

Roger Franklin

Partner

Head of Insurance Litigation



Roger practises in Commercial Litigation, specialising in Insurance law and heads up the firm's Insurance Litigation Group. He qualified in 1999 and became a partner in 2005.

He has acted on disputes in the UK, Europe and the United States. He has represented both claimants and defendants in a wide variety of commercial insurance matters, including professional negligence, directors' and officers' liability, shareholder claims and general liability and coverage disputes.

Roger also represents financial services professionals on discrete aspects of the regulatory regime, and acts for firms and individuals in the course of FCA investigations and enforcement proceedings.

Experience

Insurance

- Acting for the Claimant Plc in a claim for material damage/business interruption losses involving a misrepresentation argument over sums insured across 20 premises.
- Advising the Claimant insured where the insurer denied cover on an all risks policy relying on an alleged breach of condition and "unexplained loss" and fidelity exclusions.
- Acting for the Claimant property developer in a claim under a premier guarantee policy relating to structural warranties.

Professional Negligence

- Acting for the Claimant waste (WEE) recycling business in a claim against insurers and the insurance broker. The judgment provided an interesting summary of, and extension to, the duties owed by the broker in relation to advice on the disclosure of material facts.
- Various claims against insurance brokers for negligent advice on the operation of warranties and conditions precedent.
- Claims against accountants for negligent advice in the context of share sale and purchase agreements.

Financial Services Regulation

- Advising on the regulatory issues involved in the development and sale of various products and instruments, both inside and outside the regulatory perimeter.
- Acting for various insurance and financial intermediaries in the course of investigation and enforcement proceedings by the FCA.

Commercial Litigation

- Acting for a US manufacturer of jet engines and in the recovery of those engines following

- their illegal supply to various Iranian entities in breach of US sanctions.
- Acting for the Claimant company in a multi-million claim arising out of an agreement to develop and sell a new product to the automotive industry.
 - Advising a US corporate as to its confidentiality obligations under a Russian oil and gas joint venture agreement.

Expertise

- [Insurance Litigation: Overview](#)
- Assessment of damage claims
- Business Interruption claims
- Claims against security providers
- Denied claims on the basis of Breach of Warranty or General Condition
- Fire
- Insurance claims
- Third Party claims for Uninsured Losses
- Waste Management
- Professional Negligence

Credentials

- Recommended in Legal 500 UK 2022
- Ranked as a 'Leading Individual' in Chambers UK 2022
- Ranked as a 'Leading Individual' in Chambers Global 2021
- Ally Law Executive Board Secretary 2018-21

Contact

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