

## GOOD FAITH AND FAIR DEALING: ILLUSTRATIVE CASE LIST FROM ENGLAND AND WALES

### Express Terms

1. ***Mid Essex Hospital Services NHS Trust v Compass Group UK and Ireland UK (t/a Medirest)*** [2013] EWCA Civ 200
2. ***Berkeley Community Villages Ltd v. Pullen*** [2007] EWHC 1330 (Ch)
3. ***BP Gas Marketing Ltd v La Societe Sonatrach*** [2016] EWHC 2461 (Comm)
4. ***Costain Ltd v. Tarmac Holdings Ltd*** [2017] EWHC 31 (TCC)

### Implied Terms

5. ***Hamsard 3147 Ltd v Boots UK Ltd.*** [2013] EWHC 3251 (Pat)
6. ***MSC Mediterranean Shipping Co v Cottonex*** [2016] EWCA Civ 789
7. ***Monde Petroleum SA v Westernzagros Limited*** [2016] EWHC 1472 (Comm).
8. ***Globe Motors Inc & Ors v TRW Lucasvarity Electric Steering Ltd & Anor*** [2016] EWCA Civ 396
9. ***Apollo Window Blinds Ltd v McNeil*** [2016] EWHC 2307
10. ***Ilkerler Otomoviv Sanayai Ve Ticaret Anonim Sirketi v. Perkins Engines Company Ltd*** [2017] EWCA Civ 183
11. ***General Nutrition Investment Co v Holland and Barrett International Ltd (Formerly NBTY Europe Ltd)*** [2017] EWHC 746 (Ch)
12. ***Microsoft Mobile Oy (Ltd) v Sony Europe Ltd*** [2017]

EWHC 374 (Ch)

### **Relational Contracts**

13. ***Yam Seng Pte Ltd v International Trade Corporation Ltd***  
[2013] EWHC 111
14. ***Bristol Groundschool Ltd v. Intelligent Data Capture Ltd***  
[2014] EWHC 2145 (Ch)
15. ***National Private Air Transport Services Co v Windrose Aviation Co*** [2016] EWHC 2144 (Comm)

### **The exercise of a contractual discretion**

16. ***British Telecommunications Plc v. Telefonica O2 UK Ltd***  
[2014] UKSC 42
17. ***Novus Aviation Ltd v. Alubaf Arab International Bank***  
[2016] EWHC 1575 (Comm)

### **The obligation to negotiate**

18. ***Emirates Trading Agency v Prime Mineral Exports Private*** [2014] EWHC 2104 (Comm)

Marion Smith QC  
5 December 2017