Michele De Gregorio

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Michele De Gregorio

Call 2003

"He is calm and has a fine strategic mind. He is a very impressive and powerful advocate."
(Legal 500, 2021)

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Michele De Gregorio has a broad commercial and common law practice, with many of his cases arising out of insurance related disputes, in the fields of construction and engineering, professional negligence and product liability.

Michele welcomes public access clients.

Commercial

Michele has a broad experience of commercial and chancery litigation in proceedings in the Chancery and Queen's Bench divisions (including the Admiralty, Commercial & Mercantile Courts). He has successfully obtained commercial injunctions including freezing orders, orders for delivery up of goods and charging orders. Michele understands the commercial interests of clients and is often instructed to advise from the earliest stages of disputes. He has a record of success in arbitration and mediation.

Selected Cases

- Acting on behalf of the defendant company in parallel claims in the Companies Court and the Chancery Division in a £250k claim involving allegations of asset-stripping, false accounting and suppression of profits.
- Acting on behalf of a former employee in a £150k Mercantile Court claim for breach of fiduciary duty (of a de-facto director) and conspiracy to defraud.
- Acting for the defendant partnership in a dispute concerning the status of the claimant as equity / junior / salaried partner and partnership property.
- Acting for a well-known firm of estate agents in a 4-day trial raising novel issues of consumer law (left unresolved following the Bank Charges litigation).
- Acting for a renewable energy company in a £500k Mercantile Court claim arising out of damage to specialist equipment for use in off-shore wind farms.
- Obtaining a favourable six-figure settlement at mediation in an intellectual property dispute concerning database rights and issues of unjust enrichment.
- Acting for the production company in a contractual claim arising out of damage caused on the set of

a feature film at a famous North London residence.
- Advising a multinational technology company in a £2-3m claim for breach of a contract to provide telecommunications services.
- Acting on behalf of a fitness club franchisee in an appeal on an argument as to the proper construction of a franchise purchase agreement.
- Advising contractors in a £500k claim arising out of the construction of an installation at a renewable energy plant.
- Acting for a specialist marine engineering company in a Mercantile Court claim arising out of a contract to rebuild the gearbox of a commercial vessel.

Construction & Engineering

Michele has extensive experience of construction litigation within a range of industry sectors, from energy and infrastructure to domestic property disputes. He is frequently instructed as sole counsel in TCC proceedings and as part of larger teams in complex, multi-million pound disputes in both domestic and foreign jurisdictions. He has considerable experience of adjudication, arbitration (domestic and international), mediation and expert determination. Michele edits the chapter in Emden's Construction Law on Architects, Engineers and Surveyors.

Selected Cases

- Northumbria Healthcare NHS Foundation Trust v Lendlease Construction (Europe) – Michele, led by Ben Quiney KC, acted for the architect, Keppie Design, in the complex, c. £140m Cramlington emergency care hospital litigation, one of The Lawyer's Top 20 Cases of 2022.
- Abbey Healthcare (Mill Hill) v Simply Construct (UK) [2022] EWCA Civ 823 – Michele, leading Sahana Jayakumar, represented the respondent (Simply) in the Court of Appeal in this significant case on whether a collateral warranty was a construction contract under the Housing Grants, Construction and Regeneration Act 1996. Michele also represented Simply at first instance, in the adjudication enforcement hearing: [2021] EWHC 2110 (TCC).
- Acting for the cladding contractor in a multi-million pound dispute concerning allegedly defective stone cladding of a prominent new residential tower in South London.
- Acting as sole counsel in an ICC arbitration (Dubai) involving a delay, defects and variations claim in relation to the construction of a mall and hotel complex in the Middle East.
- Acting, together with Ben Quiney KC, in a number of related TCC proceedings concerning the construction of a landmark mixed hotel / residential tower in Manchester.
- Advising on arbitration proceedings concerning an international airport in the Middle East.
- Acting on behalf of a fire protection contractor in TCC proceedings involving the refurbishment of the Palace of Westminster.
- Advising a motor manufacturer in relation to a c.£15m claim relating to defects at its vehicle storage site in the UK.
- Acting in a claim against a utility services contractor arising out of a significant flooding incident occurring on the Crossrail project.
- Acting on behalf of the respondent to an adjudication concerning defects in fermentation tanks at a UK biogas plant. Michele was also instructed in related contribution proceedings against a sub-contractor.
- Acting for the defendant architect in a TCC claim for over £1m in relation to allegedly negligent

design, inspection and contract administration of a building contract for works to a substantial Grade II listed property.

