

Nick De Marco KC

“Currently the leading KC dealing with football and regulatory matters – he has vast subject matter knowledge, is great on his feet, and very easy to work with.”

– LEGAL 500, 2025

Year of call: **2001**
Appointed to silk: **2018**
Degree: **LLB (Lond), First Class, (Scholarship: Jules Thorn Scholar, Middle Temple)**



Nick is ranked as one of the leading barristers in Sports Law. He regularly acts for sports governing bodies, players, clubs, sponsors, broadcasters and agents. He is the 'go to' barrister in disputes in football in particular, whether commercial or regulatory. In addition to his busy sports practise, he is experienced in Commercial, Employment and Media law.

Nick was listed as one of the top 4 most highly regarded sports silks in the UK by Who's Who Legal 2023. He was named Sports Silk of the Year at the Legal 500 Bar Awards 2022 and is recognised as one of the leading sports lawyers in the UK by all of the legal directories. He was featured on The Lawyer's Hot 100 list 2021 and also ranked as one of the top 3 Most Highly Regarded Sports Law Silks in the UK by Who's Who Legal 2019. Recent comments include:

- "Currently the leading KC dealing with football and regulatory matters - he has vast subject matter knowledge, is great on his feet, and very easy to work with."- Legal 500, 2025
- "Nick is a creative litigator and an excellent barrister."- Chambers & Partners, 2025
- "Nick is an excellent and supremely experienced counsel on sports work. A strong and persuasive advocate."- Legal 500, 2024
- "Nick is super impressive, a fantastic advocate who gets the industry and its nuances."- Chambers & Partners, 2024

Previous quotes include:

- "Nick has an almost uniquely stellar practice in sports law, and particularly football."- Legal 500, 2023
- "Nick is so impressive. He knows so much about football, he has cut himself out as unique in the sport."- Chambers UK, 2023
- "Nick de Marco is great; he knows sport arbitration and its mechanics and process. He is a great one to have on your side."- Chambers UK, 2023
- "The "truly outstanding" Nick De Marco KC is "a wonderfully clever and brilliant advocate" with "a holistic knowledge of the sector"."- Who's Who Legal, 2023

Nick is authorised to accept instructions directly from lay clients through the Direct Public Access scheme.

Nick is a director of the British Association for Sport and the Law (BASL).

Nick is a Bencher of The Honourable Society of the Middle Temple.

EXPERIENCE

Sport

Nick was named UK 'Sports Silk of the Year' at the Legal 500 Bar Awards 2022 and is recognised as one of the leading sports lawyers in the UK by all the directories. He was featured on 'The Lawyer's Hot 100' list 2021 and ranked as one of the top three Most Highly Regarded Sports Law Silks in the UK by Who's Who Legal. Recent comments include:

- "Nick has an almost uniquely stellar practice in sports law, and particularly football." - Legal 500, 2023
- "His quality is clear and his advocacy is brilliant. He gets to the crux of the issues quickly." - Chambers and Partners, 2023
- "Nick is so impressive. He knows so much about football, he has cut himself out as unique in the sport." - Chambers UK, 2023
- "Nick de Marco is great; he knows sport arbitration and its mechanics and process. He is a great one to have on your side." - Chambers UK, 2023
- "Nick is an outstanding sports practitioner who brings relaxed confidence to his work." - Chambers UK, 2023
- "Nick de Marco has incomparable understanding of the sector and he is an astute tactician." - Chambers UK, 2023

Nick's sports work ranges from commercial and contractual claims to regulatory and disciplinary disputes. He is active in disputes across all sports, and widely recognised for his special expertise in football.

His clients include a number of sports governing bodies including FIFA, the Asian Football Confederation, the Chinese Football Association, the Scottish Football Association and the Saudi Football Federation, World Sailing, Sport England, the British Boxing Board of Control, the Professional Boxing Association, the Rugby Football Union, the England and Wales Cricket Board, the Lawn Tennis Association, and the All England Lawn Tennis & Croquet Club.

Nick is regularly instructed by Premier League and EFL football clubs and has acted for over 45 clubs in England including Manchester United, Manchester City, Tottenham Hotspurs, Chelsea, Brighton and Hove Albion, Fulham, Newcastle United, Leeds United, AFC Bournemouth, Crystal Palace, West Ham United, Aston Villa, Leicester City, Wolverhampton Wanderers, Nottingham Forest, Sheffield United, Burnley, Watford, Queens Park Rangers, Middlesbrough, Birmingham City, Cardiff City, Coventry City, Swansea City, Reading, Stoke City, Preston North End, Hull City, Blackpool, West Bromwich Albion, Huddersfield Town, Derby County, Ipswich Town, Sheffield Wednesday, Portsmouth, Barnsley, Bolton Wanderers, Peterborough, Forest Green Rovers, Burton Albion, Stevenage, Swindon Town, Barnet and Southend United, as well as Celtic, Dalian Aerbin FC (China), Deportivo Maldonado (Uruguay), Global FC (Philippines), Techiman City (Ghana); and a number of Premier League Rugby clubs.

