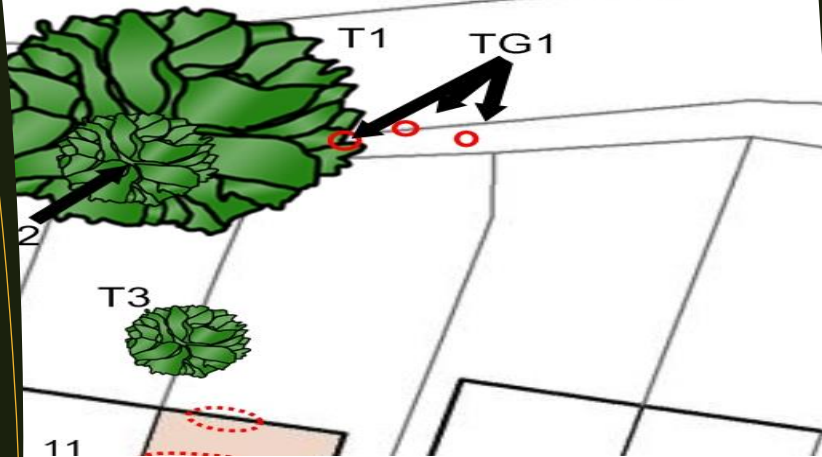


Case Study



Case Overview

Litigation	✓
Acting for Claimant/ Defendant	✓
Recovery Action	✓
>£100,000 Claim	✓
Court Representation	X
Part 36 Offer	✓

2 Defendants

In this complicated claim for recovery of property damage outlay for a major UK insurer implicated trees were under the ownership of 2 separate defendants.

Duty of Care

The first defendant was a local authority; the second was a housing association. In legal terms both should have been aware of the risk their trees posed. There was a known history of subsidence damage to other properties in the street.

DNA

DNA analysis of root evidence was being relied upon by the first defendant to demonstrate their trees were not implicated. DNA testing tests only a small number of roots present. We were able to successfully show through analysis of the level monitoring that both defendants trees must have been implicated in what was widespread damage.

Part 36 Offer

Our CPR compliant report demonstrated to both defendants that there was a case to answer for both defendants and led to the claim being settled before it reached court.