- Acting in a claim against design and build contractors in respect of storm damage to the claimant's business premises due to the defective design of a siphonic roof drainage system.
- Acting and advising in numerous claims against suppliers of electrical equipment under s.41 of the Consumer Protection Act 1987 and the Electrical Equipment (Safety) Regulations 1994.
- Acting as sole counsel in a c.£4m TCC claim against contractors and design professionals arising out of a fire at a residential care home.
- Carillion Construction v Emcor & ors [2016] BLR 382 (TCC); [2017] BLR 203 (CA) – Michele, led by Ben Quiney KC, acted for the acoustics subcontractor in a £5m delay and defects dispute concerning the construction of the Rolls Building. The case raised a novel point as to the application of extensions of time under the Domestic Sub-Contract DOM/2 standard form, which was decided by the Court of Appeal.
- Acting for the claimant in two separate ICC arbitrations concerning the supply of wastewater treatment plants, one of which was the first arbitration to be conducted under the new ICC Expedited Procedure Rules.
- Rossair v Primus Build [2017] EWHC 2430 (TCC) – enforcement of an adjudicator's decision where the paying party claimed to be in a company voluntary arrangement (CVA). Michele acted for the successful referring party in the adjudication and on the enforcement proceedings.
- Acting for a construction management company in an adjudication concerning a contract on the JCT Construction Management Appointment 2011 standard form.
- DPM Property Services v Emerson Crane Hire [2017] EWHC 3092 (TCC) – appeal relating to an application for expert evidence in support of a counterclaim for defective groundworks, services and drainage.
- Squibb Group v Pole 2 Pole Scaffolding [2017] BLR 613 (TCC) – no extension of time for challenging an arbitration award, where arbitrator legitimately exercised a lien over the award pending receipt of his fees. Michele acted for the successful claimant in the arbitration.
- Acting for an EPC contractor in a US$200m ICC arbitration concerning the construction of a processing plant in the Middle East. Michele was led by Andrew Rigney KC.
- Obtaining an interim injunction to restrain payment under a performance bond in respect of an airport construction project in the Middle East.
- Acting for the developer of a prestigious development in Belgravia in connection with a nuisance and party wall dispute. Michele was led by Michael Curtis KC, and instructed together with Crispin Winser and Caroline McColgan.
- Acting in an adjudication concerning a ground works subcontractor's entitlement to re-measurement as a result of ground water encountered on site.
- Acting for the main (design and build) contractor in an adjudication relating to the alleged insufficiency of the electrical supply installed in a large mixed residential and commercial development.
- Acting as adjudicator in a dispute concerning the value of variations under an M&E sub-contract.
- Acting for the employer in an adjudication arising out of a dispute over payment due to the main contractor under an interim certificate.
- Acting as adjudicator in a dispute over an interim certificate in respect of a hotel development with a contract value in excess of £4m.
- Instructed, together with Ben Quiney KC, in a series of adjudications concerning delays to construction and the consequences of a fire at a major London hotel development.
- Gore v Stannard t/a Wyvern Tyres [2014] QB 1 (CA) – seminal decision on the application of strict liability under Rylands v Fletcher to cases involving the escape of fire. Michele and Jonathan Waite

KC acted for the successful appellant.