"Nick has a brilliant courtroom presence, an engaging and persuasive demeanour, and knows the space back to front."

— CHAMBERS AND PARTNERS, 2025

Nick has also acted for a number of top flight professional and former professional football players including: Cristiano Ronaldo, Harry Kane, Jordan Henderson, Lucas Paquetá, Jean-Kévin Augustin, Benjamin Mendy, Adam Lallana, Jamie Vardy, Gareth Barry, Paul Pogba, Alexis Sanchez, Nick Pope, Wilfried Zaha, Ivan Toney, Fernando Luiz Roza, Aaron Wan-Bissaka, Jake Livermore, Joey Barton, Jay Rodriguez, Jonás Gutiérrez, Kiko Femenía, N'Golo Kante, Aymeric Laporte, Imran Louza, Ryan Fredericks, Jimmy Bullard, Andy Cole, Gabriel Heinze, Andre Arshavin, Adrian Mutu, John Obi Mikel, Peter Odemwingie, Peter Beardsley, Mikel John Obi and Aleksandar Mitrović.

Nick has acted in many of the high profile Financial Fair Play cases in England (including acting for Leicester City, Nottingham Forest, Sheffield Wednesday, Derby County, QPR and AFC Bournemouth), and is one of only a small handful of barristers expert in the field. He has also been involved in numerous recent high profile club takeovers of Premier League clubs and regulatory disputes relating to owners and directors. He acts for all of the leading world football agents and their associations and is an internationally acknowledged expert in the regulation of and commercial disputes involving agents and Intermediaries. He has also been involved in the leading football cases concerning Third Party Ownership, betting, doping and discrimination in football.

Nick has a strong practice in motor racing, acting for a number of former and current racing drivers in Formula One, Formula-E and IndyCar, including Felipe Massa and Alex Palou, as well as acting for investors, team principals and teams.

He has acted in many sponsorship and intellectual property disputes in sport, including acting for the ECB and Sky Sport in the landmark 'Fanatix' litigation.

Nick has an extensive role in a range of high profile boxing disputes. In addition to acting for the British Boxing Board of Control in a number of its important cases (ranging from competition law disputes, doping personal injury, employment and discrimination cases and bout appeals), and the Professional Boxing Association, he has acted for or against all the main boxing promoters and boxers Tyson Fury, Amir Khan and Dillian Whyte amongst others.

Nick was previously a Director of Queens Park Rangers FC (2007). He has a unique insight into the football industry including issues relating to football finance, commercial rights, sponsorship, employment law issues with players and managerial staff and regulation by the football governing bodies.

Nick has a wide experience of sports arbitration and is a member of the disciplinary Tribunal of the IAAF. He was Chair of the Judicial Panel of the British Wrestling Association for a number of years and has been appointed as an FA Rule K sole arbitrator in various disputes. He is a member of Sports Resolutions' independent Panel of Arbitrators and Mediators and is a member of the specialist sports list of arbitrators at the Asian International Arbitration Centre.

Nick writes and lectures regularly on sports law. He is author and editor of 'Football and the Law' (Bloomsbury 2018 & 2022) the first comprehensive guide to legal issues in football in the world, co-Author of 'Challenging Sports Governing Bodies' (Bloomsbury, 2016), contributor to 'Lewis & Taylor: Sport and the Law' (Bloomsbury, 2021) and member of the Editorial Board of Law In Sport and Football Legal and the Advisory Board of the Middle East Sports Law Platform He is a director of the British Association for Sport and the Law (BASL). He also started and presents The Sports Law Podcast in association with Blackstone Chambers.

Cases

Southend United FC v The National League

(FA Appeal Panel)

Nick acted for Southend United FC with respect to the decision of an FA Appeal Panel allowing Southend United's appeal against the imposition of various financial conditions on it by the National League. The Club successfully argued that the League was not entitled to impose such conditions where that had been no 'change' in circumstance. The Club also appealed the subsequent imposition of a £1 million bond on it by the League. The written reasons are available [here](#).

UEFA v Morata and Rodri

Nick represented the Gibraltar Football Association, whose complaint gave rise to the decision to institute disciplinary proceedings. UEFA's Control, Ethics and Disciplinary Body imposed a 1-match ban on each of Álvaro Borja Morata, the Spanish national team captain, and Martín Rodrigo Hernández Cascante (or 'Rodri', as he is professionally known). The statement of the Gibraltar FA is [here](#). UEFA's statement is [here](#).

The Premier League v Leicester City FC

PLJP 2024/3

Nick acted for Leicester City FC in a challenge to the Premier League's authority to consider an alleged breach of the Profitability and Sustainability Rules.

The decision of the independent Commission may be found [here](#).

