

# GDL Elite

CASE LISTS

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Rory McLaughlin

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# Chapter 1

## CONTRACT LAW

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## 1.1 Agreement

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**Brinkibon v Stahag Stahl** (1983) 2 AC 34

**Brogden v Metropolitan Railway Company** (1877) 2 App Cas 666

**Butler Machine Tool Co v Ex-cell-o Corporation** [1979] 1 WLR 401

**Byrne v Van Tienhoven** (1880) 5 CPD 344

**Carlill v Carbolic Smoke Ball Co** [1893] 1 QB 256

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**Dickinson v Dodds** (1876) 2 Ch D 463

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**Dunmore v Alexander** (1830) 9 Shaw 190

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**Entores v Miles Far East Corporation** [1955] 2 QB 327

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**Financings Ltd v Stimson** (1962) 1 WLR 1184

**Fisher v Bell** [1961] 1 QB 394

**Getreide-Import Gesellschaft v Contimar** [1953] 1 WLR 207

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**Henthorn v Fraser** [1982] 2 Ch 27

**Holwell Securities v Hughes** [1974] 1 WLR 155

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**Intense Investments Ltd v Development Ventures Ltd and another** [2006] EWHC 1586 (TCC)

**Kennedy v Thomassen** (1929)

**Lancaster v Walsh** (1838) 150 ER 1324

**Lefkowitz v Great Minneapolis Surplus Store** 86 NW 2d 689 (1957)

**Manchester Diocesan Council for Education v Commercial and General Investments** [1970] 1 WLR 241

**Mondial Shipping and Chartering BV v Astarte Shipping Ltd** [1995] CLC 1011

**Partridge v Crittenden** (1968) 1 WLR 1204

**Payne v Cave** (1789) 3 Durn & E 148

**Pharmaceutical Society of GB v Boots Cash Chemists** (1953) 1 QB 401

**Powell v Lee** (1908) 99 LT 284

**Quenerduaine v Cole** (1883) 32 WR 185

**R v Clarke** (1927) 40 CLR 227

**Ramsgate Victoria Hotel Co v Montefiore** (1866) LR 1 Ex 109  
**Re London and Northern Bank, ex parte Jones** [1900] 1 Ch 220  
**Robinson v Harman** (1848) 1 Ex Rep 850  
**Routledge v Grant** (1828) 4 Bing 653  
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**Spencer v Harding** (1870) LR 5 CP 561  
**Stevenson, Jacques & Co v McLean** (1880) 5 QBD 346  
**Storer v Manchester City Council** (1974) 1 WLR 1403  
**Taylor v Allon** [1966] 1 QB 304  
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**The Brimnes** [1975] QB 929  
**Thomas v BPE Solicitors** [2010] All ER (D) 306 (Feb)  
**Thomson v James** (1855)  
**Tinn v Hoffman & Co** (1873) 29 LT  
**Warlow v Harrison** (1859) 1 E & E 309  
**Wenkheim v Arndt** (NZ) 1 JR 73  
**Williams v Carwardine** (1883) 5 C & P 566  
**Yates Building Co Ltd v Pulleyn & Sons (York) Ltd** (1975) 119 SJ 370