- Acting for property insurers in a £1m TCC claim arising out of a series of floods caused by defective valves at a prestigious London mansion block.
- Archlane v Johnson Controls [2012] EWHC B12 (TCC) – claim involving a flood at Sea Containers House; late amendments to pleadings.
- Acting for a multinational joint venture in disputes arising out of the first urban DBFO (PPI/PFI) roads project in the UK, involving claims in excess of £100m.
- Acting for a leading UK interior design and property development company in a substantial arbitration against a foreign company on a key London building project.
- Obtaining a freezing injunction and final charging order in TCC proceedings to enforce an arbitration award.
- Acting for a leading firm of UK architects in arbitration proceedings in the DIAC relating to major construction projects in various locations in the Middle East.
- Advising specialist contractors in a claim arising out of the construction of an energy conversion installation at a renewable energy plant.
- Acting for a specialist marine engineering company in a Mercantile Court claim arising out of a contract for engineering works to a commercial vessel.
- Acting for a renewable energy company in a claim arising out of damage to specialist equipment for use in offshore wind farms.

Insurance & Reinsurance

Michele is frequently instructed by and on behalf of insurers in relation to policy coverage and indemnity issues and in subrogated recovery actions arising out of fire, flood, tree root subsidence, other property damage and in the related fields of construction and product liability.

Michele appeared for the successful appellant in the Court of Appeal in the seminal case on strict liability for the escape of fire, Gore v Stannard t/a Wyvern Tyres [2014] QB 1 (CA), and he is often instructed in complex and technical cases in this field.

Selected Cases

- Advising insurers, together with Ben Quiney KC, on a c. £50m claim under a W&I policy arising out of the acquisition of a portfolio of renewable energy sites in the UK.
- Acting for insurers in a c.£4m coverage dispute over breach of hot works conditions in a public liability policy.
- Advising insurers under a construction all risks policy as to whether a sub-subcontractor is a co-insured, in respect of a c.£3m escape of water claim.
- Advising insurers on the rejection of a claim under a combined commercial risks policy in respect of fire damage, on the basis of an unattended plant and machinery exclusion.
- Acting for buildings insurers in a claim for an indemnity that was successfully resisted on the grounds of breach of notification conditions.
- Advising insurers on the construction of a D&O policy, in respect of claims arising out of the collapse of an international private equity firm.
- Acting, together with Andrew Rigney KC, in a c.£20m coverage dispute under a latent defects policy in relation to a London hotel.

- Acting for insurers in relation to a c.£4m subrogated recovery claim arising out of flood damage to a large antiques and oriental art collection.
- Acting for insurers in a claim for an indemnity of c.£1.5m arising out of a fire at a former textile mill, where the policy had been avoided for misrepresentation and material non-disclosure.
- Advising insurers as to the scope of cover under a public / products liability policy in respect of a c.£3m claim arising out of building works carried out by the insured to a Grade II listed manor house.
- Acting for the insurer in a dispute as to the scope of medical expenses cover under a travel insurance policy.
- Acting for insurers in a dispute concerning the scope of an arbitration clause in a property owner's policy – application for a stay of proceedings under section 9 of the Arbitration Act 1996.
- Advising insurers as to notification issues, exclusions and coverage in respect of a claim for an indemnity under a public and products liability policy, in respect of a £1.3m claim against the insured arising out of water damage to commercial premises in Central London.
- Hall v Environment Agency [2017] EWHC 1309 (TCC) – subrogated recovery claim against the Environment Agency for property damage caused by negligent flood defence works. Finding that s.177 of the Water Resources Act 1991 did not provide an exclusive remedy so as to preclude an action in negligence.
- Advising insurers as to interaction between an "excess clause" in one policy and a "rateable proportion clause" in a separate policy covering the same liability.
- Ageas v Gunaratnam [2016] EWHC 845 (QB) – appeal against decision granting relief from sanctions.
- Gunaratnam v Ageas [2014] EWHC 593 (QB) – claim for an indemnity under a home insurance policy in respect of damage caused by escape of water.
- Gore v Stannard t/a Wyvern Tyres [2014] QB 1 (CA) – seminal Court of Appeal decision on the application of strict liability under *Rylands v Fletcher* in cases involving the escape of fire. Michele appeared as sole counsel at first instance and was led by Jonathan Waite KC in the Court of Appeal.
- Advising insurers as to the application of the principle in *Berni Inns* in respect of a number of subrogated recovery actions.
- Advising the defendant insurer on various technical coverage issues in respect of a public and products liability policy concerning a third party claim against the insured arising out of the supply of allegedly defective adhesive products.

