]. Costs after late acceptance of a Part 36 offer
- Pykett-v-Clement [2011] EWCA Civ 2925. Issue of liability owed by overtaking driver causing substantial injuries
- Re M [2011] (Lawtel) £4 million CICA award
- Re S [2011] (Lawtel) £3.6 million CICA award
- Motor Insurers Bureau-v-Shikhell [2011] EWHC 527 (QB). Successful defence of witness in personal injury case alleged to have been in contempt of court
- Hodinott-v-Persimmon Homes [2008] 1 WLR 806. Appropriate procedure for challenging service of the claim form
- O'Hara-v-McDougall [2005] ALL ER D 275. Service on tenant's address not good service on landlord
- Smith-v-Hughes [2003] 1 WLR 2441. Appropriate address for service of claim form
- Lunnun-v-Singh [1999] ALL ER D 718. Effect on judgment on ability to defend claim for damages

Recommendations

Chambers UK (2023)

"Gordon is very experienced. He is the go-to barrister on procedural issues and is very experienced."

"He is incredibly knowledgeable on procedure and his knowledge of case law is second to none."

Legal 500 (2023)

'He has phenomenal knowledge of procedural law and is calm in a crisis.'

Chambers & Partners (2022)

"A leader in his field."

Chambers & Partners (2021)

"A leader in this field."

Legal 500 (2021)

"Gordon has an encyclopaedic knowledge of the law. He is extremely approachable on any matter whether small or complex and high value."

Chambers & Partners (2018)

"Renowned for his written work and opinions in complex cases, particularly fatal accident claims. He has authored a number of widely read texts relevant to the personal injury field."

Chambers & Partners (2017)

"His knowledge and experience is phenomenal and he is extremely personable with clients, especially when difficult decisions have to be made."

Chambers & Partners (2016)

"He's very thorough, with a good eye for the law and detail".

Chambers & Partners (2014)

"He can cut to the core of the issue and is very practical in his approach. Gordon is also extremely approachable and good with clients; very down to earth and explains everything on a level they can understand and grasp."

Legal 500 (2019)

"Noted for his experience in fatal accident cases."

Legal 500 (2016)

'A colossus in the legal world.'

Legal 500

"He is a behemoth in the procedural world. He is quick, up to date and an excellent worker"