## 1.2 Intention to Create Legal Relations

### Cases

**Alpenstow v Regalian Properties plc** [1985] 1 WLR 721  
**Ashbury Railway Carriage and Iron Co v Riche** (1875) LR 7 HL 653  
**Aylesbury Football Club v Watford Association Football Club** [2000] QB  
**AstraZeneca UK Ltd v Albermarle International Corporation** [2011] EWHC 1574 (Comm)  
**Balfour v Balfour** [1919] 2 KB 571  
**Barbudev v Eurocom Cable Management Bulgari EOOD** [2012] EWCA Civ 548  
**Bowerman v Association of British Travel Agents Ltd** [1996] CLC 451  
**Bunn & Bunn v Rees & Parker** 16 April 2002 (QBD)  
**Chillingworth v Esche** [1924] 1 Ch 97  
**Doyle v White City Stadium** [1935] 1 KB 110  
**Dhanani y Crasnianski** [2011] 2 All ER (Comm) 799  
**Eccles v Bryant and Pollock** [1948] Ch 93  
**Edmonds v Lawson** [2000] QB 501  
**Edwards v Skyways** [1964] 1 WLR 349  
**Esso Petroleum Co v Commissioners of Customs and Excise** [1976] 1 WLR 1  
**Gore v Gibson** (1843) 13 M&W 625  
**Hart v O'Connor** [1985] AC 1000  
**Imperial Loan Co v Stone** [1982] 1 QB 599  
**Jet2.Com Ltd v Blackpool Airport Ltd** [2012] EWCA Civ 417  
**Jones v Padavatton** [1969] 1 WLR 328  
**Kleinwort Benson Ltd v Malaysia Mining Corporation** [1989] 1 WLR 379  
**Leonard v Pepsico** (1999) 88 F Supp 2d 116  
**Licences Insurance Corporation v Lawson** (1896) 12 TLR 501  
**Matthews v Baxter** (1873) LR 8 Ex 132  
**Merritt v Merritt** [1970] EWCA Civ 6  
**MRI Trading AG v Erdenet Mining Corporation Ltd** [2013] EWCA Civ 156  
**Nash v Inman** (1908) 2 KB 1  
**Peck v Lateau** (1973) SJ 185  
**Proform Sport Management Ltd v Proactive Sports Management Ltd** [2006]  
**Rose and Frank Co v Crompton Bros** (1925) AC 445  
**Simpkins v Pays** [1955] 1 WLR 975  
**Steinberg v Scala (Leeds) Ltd** [1923] 2 Ch 452  
**Well Barn Farming Ltd v Backhouse** [2005] EWHC 1520

### Statutes

Companies Act 2006 s.39(1)  
 Mental Capacity Act 2005 s.2, s.3(1), s.3(4), s.15, s.7, s.7(2))  
 Minor's Contracts Act 1987 s.3(1)  
 Sale of Goods Act 1979 s.3(3)  
 Trade Union and Labour Relations (Consolidation) Act 1992 s.179

## 1.3 Consideration

### Cases

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**Chappell & Co v Nestle Co Ltd** [1960] AC 87  
**Collins v Godefroy** (1831) 1 B & Ad 950  
**Currie v Misa** (1875) LR 10 Ex 153  
**Dunlop Pneumatic Tyre Co v Selfridge & Co** [1915] AC 847  
**Eastwood v Kenyon** (1840) 11 A & E 438  
**England v Davidson** (1840) 11 A & E 856  
**Hamer v Sidway** (1891) 27 NE 256  
**Harris v Sheffield United FC** [1988] QB 77  
**Hartley v Ponsonby** (1857) 7 E & B 872  
**Lampleigh v Braithwaite** Hob 105  
**New Zealand Shipping Co Ltd v AM Satterthwaite & Co Ltd (The Eurymedon)** [1975] AC 154  
**North Ocean Shipping Co Ltd v Hyundai Construction Co Ltd and Another (The Atlantic Baron)** [1979] QB 705  
**Pao On v Lau Yiu Long** [1980] AC 614  
**Re Casey's Patents** [1892] 1 Ch 104  
**Roscorla v Thomas** (1842) 3 QB 234  
**Scotson v Pegg** (1861) 6 H & N 295 AC 154  
**Stilk v Myrick** (1809) 2 Camp 317  
**Tweddle v Atkinson** (1861) 1 B & S 393  
**Ward v Byham** [1956] 1 WLR 496  
**White v Bluett** (1853) 23 LJ Ex 36  
**Williams v Roffey Brothers & Nicholls (Contractors) Ltd** [1991] 1 QB 1