Property Damage

Michele has a wealth of experience of claims arising out of fires, floods, tree root subsidence and other property damage. He has experience of applications for injunctive relief (*quia timet* and final) in various scenarios ranging from building operations to the escape of water from canals and of golf balls from golf courses.

Michele appeared for the successful appellant in the Court of Appeal in the seminal case on strict liability for the escape of fire, Gore v Stannard t/a Wyvern Tyres [2014] QB 1 (CA), and he is frequently instructed in complex and technical cases in this field.

Selected Cases

- Hall v Environment Agency [2017] EWHC 1309 (TCC) – subrogated recovery claim against the

Environment Agency for property damage caused by negligent flood defence works. Finding that s.177 of the Water Resources Act 1991 did not provide an exclusive remedy so as to preclude an action in negligence.

- Acting for insurers in a claim for an indemnity in respect of storm damage, raising a dispute over the scope of an arbitration clause – application for a stay of proceedings under section 9 of the Arbitration Act 1996.
- Acting for the Canal and River Trust in proceedings seeking injunctive (*quia timet*) relief in respect of the potential collapse of a canal embankment adjacent to the claimant's premises.
- Advising insurers as to notification issues, exclusions and coverage in respect of a claim for an indemnity under a public and products liability policy, in respect of a £1.3m claim against the insured arising out of water damage to commercial premises in Central London.
- Acting for the claimant's insurers in a c. £1m subrogated recovery action (TCC) arising out of the spread of fire and smoke to the claimant's confectionary factory.
- Acting for insurers in a claim (brought as assignees of the insured's rights of action) against a utility company in respect of damage caused by the escape of water from a mains pipe during line-stopping operations for the Crossrail project.
- Acting for the claimants' insurers in a claim under the CPA 1987 in respect of an escape of water caused by a defective swimming pool liner.
- Acting for one of three defendants in TCC proceedings concerning allegedly defective water cooled chiller units at Cannon Bridge House.
- Ageas v Gunaratnam [2016] EWHC 845 (QB) – appeal against decision granting relief from sanctions.
- Acting for the claimants' insurers in £3m claim against an electricity distributor arising out of a fire caused by a fallen power line.
- Acting for the claimants' insurers in a subrogated recovery action in respect of tree root subsidence at the claimants' premises.
- Gunaratnam v Ageas [2014] EWHC 593 (QB) – claim for an indemnity under a home insurance policy in respect of damage caused by escape of water.
- Acting for the defendant golf club in a claim for an injunction to require the club to relocate a hole on its golf course due to alleged nuisance by the escape of golf balls onto the claimant's property.
- Acting for the developer of a prestigious development in Belgravia in connection with a potential interim (*quia timet*) injunction in respect of building works. Michele was led by Michael Curtis KC, and instructed together with Crispin Winser and Caroline McColgan.
- Gore v Stannard t/a Wyvern Tyres [2014] QB 1 (CA) – seminal Court of Appeal decision on the application of strict liability under *Rylands v Fletcher* in cases involving the escape of fire. Michele appeared as sole counsel at first instance and was led by Jonathan Waite KC in the Court of Appeal. A PLC article on the case is available here.
- Instructed, together with Ben Quiney KC, in a series of adjudications concerning a fire at a major London hotel development.
- Acting for the claimant's buildings insurers in two subrogated recovery actions (total value over £1m) against a specialist commercial flue cleaning company arising out of fires at two of the claimant's restaurants. Settled at mediation.
- Acting for defendant's insurer in a claim arising out of the escape of kerosene from an oil storage tank, involving a claim based on strict liability under *Rylands v Fletcher*.
- Acting for the defendant's building insurer in a claim by neighbouring owners for trespass caused by the construction of an extension without consent or proper notice under the Party Wall (etc) Act 1996.
- Acting for the claimant's insurer in a subrogated recovery action arising out of an escape of water at the claimant's premises caused by a blocked sink due to the negligence of the defendant cleaning

contractor.

