



## Mark Nicholson

**Year called:** 2022  
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**Qualifications:** BA History - University of Stirling - 2003  
LLB (Hons) - Napier University - 2006  
Diploma in Legal Practice - Aberdeen University - 2007

## Profile

Mark called to the bar in 2022 after practising as a solicitor in private practice for 14 years. Before calling Mark worked at a large personal injury firm. He has considerable experience in personal injury work including Road Traffic Accidents, Occupier's Liability, Public Liability and Employer Liability claims.

He specialised in asbestos related conditions and other industrial disease cases. Mark has considerable experience in dealing with fatal cases including claims arising out of a diagnosis of Mesothelioma or Asbestos Related Lung Cancer. Mark has an interest in asbestos cases involving cross border issues.

During devilling, also Mark gained exposure to criminal work. In the wider PI sphere, Mark gained experience in claims for accidents abroad and in acting for defenders in a wide variety of cases. Mark has extensive experience in the civil courts at all levels including the All-Scotland Personal Injury Court and the Court of Session.

## Representative Cases

### **Jordan v O'Reilly - [2020] 12 WLUK 571**

As instructing solicitor for the pursuer. Held that an action for damages for Pleural Plaques against the executor of a man who had died in 2004, whether the executor was discharged or not, for the purposes of constituting claim, was relevant.

### **Forbes v McLean - 2018 S.L.T. 877**

As instructing solicitor for the pursuers. It was held that a claim, brought by the family of a man who had died of mesothelioma against the executor of his former employer, was competent and relevant. It was argued for the defenders that, as the estate had been ingathered and distributed many years before then, the executor had been discharged and the claim was incompetent.