## 1.4 Part Payment of a Debt & Promissory Estoppel

### Cases

**Alan (WJ) & Co v El Nasr Export & Import Co** [1972] 2 QB 189  
**Baird Textile Holdings Ltd v Marks & Spencer plc** (2001) EWCA Civ 274  
**Brikom Investments Ltd v Carr** [1979] QB 467  
**Central London Property Trust Ltd v High Trees House Ltd** [1947] KB 130  
**Collier v P & MJ Wright (Holdings) Ltd** [2007] EWCA Civ 1329  
**Combe v Combe** [1951] 2 KB 215  
**D & C Builders v Rees** [1966] 2 QB 617  
**Emmanuel Ayodeji Ajayi v RT Briscoe (Nigeria) Ltd** [1964] 1 WLR 1326  
**Foakes v Beer** (1884) 9 App Cas 605  
**Hirachand Punamchand v Temple** [1911] 2 KB 330  
**Hughes v Metropolitan Railway Co** (1877) 2 App Cas 439  
**Pinnel's Case** (1602) 5 Co Rep 117a  
**Re Selectmove Ltd** [1995] 1 WLR 474  
**Sibree v Tripp** (1846) 15 M & W 23  
**Smithkline Beecham plc v Apotex Europe Ltd** [2006] EWCA Civ 658  
**The Post Chaser** [1982] 1 All ER 19  
**Tool Metal Manufacturing Co v Tungsten Electric Co** [1955] 1 WLR 761  
**Vanbergen v St Edmund Properties** [1933] 2 KB 223  
**Walton Stores v Maher** (1988) 164 CLR 387  
**Welby v Drake** (1825) 1 C & P 557  
**Woodhouse AC Israel Cocoa Ltd SA and Another v Nigerian Produce Marketing Co Ltd** [1972] AC 741

## 1.5 Duress

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**Alec Lobb Garages Ltd v Total Oil (GB) Ltd** [1984] EWCA Civ 2  
**Atlas Express Ltd v Kafco Ltd** [1989] 1 All ER 641  
**B & S Contracts and Design Ltd v Victor Green Publications Ltd** [1984] ICR 419  
**Barton v Armstrong** [1976] AC 104  
**Carillion Construction Ltd v Felix (UK)** [2001] BLR  
**CTN Cash & Carry Ltd v Gallagher Ltd** [1994] 4 All ER 714  
**Dimskal Shipping Co SA v International Transport Workers' Federation (The Evia Luck)** [1992] 2 AC 152  
**DSND Subsea Ltd v Petroleum Geo Services ASA** [2000] BLR 530  
**Huyton SA v Peter Cremer GmbH & Co** [1991] 1 Lloyd's Rep 620  
**Kolmar Group AG v Traxpo Enterprises PVT Ltd** [2010] EWHC 133 (Comm)  
**North Ocean Shipping Co Ltd v Hyundai Construction Co Ltd and Another (The Atlantic Baron)** [1979] QB 705  
**Occidental Worldwide Investment Corporation v Skibs A/S Avanti (The Siboen and The Sibotre)** [1976] 1 Lloyd's Rep 293  
**Pao On v Lau Yiu Long** [1980] AC 614  
**Progress Bulk Carriers Ltd v Tube City IMS LLC** [2012] EWHC 273 (Comm)  
**R v Attorney-General of England and Wales** (2003) UKPC 22  
**Universe Tankships Inc of Monrovia v International Transport Workers' Federation (The Universe Sentinel)** [1983] 1 AC 366  
**Williams v Bayley** (1886) LR 1 HL 200



## 1.6 Terms

### Cases

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**Aberdeen City Council v Stewart Milne Group Ltd** [2011] UKSC 56  
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**Attorney General of Belize and others v Belize Telecom Ltd and Anor** [2009] 1 WLR 1988  
**Axa Sun Life Services plc v Campbell Martin Ltd and Others** [2011] EWCA Civ 133  
**Balmoral Group Ltd v Borealis Ltd** [2006] EWHC 1900  
**Bannerman v White** (1861) 10 CB NS 844  
**Beale v Taylor** [1967] 1 WLR 1193  
**Bettini v Gye** (1876) 1 QBD 183  
**Birch v Paramount Estates** (1956) 16 EG 396  
**British Crane Hire v Ipswich Plant** [1975] QB 303  
**Bunge Corporation v Tradax Exports SA** [1981] 1 WLR 711  
**City and Westminster Properties v Mudd** [1959] Ch 129  
**Couchman v Hill** [1947] KB 554  
**Dear v Jackson** [2013] EWCA Civ 89  
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**Ecay v Godfrey** (1947) 80 Lloyd's Rep 286  
**E-nik Limited v Department for Communities and Local Government** [2012] EWHC 3027 (Comm)  
**Gardner v Coutts & Co** [1968] 1 WLR 173  
**Grant v Australian Knitting Mills Ltd** [1936] AC 85  
**Heilbut Symons & Co v Buckleton** [1913] AC 30  
**Hollier v Rambler Motors (AMC) Ltd** [1972] 2 QB 71  
**Hong Kong Fir Shipping Co Ltd v Kawasaki Kisen Kaisha Ltd** [1962] 2 QB 26  
**Hopkins v Tanqueray** (1854) 15 CB 130  
**Interfoto Picture Library Ltd v Stiletto Visual Programmes Ltd** [1989] 1 QB 433  
**Intrepeneur v East Crown** [2000] 2 Lloyd's Rep 611  
**J Evans & Son (Portsmouth) Ltd v Andrea Merzario Ltd** [1976] 1 WLR 1078  
**Jacobs v Batavia & General Plantations Trust** [1924] 1 Ch 287  
**Lambert v Lewis** [1982] AC 225  
**Liverpool City Council v Irwin** [1976] 2 WLR 562  
**Lombard North Central v Butterworths** [1987] QB 527  
**McCutcheon v MacBrayne** [1964] 1 WLR 125  
**Mid Essex Hospital Services NHS Trust v Compass Group UK and Ireland Ltd (Trading as Medirest)** [2013] EWCA Civ 200  
**Ofir Scheps v Fine Art Logistics Ltd** [2007] EWHC 541 QB  
**Oscar Chess Ltd v Williams** [1957] 1 WLR 370  
**Poussard v Spiers and Pond** (1875-76) LR 1 QBD 410  
**Priest v Last** [1903] CA 148  
**Pritchard v Cook & Red Ltd** (unreported)  
**Routledge v McKay** [1954] 1 WLR 615  
**Rowland v Divall** [1923] 2 KB 500  
**Scancarriers v Aotearoa International** [1985] 1 NZLR 513  
**Schawel v Reade** [1913] 2 IR 81 (HL)  
**Schuler v Wickman Machine Tool Sales** [1974] AC 235