The FA v (1) Michael Standing, (2) FTPM, (3) Gareth Barry, (4) Lee Power (5) Swindon Town Football Club

FA Regulatory Commission, July 2024

Nick acted for the first 3 Participants (two football agents/agencies and the former Premier League and England international player, Gareth Barry) in regulatory proceedings concerning allegations of agents having a prohibited interest in a football club.

The case is significant because the Commission dismissed the charge of secondary liability against all Participants as it found FA Rule E.9, prohibiting agreements or attempts to breach other Rules, was limited to breaches of other FA Rules, and not FA regulations such as the Intermediaries Regulations (see [86] – [100]). In addition, the Commission ruled that FA Intermediary Regulation E8(i), providing a Participant must disclose to The FA a prohibited agreement within 10 days, did not apply to Mr Power as he was not a Participant when he entered the prohibited agreement [80].

A copy of the full written reasons can be found [here](#).

(1) McLaren Indy LLC (2) McLaren Racing Ltd -v- (1) ALPA Racing USA LLC (2) Mr Alex Palou (3) Palou Motorsport SL

Commercial Court (ongoing)

Nick (along with Hollie Higgins) is acting for the Defendant racing driver and companies in a multi-million dollar claim brought by McLaren.

PFA and Premier League proposed Salary Cap

(Ongoing)

Nick is leading counsel (along with junior, Ravi Mehta) acting for the football players' union, the PFA, with respect to the Premier League's proposed player salary cap. Previously, Nick and Ravi successfully acted for the PFA against the EFL League One and League Two salary cap, having it declared unlawful and replaced halfway through the season in *The PFA v The EFL – Football League 1 and 2 Salary Cap Arbitration* (Independent Arbitration Panel, February 2021).

Felipe Massa v (1) Formula One Management Limited (2) Bernard Charles Ecclestone (3) Federation Internationale de l'Automobile

(High Court, ongoing)

Nick is leading counsel for former F1 World Champion Racing Driver, Felipe Massa in a landmark claim in respect to an alleged conspiracy to cover up the outcome of the 2008 F1 Championship and the deliberate crash by Renault's Nelson Piquet Jr.

(1) UKAD (2) British Boxing Board of Control v Conor Benn

NADP Appeal Panel, 2024

Nick acted for the British Boxing Board of Control in its successful appeal against a decision of the National Anti-Doping Panel (NADP) involving the boxer, Mr Benn.

The Premier League v Nottingham Forest FC

FA Appeal Board, May 2024; FA Disciplinary Commission, March 2024

Nick acted for Nottingham Forest FC in relation to a breach of the Premier League's Profitability and Sustainability Rules (PSRs) for the period ending Season 2022/23. The case was heard in accordance with the new "standard directions", which provide for an expedited timetable so that PSR cases can be resolved in the same season the complaint is issued. Nick also acted for the club in its appeal against the decision of the Disciplinary Commission.

The Commission's decision may be found [here](#), and the Appeal decision may be found [here](#).

Leicester City FC v The EFL

League Arbitration Panel, April 2024

Nick acted for the football club in an application for interim relief against the EFL arising out of a letter from the EFL's Chief Executive suggesting the EFL would seek to impose any points deductions imposed by the Premier League with respect to its 2022/23 Profit & Sustainability rules in the 2023/24 Championship season. The application was dismissed, but only upon the EFL unconditionally conceding that it had no power to impose a points deduction ordered by the Premier League in the Championship. A copy of the Decision is available [here](#).

The Scottish FA v Brendan Rodgers (Celtic FC)

Scottish FA Judicial Panel, March 2024

Nick acted for the Celtic manager, Brendan Rodgers with respect to misconduct charges brought relating to Mr Rodgers' comments about Match Officials. The Charge was proven, and Mr Rodgers was suspended for the minimum period of two matches, but with one of those match suspensions suspended.

EFL v Sheffield United FC

EFL Disciplinary Commission Agreed Decision, March 2024

Nick represented Sheffield United Football Club in proceedings relating to the Club's admitted breaches of EFL Regulations concerning late payments to other clubs during the 2022/23 football season. The Agreed Decision can be read here.

Leicester City Football Club v EFL Club Financial Reporting Unit

Before the EFL Independent Club Financial Reporting Panel, January 2024

Nick acted for Leicester City FC in an important case concerning the interpretation of parts of its Profit & Sustainability Rules. Leicester City Football Club successfully challenged the imposition of a 'Business Plan' on it on the basis the EFL Club Financial Reporting Unit was acting outside of its powers. The written reasons can be found here.

Brighton and Hove Albion FC v Chelsea FC

Professional Football Compensation Committee, February 2024

Nick represented Brighton and Hove Albion FC in a claim before the Professional Football Compensation Committee for compensation against Chelsea FC concerning former Academy players Zak Sturge and Shumaira Mheuka.

Benjamin Mendy v Manchester City FC

October 2023, ongoing (Manchester Employment Tribunal)

Nick represented the former Premier League football player, Benjamin Mendy, in his multi-million pound unauthorised deduction from wages claim before the Manchester Employment tribunal.

