



Freshfields wins Bloxham age case...

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Freshfields Bruckhaus Deringer has been found to have been proportionate in its controversial pension reforms that sparked a £4.5m age claim by former partner Peter Bloxham.

The Central London Employment Tribunal today handed down a judgment that found that the magic circle firm had been discriminatory in its handling of former insolvency partner Peter Bloxham, but that the discrimination was proportionate.

The tribunal said that it had unanimously found against Bloxham's claims of indirect and direct discrimination.

Age bias differs from other forms of discrimination in that if it is found to be a proportionate means to a legitimate end, it is permissible.

The result is a boon to the firm, which is facing a similar claim to Bloxham's from former corporate partner Lois Moore, now at Shearman & Sterling.

Bloxham, who is now advocate general for the policyholders of the Prudential, is currently out of the country and unavailable for comment. His solicitors, Dawsons, declined to comment.

It is therefore unclear whether or not Bloxham intends to appeal the case.

Co-senior partner Guy Morton, who was one of the witnesses at the hearing, said: "It is a pity that this misguided claim was ever brought to the tribunal. We are pleased that the tribunal has recognised that both the reforms to our partner pension scheme, and the procedures through which they were adopted, were fair."

The nine-day hearing saw some of Freshfields most senior partners give evidence, including chief executive Ted Burke, managing partner Peter Jeffcote and global co-head of banking Perry Noble.

Freshfields was advised on the case by Michael Burd, head of employment at Lewis Silkin. Burd instructed Dinah Rose QC of Blackstone Chambers. The team is also advising Freshfields on Moore's claim, with Herbert Smith senior partner David Gold advising Moore.

The Dawsons team, led by head of litigation Jo Keddle, instructed Tim Pitt-Payne of 11KBW.

Section:	TL News	Date:	10-Oct-2007
Author:	32111	Source:	The Lawyer

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