- Acting for property insurers in a TCC claim involving the escape of water from a West-End restaurant into a neighbouring restaurant.
- Acting for a renewable energy company in a claim arising out of damage to specialist equipment for use in offshore wind farms.
- Advising the defendant's insurer in a claim arising out of a fire due to a bonfire in a steel bucket on the defendant's land, raising potential strict liability under *Rylands v Fletcher*.
- Acting for the claimant's insurers in a subrogated recovery action arising out of a fire at industrial premises caused by hot works in an adjoining unit, raising issues as to the liability of an occupier for the negligence of independent contractors in escape of fire cases.
- Acting for the claimants' insurers in numerous subrogated recovery actions against electricity distributors in cases involving fires caused by resistive heating faults in cut-out fuse assemblies – since *Smith v UKPN*.
- Acting for claimant's insurer in a subrogated recovery claim against the contractors that supplied and installed a refractory roof lining at the claimant's sugar beet furnace, which collapsed.
- Acting as sole counsel for the claimant at trial in a subrogated recovery action arising out of flooding to the claimant's property caused by the defendant's failure to maintain a nearby watercourse.
- Acting for the defendant's public liability insurer in a claim arising out of the supply of a component product used for the manufacture of BMW and Mini door panels.
- Acting for the claimant's insurer in a claim arising out of flooding to the claimant's premises caused by blocked or inadequate culverts on land occupied and controlled by the defendants.
- Acting for the claimant's insurer in an action against a security guard company arising out of malicious damage to commercial property caused by an unauthorised intruder.
- Acting for the claimants' insurer in a claim against the supplier and manufacturer of a tractor that was destroyed by fire.
- Acting for the claimant's buildings insurer in a subrogated recovery claim arising out of an escape of water caused by a defective water tank valve manufactured and supplied by the defendant.
- Acting for the defendant's public liability insurer in a tree root subsidence claim, involving issues as to reasonable foreseeability following *Berent v Family Mosaic Housing*.
- Acting for the defendant's insurer in a claim arising out of damage allegedly caused to the claimant's telephone cables (beneath the defendant's golf course) during construction works.
- Represented the successful claimant at trial (TCC) in a subrogated recovery action under the CPA 1987 arising out of a fire caused by a defective microwave oven.
- Acting for the insurer of a company specialising in industrial and marine heat exchangers in relation to a claim arising out of the escape of solution caused by corrosion of part of a heat exchanger.

Product Liability

Michele is frequently instructed in product liability claims and his cases often involve complex technical and scientific issues. Many of his cases arise from property damage caused by fire or flood and he is regularly instructed on behalf of manufacturers, those in the construction industry and insurers.

Selected Cases

- Acting on behalf of the defendant manufacturer of prosthetic hips, DePuy International Ltd, together with Alex Antelme and Michael Spencer KC in the DePuy Hylamer Group Litigation.

- Acting for property insurers in a £1m claim in the TCC against the Italian manufacturers of hot water valves to recover damage caused in a series of floods at a prestigious London mansion block.
- Advising a well-known manufacturer of electrical components installed in numerous commercial properties as to potential liability in excess of £1.5m.
- Acting for the defendant high-street retailer in a claim under the CPA 1987 for fire damage caused by an allegedly defective microwave oven.
- Acting for the claimant in a £150k claim against the defendant manufacturer of fittings that were incorporated into the claimant's shipping container liners. The claimant sought to recover sums paid in settlement of claims from its customers.
- Acting for the defendant candle manufacturer in a claim arising out of a fire at a church.
- Acting for the claimants in a subrogated water damage claim against the Italian manufacturers of hot water expansion tanks.
- Acting for the claimant supplier of concrete in a claim to recover sums paid to third party customers in relation to contaminated concrete supplied by the defendant.
- Acting for the defendant motor vehicle manufacturer in a claim under the CPA 1987 for personal injuries alleged to have been caused by an issue that was the subject of a product recall notice.
- Acting for the defendant manufacturer of a television set allegedly responsible for a devastating fire at residential premises.