The Tribunal found that for the most part of the 22-month period wages were not paid, Manchester City had acted unlawfully. A full copy of the judgment is available here.

KSI v The Professional Boxing Association

November 2023

Nick acted for the PBA in relation to an appeal brought by the crossover boxer KSI about the outcome of his fight with Tommy Fury.

Various Premier League Clubs v Everton FC

Ongoing

Nick has been advising and acting for various Premier League clubs with respect to potential claims they have against Everton FC arising out of Everton's breaches of Premier League financial spending rules.

FA v Harry Toffolo

FA Regulatory Commission, September 2023

Nick De Marco KC acted for Nottingham Forest's Harry Toffolo in a hearing before an FA Regulatory Commission involving charges for breaches of The FA Betting Rules. The Player admitted 375 breaches of the betting rules between January 2014 and March 2017. He was given a 5-month suspension from football, but that suspension was itself suspended in its entirety unless he commits another breach of betting rules before the end of the 2024/25 season. The Player was also fined just over £20,000. The case is one of the latest high profile Premier League football betting cases Nick has been instructed in. The full written reasons for the decision of the Regulatory Commission are available [here](#).

Cardiff City FC v EFL

June, 2023

Nick acted for Cardiff City FC in an arbitration and then disciplinary appeal against the EFL leading to an Agreed Decision reducing a fee restriction on Cardiff's ability to pay fees on football transfers and loans from 3 transfer windows to 2 transfer windows, inclusive of the January 2023 winter transfer window. The case related to Cardiff's breach of the '30-day rule' after it paid an initial payment to Nantes FC for the transfer of Emiliano Sala late.

The FA v Ivan Tovey

FA Regulatory Commission, May 2023

Nick represented the Premier League striker, Ivan Tovey, before a Regulatory Commission of The FA considering charges of breaches of The FA Betting Rules. The Commission suspended Mr Tovey from football for a period of 8 months. Their written reasons can be read [here](#).

The FA v (1) Marco da Silva (2) Aleksandar Mitrović

FA Appeal Board, 21 April 2023

Represented Mr Silva and Mr Mitrovic in an appeal before an Appeal Board brought by The FA against the decision of a Regulatory Commission to impose an 2-match touchline suspension on Fulham's manager, Mr Silva, and an 8-match suspension on its player, Mr Mitrovic, following their red cards in Fulham's FA Cup Quarter Final match against Manchester United on 19 March 2023. The Appeal Board rejected both of The FA's appeals that the sanctions were "unduly lenient" and upheld the Regulatory Commission's initial decision. The written reasons for the decision of the Appeal Board are available [here](#), and those of the Regulatory Commission (where Nick had also acted for the manager, player and also Fulham), [here](#).

EFL v (1) Paul Richardson, (2) Maxi Lopez, (3) Matthew Southall

Agreed Decision, 11 April 2023

Nick acted for individuals who had sought to buy Birmingham City FC and were later charged by the EFL with breaches of the Owners and Directors' Test. The Agreed Decision is available [here](#).

UKAD v Amir Khan

(SR/238/2022), 21 February 2023

Nick acted for the retired welterweight world champion boxer, Amir Khan, in proceedings before the National Anti-Doping Panel. On the central issue in dispute in the proceedings, Mr Khan established his anti-doping violation was not intentional. The full written reasons are available [here](#).

Cristiano Ronaldo & Saudi club, Al Nassr

January, 2023

Advising Cristiano Ronaldo & Saudi club, Al Nassr on regulatory matters.

EFL v Coventry City FC

Agreed Decision, 19 December 2022

Nick De Marco KC acted for Coventry City with respect to charges brought by the EFL alleging it failed to fulfil three fixtures at the beginning of the 2022/23 season. The EFL and the Club entered an Agreed Decision with respect to the charges whereby the Club agreed to a five (5) point deduction to be suspended for the remainder of the 2022/2023 season and the 2023/2024 season. A copy of the Agreed Decision is available [here](#).

Project Red Card Sports Data Rights Case (ongoing)

Nick (leading Natasha Simonsen) is acting for IPS law and the Global Sports Data & Technology Group representing players across football, cricket and rugby in landmark legal action concerning the commercial exploitation of players' tracking and performance personal data by betting companies and other third parties.

FA v Imran Louza

(FA Appeal Board, 18 November 2022; FA Regulatory Commission, 21 October 2022)

Nick successfully acted for the Watford and Morocco international midfielder in regulatory and appeal proceedings brought by The FA. The Player had been charged with a breach of FA Rule E1.1 by allegedly spitting at an opposing player towards the end of their Championship game against Swansea City in October 2022. The charge was dismissed by the Commission, and The FA's appeal was dismissed by the Appeal Board. The decision of the Appeal Board provides helpful guidance about the application of the civil standard of proof in FA cases, as well as the threshold for an appeal. The written reasons are available [here](#).