**Shanklin Pier v Detel Products Ltd** [1951] 2 KB 854  
**Shirlaw v Southern Foundries** [1939] 2 KB 206 CA  
**Spring v National Amalgamated Stevedores and Dockers Society** [1956] 1 WLR 585  
**Stena Line v Merchant Navy Ratings Pension Fund Trustees Ltd** [2011] EWCA Civ 543  
**The Hansa Nord** [1976] QB 44  
**The Mihalis Angelos** [1971] 1 QB 164  
**The Moorcock** (1889) 14 PD 64  
**Thomas Crema v Cenkos Securities plc** [2011] 1 WLR 2066  
**Trollope Colls v North West Regional Hospital Board** [1973] 1 WLR 601  
**TSG Building Services plc v South Anglia Housing Ltd** [2013] EWHC 1151

## 2.5 Competition Law 1: Anti-Competitive Agreements

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- AC Treuhand AG v Commission** (T99/04) [2008] WLR (D) 229
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- Bayer AG v Commission** (CT41/96) [2000] ECR II-3383
- Brasserie de Haecht SA v Wilkin-Janssen** (C3/67) [1967] ECR 407
- Calor Gas Ltd v Express Fuels (Scotland) and Another** [2008] CSOH 13
- Commission v ANIC Partecipazioni SpA** (C49/92P) [1999] ECR I-4125
- Consten SARM v Grundig-Verkaufs GmbH** (C56 and C58/64) [1966] ECR 299
- Courage Ltd v Crehan** (C453/99) [2001] ECR I-6297
- Distribution of Package Tours During the 1990 World Cup Decision 92/521** [1992] OJ L 326/31
- European Night Services v Commission** (T374, 375, 384, 388/94) [1998] ECR II-3141
- Hercules Chemicals NV v Commission** (T7/89) [1991] ECR II-1711
- ICI Polypropylene cases** [1986] OJ L230/1
- ICI v Commission ('Dyestuffs')** (C48/69) [1972] ECR 619
- Meca –Medina and Macjen v Commission** (C519/04P) [2006] ECR I-6991
- Metropole Television v Commission** (T112/99) [2001] ECR 2459
- Motosykletistiki Omospondia Ellados NPID (MOTOE) v Elliniko Domsio** (C49/07) [2009] All ER (EC) 150
- Notice on Agreements of Minor Importance** [2001] OJ C368/13
- Nungesser KG v Commission** (C258/78) [1982] ECR 2015
- Pronuptia de Paris GmbH v Pronuptia de Paris Irmgard Schillgallis** (C161/84) [1986] ECR 353
- SGL v Commission** (C301/84 and C308/04)
- Société Technique Minière v Maschinenbau Ulm GmbH ('STM')** (C56/65) [1966] ECR 235
- Tepea v Commission** [1978] 3 CMLR 392
- Transocean Marine Paint Association v Commission** (C17/74) [1974] ECR 1063
- United Brands Co v Commission** (C27/76) [1978] ECR 207
- Vereniging van Cementhandelaren v Commission** (C8/72) [1972] ECR 977
- Vincenzo Manfredi v Lloyd Adriatico Assicurazioni SpA** (C295/04) [2006] ECR I-6619
- Völk v Vervaecke** (C5/69) [1969] ECR 295
- Wouters and others v Algemene Raad van de Nederlandse Orde van Advocaten** (C309/99) [2002] ECR I- 1577