Professional Liability

Michele has particular experience of professional negligence actions against construction professionals, lawyers and accountants.

He edits the chapter in Emden's Construction Law on Architects, Engineers and Surveyors.

Selected Cases

- Roy Parker v Freeth Cartwright (2014) – Acting for the claimant in a claim against solicitors concerning the handling of a professional negligence action arising out of the unsuccessful takeover of Leicester City FC. Michele was led by Michael Curtis KC.
- Acting for employers in a claim against a structural engineer arising out of the collapse of a property following the removal of part of a load-bearing wall.
- Acting for a private company and its sole shareholder in an action against the company's accountants and auditors concerning the negligent preparation of accounts.
- Acting for the claimant in an action against his solicitors concerning the sale of shares in an Internet company.
- Advising the claimant in an action against solicitors arising out of a failed attempt to extend the term of a lease.
- Acting for the claimant employer in a claim against building contractors and the quantity surveyor, engaged as project manager and contract administrator.

Rankings

Qualifications

- MA (Oxon)
- LLM (Distinction), King’s College London

Memberships

- COMBAR
- PNBA
- TECBAR

Recommendations

"Michele seems to be able to see the real issues very quickly and cuts through the noise on issues very well."..."great, hard-working, no-nonsense and I feel he will really go over the top of the trench for you when you need to fight. He is a courageous and fierce advocate and excellent on paper as well."
Chambers & Partners, 2026

"Skilled and highly knowledgeable. Pleasant to deal with and approachable - explains everything clearly, and drafting is impeccable."..."Michele’s drafting is excellent, he is thoughtful, he acted as a fierce defender of our client's interests in a very testy mediation, and he is the very definition of wise counsel."
Legal 500, 2026

"Michele is a very good advocate and he is quick on his feet to raise good points." He is "very personable, always making himself available, and he provides his advice in a user-friendly way."..."Michele has a clear and direct approach."
Chambers & Partners, 2025

"Very user friendly. Adopts a practical approach. He works well with the leader on the claim, but isn't afraid

to bring his own ideas and views to the table."
Legal 500 2025

"Michele De Gregorio is first-choice counsel. He is skilful and impressive."..."Very, very good. He's forensically very excellent and an excellent cross-examiner."
Chambers & Partners, 2024

"Very pragmatic and very good with clients – approachable and excellent at explaining difficult concepts and issues to lay clients in a way that they understand without feeling patronised."
Legal 500, 2024

"Michele is an extremely bright lawyer, he is always fully engaged on the matter, very responsive and very easy to work with, and a great 'team player' – a real pleasure to work with."
Legal 500 2022, Construction

"He offers excellent advice and support."
Chambers & Partners 2022, Property Damage

"One of my favourite juniors. He is bright, articulate and easy to engage with."
Legal 500 2021, Insurance and reinsurance

"He's very pragmatic, commercial and looks at the bigger picture as well as the legal points."; "He's very level-headed and is a team player. Lay and insurer clients also find him very approachable."
Chambers & Partners 2021, Property Damage

"He is calm and has a fine strategic mind. He is a very impressive and powerful advocate."
Legal 500 2021, Construction

"His attention to detail is second to none." "He's extremely hard-working and diligent."
Chambers and Partners 2020, Property Damage

"Immensely hardworking, very bright, an excellent lawyer, and very good with clients"
Legal 500 2018, Insurance and reinsurance

"Very impressive. He knows his stuff and is a calm, persuasive advocate" and "Very user-friendly"
Chambers & Partners 2018, Property Damage