

Case Experience

LOSS OF PROFITS

Loss of profits on veterinary income due to injuries sustained from RTA

We were asked to assess the loss of earnings of a veterinary surgeon following a road traffic accident which left the individual unable to work. This involved assessing the loss of earnings throughout the individual's prospective career, initially as an employee, and then subsequently a partnership in a veterinary practice. This also included a projected loss of value in capital/goodwill the individual would have realised, up to the point of normal expected retirement age.

Loss of profits on a pub purchase

A solicitor was being sued for negligence in respect of advice given regarding the purchase of a pub. There were regulation issues which meant the rooms in the pub could not be let, from soon after the purchase. In addition, there were no restraint of trade conditions for the vendor.

We assessed the loss of potential profits arising from each of these heads of claim, as well as the cost of extra bank borrowing due to the loss of profits.

Loss of profits from personal injury

In this case, our client suffered a serious injury as a result of a road traffic accident. Prior to the accident he had a wide range of business interests and numerous sources of income. We were required to assess, based upon evidence of historical earnings, and potential future earnings, the extent to which his earnings had been impaired as a result of the restrictions the injuries had placed upon his ability to perform each of his business activities.

In-depth forensic enquiries were necessary into each of his income streams to establish, in each case, likely future revenues had the injuries sustained not have been suffered, through to the date of his assumed retirement.

Loss of income from fatal accident

In this case a young man who had started a business, which he carried on through a limited company with a co-shareholder and director, suffered a fatal road accident, leaving a young family.

We were engaged to calculate the loss of income from the date of the accident through to his projected date of retirement.

Loss of profits from breach of competition law

We were instructed to evaluate the impact on profits and on the viability of a business, as a result of an alleged breach of European Competition law.

This case was ultimately considered in the House of Lords.