FA v Cristiano Ronaldo

(FA Regulatory Commission, November 2022)

Nick represented Cristiano Ronaldo before an FA Regulatory Commission in relation to a misconduct charge arising out of a match between Everton and Manchester United on 9 April 2022. The Commission imposed a two-match suspension and fine of £50,000 on Mr Ronaldo. The written reasons are available [here](#).

ECB racism disciplinary proceedings

(ECB Cricket Disciplinary Commission, November 2022)

Nick acted for the former professional cricket player and anti-racism whistle-blower Azeem Rafiq in his unprecedented successful application to have the ECB's cricket disciplinary proceedings held in public. Details of the case and issues can be found [here](#).

Various cases involving tax and agents' fees (2017-2022)

Nick has advised and acted for a number of parties (including Premier League Clubs, players and agents) with respect to HMRC tax investigations and recent FA proceedings related to the tax treatment of payments to football agents.

Gloucester Rugby v Worcester Warriors (April, 2022)

Nick acted for the Rugby Premier League side Gloucester in a dispute about an alleged Covid 19 cancellation of a match.

National League v Southend United (April, 2022)

Nick acted for the National League club, Southend United, in proceedings relating to alleged breaches of the National League's financial rules.

Ealing Trailfinders v RFU (April, 2022)

Nick acted for the club against the RFU in a competition law challenge to rules preventing promotion because of stadium capacity issues.

International Olympic Committee (IOC) v. Chijindu Ujah

(CAS 2021/ADD/33)

Nick (alongside Ravi Mehta) represented Mr Ujah in proceedings before the Anti-Doping Division of the Court of Arbitration for Sport (CAS) concerning an alleged Anti-Doping Rule Violation at the Tokyo 2020 Olympics.

Newcastle United FC v the Premier League

(2020-21, Premier League Arbitration Panel, settled October 2021)

Nick (along with Shaheed Fatima KC and Luka Krsljanin) acted for Newcastle United in high-profile arbitral proceedings concerned with which entities would own and/or have the ability to control the club following a takeover. The case settled in October 2021. The Club's takeover was approved after the Premier League received legally binding assurances that the Kingdom of Saudi Arabia will not control the Club.

The Football League (EFL) v Derby County Football Club

Independent Disciplinary Commission, Decision on Sanction, 30 June 2021

Nick (leading Tom Richards) represented the Club before an independent Disciplinary Commission considering sanctions for the Club's breach of the EFL's Profit & Sustainability Rules. The EFL argued that the sanction should include a substantial deduction of points to be applied in the 2020/21 season, which if applied would have relegated Derby. The Commission found a points deduction would be "wholly disproportionate" and instead imposed a fine of £100,000, a reprimand and ordered the Club to submit revised and restated accounts for the years 2016-2018.

The Commission's full written reasons are available [here](#).

Dover Athletic FC v The National League

FA Appeal Board, June 2021

Nick acted for the National League in an appeal brought by the Club against a 12-point deduction and £40,000 fine imposed upon it for failing to fulfil fixtures in the 2020-21 season. The appeal raised issues related to the impact of the Covid-19 pandemic on club finances and appropriate sanctions. The Club's appeal was dismissed. The FA Appeal Panel's Written Reasons can be found [here](#).

EFL v Derby County

League Arbitration Panel

Nick acted for Derby County in an appeal by the EFL relating to a disciplinary charge under the Championship Profit & Sustainability Rules. The appeal concerned a charge that Derby's amortisation policy for player registrations in the financial years 2015/16, 2016/17 and 2017/18 had not complied with Financial Reporting Standard 102.

Newcastle United Football Company Ltd v. The Football Association Premier League Ltd and others

[2021] EWHC 349 (Comm)

Nick (along with Shaheed Fatima KC, & Tom Richards) acted for Newcastle United in a case involving an application to remove an arbitrator pursuant to section 24 of the Arbitration Act 1996. The section 24 application was dismissed but the Club was successful in arguing the Court's judgment should be published in unredacted and un-anonymised form.

Fulham v Liverpool

(Professional Football Compensation Committee, February 2021)

Represented Fulham in its claim for compensation for the training and development of Harvey Elliot on his move to Liverpool. The PFCC awarded a record breaking amount of compensation to Fulham for a 16-year old player.

The PFA v The EFL – Football League 1 and 2 Salary Cap Arbitration

(Independent Arbitration Panel, February 2021)

Acted for the Professional Footballers Association in its arbitral challenge to the English Football League's (EFL) League 1 and League 2 Player Salary Caps – the first salary caps to be introduced in European football. The independent arbitral panel ruled that the EFL acted in breach of the Professional Football Negotiating and Consultative Committee's (PFNCC) constitution by introducing salary caps without proper consideration, consultation or agreement. As a result the Salary Caps were immediately withdrawn.

Fulham Football Club v Craig Kline

Commercial Court, January 2021

Nick acted for the Premier League club in contempt of court proceedings brought against a former employee, Craig Kline, with respect to certain tweets and other posts made by Mr Kline in breach of the Court's orders. Following the hearing of the applications (which Fulham secured be heard in private), Butcher J sitting in the Commercial Court upheld Fulham's two committal applications on 25 November 2020 and fined Mr Kline £25,000 following a sanctions' hearing on 12 January 2021.