### Treaty Articles

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 Regulation 330/2010  
 Regulation 17/62

## 3.1 Trespass to the Person

### Cases

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**Christie v Leachinsky** [1947] AC 573  
**Cole v Turner** (1704) 6 Mod 149  
**Collins v Wilcock** [1984] 3 All ER 374  
**Co-operative Group (CWS) Ltd v Pritchard** [2011] EWCA 329  
**Davidson v Chief Constable of North Wales** [1994] 2 All ER 597  
**Fagan v Metropolitan Police Commissioner** [1969] 1QB 439  
**Fowler v Lanning** (1959) 1 QB 426  
**Herd v Weardale Steel, Coke and Coal Co** [1915] AC 67  
**Janvier v Sweeney** [1919] 2 KB 316  
**John Lewis v Tims** [1952] AC 676  
**Khorasandjian v Bush** [1993] QB 727  
**Lane v Holloway** [1968] 1 QB 379  
**Letang v Cooper** (1965) 1 QB 232  
**Meering v Grahame-White Aviation** (1919) 122 LT 44  
**Murray v Ministry of Defence** [1988] 2 All ER 521  
**Nash v Sheen** [1953] CLY 3726  
**Percy v Hall** [1996] 4 All ER 523  
**R v Beasley** (1981) 73 Cr App R 4  
**R v Brown** (1992) 2 All ER 552  
**R v Cotesworth** (1704) 6 Mod 172  
**R v Ireland** [1997] 3 WLR 534  
**R v Wilson** [1955] 1 All ER 744  
**R v Wilson** (1996) 3 WLR 125  
**Re F v West Berkshire HA** [1990] 2 AC 1  
**Re T (Adult: Refusal of Treatment)** [1993] FD  
**Reynolds v Clarke** (1725) 93 ER 747  
**Roberts v Chief Constable of Cheshire** [1999] 2 All ER 326  
**Robinson v Balmain New Ferry** [1910] AC 295  
**Sayers v Harlow Urban District Council** [1958] WLR 623  
**Scott v Shepherd** (1773) 2 Wm BI 892  
**Stephens v Myers** (1830) 4 C&P 349  
**Thomas v NUM** [1986] 2 All ER 1  
**Toumia v Evans** [1999] The Times April 1  
**Treadaway v Chief Constable of the West Midlands** [1994] The Independent September 23  
**Tuberville v Savage** (1669) 1 Mod Rep 3  
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**Wilkinson v Downton** (1897) 66 LJQB 493  
**Wilson v Pringle** (1986) 2 All ER 440  
**Wong v Parkside Health NHS Trust** [2003] 3 All ER 932

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## 4.10 Theft

### Cases

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**Chan Man-sin v AG for Hong Kong** [1988] 1 All ER 1  
**Corcoran v Whent** [1977] Crim LR 52  
**Davidge v Bunnett** [1984] Crim LR 297  
**DPP v J** [2002] EWHC 291  
**DPP v Lavender** [1994] Crim LR 297  
**Edwards v Ddin** [1976] 1 WLR 942  
**Lawrence v MPC** [1971] 2 All ER 1253  
**Moynes v Cooper** [1956] 1 QB 439  
**Oxford v Moss** (1978) 68 Cr App R 183  
**Parker v British Airways Board** [1982] 1 All ER 834  
**R v Adams** [1993] Crim LR 72  
**R v Breaks and Huggan** [1998] Crim LR 349  
**R v Cahill** [1993] Crim LR 141  
**R v Fernandes** [1996] Cr App R 175  
**R v Ghosh** [1982] QB 1053  
**R v Gomez** [1993] 1 All ER 1  
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