

*Re Mitt Wearables Ltd, Lakey v Macabuag & Ors [2023] EWHC 1800 (Ch)*

Judgment Summary written by Matthew Parfitt

20 July 2023

In *Re Mitt Wearables Ltd, Lakey v Macabuag & Ors [2023] EWHC 1800 (Ch)* ICC Judge Prentis dismissed an unfair prejudice petition presented by a co-founder of a company set up to develop and sell a new form of prosthetic upper limb. Matthew Parfit and Mayer Brown International LLP acted pro bono for one of the successful respondents, who had co-founded the company based on his work at Imperial College. The case resulted from a catastrophic falling out between the co-founders. All the allegations of impropriety against the respondents were abandoned or dismissed following a two-week trial. Having successfully defended the petition, the respondents' pioneering work to improve the lives of those with limb difference can continue.

A substantial pro bono costs order in favour of the Access to Justice Foundation will be sought at the consequential hearing in the autumn. The Access to Justice Foundation is a charity established by the Law Society, the Bar Council, CILEx and the Advice Services Alliance to receive pro bono costs awards and distribute additional financial resources to support agencies and projects that provide free legal assistance to those in need. A pro bono costs order provides for a payment to the Foundation equivalent to what the paying party would have had to pay the successful party had the successful party's lawyers not acted pro bono. If an order is obtained, the pro bono assistance provided by Mr Parfitt and Mayer Brown will improve access to justice not just for the respondent in this case, but for many others in need of legal advice and representation.