Middlesbrough Football & Athletic Club Ltd v Derby County Football Club Limited & the EFL

SR/222/2020 and SR/206/2020

A League Arbitration Panel (Charles Hollander QC, Rt Hon Lord Dyson, David Phillips QC) considered the ability of a non-party to appeal a Disciplinary Commission decision under the English Football League Regulations. The League Arbitration Appeal Panel concluded there was no jurisdiction for MFC to bring its own appeal, and it did not meet the relevant test of standing to intervene in the EFL appeal. Nick appeared for DCFC.

EFL v Sheffield Wednesday FC

Football League Independent Disciplinary Commission, July 2020

Nick (along with John Randall KC and Mark Grant) acted for Sheffield Wednesday in arbitral and disciplinary proceedings between the EFL and the Club relating to its sale of the Hillsborough stadium and the Championship Profit and Sustainability Rules. The decisions of the Disciplinary Commission on liability and sanction are available here. Please also find the written reasons here.

Claims Against British Gymnastics

Nick De Marco KC is part of a team of lawyers and experts representing gymnasts who claim to have suffered from abusive practices and culture within British Gymnastics. More details are available [here](#).

EFL v Derby County FC

(August 2020)

Nick successfully acted for Derby County in high profile disciplinary proceedings relating to the Championship Profit & Sustainability Rules. Charge One involved the Club's valuation of Pride Park Stadium upon its sale in June 2018 and Charge Two its amortisation policy associated with intangible fixed assets (player registrations). Charge One was dismissed and four of the five elements of Charge Two were dismissed. The written reasons can be found [here](#).

Football Salary Cap, Covid-19 and football players' contracts (2000-2021)

Nick acted for the Professional Footballers' Association (PFA) with respect to the EFL's intended League 1 and League 2 Salary Cap, as well as various issues arising from the current Covid-19 health emergency, including football players' wages and their contractual, employment and collective bargaining rights.

Covid-19 and the National League football season

(Summer 2020)

Nick advised the National League (covering level 5 and 6 football in England) about the decision to end the 2019/20 football season resulting from the impact of Covid-19.

EFL v Stevenage FC

EFL Disciplinary Commission, April 2020

Nick successfully acted for Stevenage FC against a charge that the club failed to act towards the EFL with the utmost good faith in requesting and obtaining the League's permission to postpone the game against Oldham Athletic in November 2019. The reasons can be found [here](#):

<https://www.efl.com/news/2020/may/efl-statement-decision-taken-by-independent-disciplinary-commission>.

The FA v Nicky Cowley

Nick represented the Assistant Manager of Huddersfield Town FC following allegations of aggravated misconduct made against him by The FA. The FA dropped all the allegations following a review of the evidence.

The FA v Scott Kashket

FA Regulatory Commission, January 2020

Nick acted for the football player in a case involving betting against FA Rules. The player placed some bets against his own team, but given the exceptional circumstances of the case he was suspended for a period of 2 months, with a 4 further month suspended. Written reasons for the decision are available here.

Richard Keogh vs Derby County Football Club

EFL Player Related Dispute Commission (2020)

Nick acted for the Championship football club in proceedings brought by its former captain for wrongful dismissal.

The FA v Mark Sampson

FA Regulatory Commission [January 2020]

Successfully represented the Stevenage Assistant Manager and former England Women's manager, Mark Sampson, before an FA Regulatory Commission. The charge that Mr Sampson had made an improper and/or abusive comment that was aggravated by reference to race/colour and/or nationality was dismissed after it was found to be not proven by the Commission.

R (Harrison) v British Boxing Board of Control

Acted for Boxing Board of Control successfully resisting application for judicial review.

Football Agents v FIFA

Nick is acting for all major UK football agents in a challenge to FIFA's proposed 3% cap on commission.

Scottish Rugby Union v World Rugby

Advised Scotland Rugby Union in respect to whether Scotland may have been removed from the Rugby World Cup in Japan.

Deportivo Maldonado v Thiago Ferreira & Atlético Paranaense

FIFA DRC (2017-2019); CAS (ongoing)

Representing Uruguayan football club in dispute with Brazilian player and club before the Court of Arbitration for Sport concerning the breach of Article 17 of the FIFA RSTP.

Real Murcia v Middlesbrough

FIFA Player Status Committee (2017-2019); CAS (2020)

Nick acted for the Championship club in international dispute about player transfer before the Court of Arbitration for Sport.

FIFA Advice

Advised FIFA in relation to ongoing litigation.

Alexander Zverev v Ace Group International Ltd

High Court (settled)

Nick acted the former manager of Alexander Zverev (the second youngest player ranked in the top 10 by the Association of Tennis Professionals) concerning a contractual dispute before the High Court. The case involved important restraint of trade arguments and was settled out of court.

The FA v Peter Beardsley (FA Regulatory Commission)

(September 2019)

Acted for the former Liverpool and England international player in relation to charges brought against him by The FA who alleged he used abusive and/or insulting words against youth players. The Football Association [The FA] charged Mr Beardsley with three breaches of FA Rule E3 following the conclusion of initial disciplinary proceedings by Newcastle United FC into allegations of misconduct. Mr Beardsley is disappointed by the decision and has throughout categorically denied the allegations.

The Scottish FA v Scott Brown (April 2019)

Successfully acted for Celtic captain Scott Brown in disciplinary proceedings brought against him for misconduct relating to gestures made at the end of a Celtic v Rangers match. The Charge was found not proven.

The FA v Wayne Hennessey (April 2019)

Successfully acted for Crystal Palace goalkeeper, Wayne Hennessey in charges brought against him for making an alleged Nazi salute at a dinner with other players. The charge was found not proven. The full written reasons are available [here](#).

Wilfried Zaha v The FA (February 2019)

Acted for the Crystal Palace striker in disciplinary proceedings and then an FA Appeal hearing relating to a charge of misconduct against the Player for "sarcastic clapping". The Appeal Board's written reasons are available [here](#).

The FA v West Ham United

Acted for West Ham United FC in regulatory proceedings brought by The FA following pitch incursions and protests at the London Stadium during the club's Premier League fixture against Burnley in March 2018. West Ham was fined £100,000 for the breach. The FA's full written reasons are available [here](#).

FA v David Manasseh

Represented the football agent David Manasseh in FA regulatory proceedings relating to a breach of FA rules about agents entering contracts with minors. Mr Manasseh was suspended from intermediary activity for three months ending on 31 December 2018 and fined £50,000.

England Footballers Image Rights

Advising Harry Kane, Jordan Henderson, Adam Lallana and a number of other England footballers over their Image Rights agreements whilst playing in the national team.

ECB v Ben Stokes & Alex Hales

Acted for the England & Wales Cricket Board in relation to high profile disciplinary proceedings against the English cricket players following their involvement in a street fight and social media breaches.

QPR v Football League; Financial Fair Play Rules arbitration

(Football League Arbitration, main hearing June 2017; appeal settled July 2018)

Acted for QPR and two Premier League football clubs in arbitral challenges to Football League financial fair play rules based on proportionality and competition law.

The FA v Joey Barton

FA Regulatory Commission, April 2017; FA Appeal Board, July 2017

Acted for the Premier League Football player in the most high-profile football betting case of the year and then successfully represented the player in his appeal against sanction.

Scottish FA v FIFA

FIFA and CAS, 2017

Represented the Scottish FA in an appeal against FIFA's disciplinary sanctions arising from the controversial "poppy ban" before FIFA and the CAS.

Massimo Cellino v The FA

FA Appeal Board (January 2017 and October 2017)

Represented the former owner and the Chairman of Leeds United FC in proceedings to overturn disciplinary sanctions imposed against him by The FA.

A law firm v Leeds United FC

High Court (2017) - settled

Acted for the Championship Football Club with respect to a professional negligence counterclaim against a leading solicitor's firm.

(1) England and Wales Cricket Board Ltd, (2) Sky UK Limited v (1) Tixdaq Ltd, (2) Fanatix Limited

[2016] EWHC 575 (Ch); [2016] Bus. L.R. 641

Successfully acted for both the ECB and SKY TV in sports broadcast copyright infringement claim against a website and App creator.

CAS 2015/A/4197, FC Utrecht v Swansea City B.V v Swansea City AFC Ltd

(January 2016)

Acted for the Premier League football club in international commercial arbitration brought by Dutch club concerning sell on fee and transfers of goalkeeper Michel Vorm, Ben Davies and Gylfi Sigurðsson.

FA v Leeds United FC, Derek Day & Massimo Cellino

(FA Regulatory Commission, September 2016) (Appeal Board, Jan 2017 and June 2017)

Represented the football agent in high profile regulatory proceedings arising out of a £10 million player transfer.

De Ridder v ISAF, Court of Arbitration for Sport, Lausanne, 8 December 2014

(CAS 2014/A/3630)

Successfully acted for the International Sailing Federation in appeal proceedings before the Court of Arbitration in Sport in Lausanne, brought by the sailor arising from a finding of cheating in the Americas' Cup.

Baker v British Board of Boxing Control

(September 2014)

Successfully acted for the British Board of Boxing Control in relation to a European and competition law challenge brought by a manager of boxers and others, in proceedings before the Appeal Stewards of the Board and in the High Court.

ICC v James Anderson and ECB v Jadeja

(ICC disciplinary and appeal hearings, August 2014)

Successfully acted for the England & Wales Cricket Board and player in disciplinary proceedings (defending the player) and appeal proceedings (prosecuting the Indian player, Jadeja) arising out of high profile allegations during a Test Match.

ECB v Westfield & Kaneria

[2013] EWHC 1074 (Comm) and ECB Disciplinary and Appeal Board proceedings

Represented the England & Wales Cricket Board in high profile disciplinary and appeal proceedings against Essex County Cricket players related to "spot-betting" fixing in cricket, leading to the lifetime ban of Danish Kaneria. Nick also represented the ECB in the application in the Commercial Court arising out of the same case that led to the landmark decision that a sports appeal process was an arbitration for the purposes of the Arbitration Act.

Commercial

Nick has a strong commercial practice having advised on and/or appeared in a wide range of commercial disputes including commercial fraud, worldwide freezing injunctions, injunctions for breach of confidentiality, search orders, contempt of court proceedings bankruptcy proceedings, partnerships, sale of goods and claims by city bankers for commission and bonuses. He has appeared in the Court of Appeal, the High Court and the County Courts. He has particular experience in both obtaining and resisting High Court injunctions. Nick's sports work also has a heavily commercial focus, he regularly advises and acts in a varied manner of commercial and contractual arbitration disputes as well as High Court sponsorship and copyright claims.

Cases

(1) McLaren Indy LLC (2) McLaren Racing Ltd -v- (1) ALPA Racing USA LLC (2) Mr Alex Palou (3) Palou Motorsport SL

Commercial Court (ongoing)

Nick (along with Hollie Higgins) is acting for the Defendant racing driver and companies in a multi-million dollar claim brought by McLaren.

Felipe Massa v (1) Formula One Management Limited (2) Bernard Charles Ecclestone (3) Federation Internationale de l'Automobile

(High Court, ongoing)

Nick is leading counsel for former F1 World Champion Racing Driver, Felipe Massa in a landmark claim in respect to an alleged conspiracy to cover up the outcome of the 2008 F1 Championship and the deliberate crash by Renault's Nelson Piquet Jr.

Newcastle United Football Company Ltd v. The Football Association Premier League Ltd and others

[2021] EWHC 349 (Comm)

Nick (along with Shaheed Fatima KC, & Tom Richards) acted for Newcastle United in a case involving an application to remove an arbitrator pursuant to section 24 of the Arbitration Act 1996. The section 24 application was dismissed but the Club was successful in arguing the Court's judgment should be published in unredacted and un-anonymised form.

Fulham Football Club v Craig Kline

Commercial Court, January 2021

Nick acted for the Premier League club in contempt of court proceedings brought against a former employee, Craig Kline, with respect to certain tweets and other posts made by Mr Kline in breach of the Court's orders. Following the hearing of the applications (which Fulham secured be heard in private), Butcher J sitting in the Commercial Court upheld Fulham's two committal applications on 25 November 2020 and fined Mr Kline £25,000 following a sanctions' hearing on 12 January 2021.

A law firm v Leeds United FC

High Court (2017) - settled

Acted for the Championship Football Club with respect to a professional negligence counterclaim against a leading solicitor's firm.

(1) England and Wales Cricket Board Ltd, (2) Sky UK Limited v (1) Tixdaq Ltd, (2) Fanatix Limited

[2016] EWHC 575 (Ch); [2016] Bus. L.R. 641

Successfully acted for both the ECB and SKY TV in sports broadcast copyright infringement claim against a website and App creator.

Honda v Amtek

(Commercial Court, 2015, settled)

Acted for car part manufacturer in large contractual dispute with Honda (Led by Robert Anderson QC).

Tamara Ecclestone v Ansol Trading Ltd and Ors

[2014] EWHC 29 (QB) (High Court)

Represented a car dealership defendant in contempt of court proceedings (which were then dropped) brought by the billionaire heiress in relation to a Lamborghini car. He later went on to win the case for his client in a multi-party 7 day High Court trial in which his client was the only one represented solely by junior counsel.

My London Home Ltd v Prime London Residential Ltd and Ors

(High Court, 2014)

Obtained a search order for an estate agent in a confidentiality case.

Kagalovsky and Ors v Altman and Ors

(June 2013, Commercial Court)

Represented the defendant in Contempt of Court proceedings brought by a Russian oligarch in relation to ownership of a Ukrainian television station.

CEF Holdings Ltd v Munday & Ors

[2012] EWHC 1524 (QB)

Successfully represented (along with Robert Howe QC) a number of the defendants in an important new High Court case on springboard injunctions, restrictive covenants and team moves.

Kolles v Force India

(2010-2013)

Acted for the former F1 Team Principal in a substantial high court claim for commission against the F1 team.

Universal City Studios v Lace

(2012)

Acted for the distributors of the DVD film, 'American Warships' in resisting various IP injunctions brought by the producers of the Hollywood 'Battleship' movie.

Remus v BBC and Ors

(High Court, 2012)

Represented the makers of the Oscar winning movie, Room at the Top in a copyright dispute with the BBC and others about attempts to screen a new screenplay based on the same original novel, (led by Ian Mill QC).

Ancillary orders

Involved in obtaining various ancillary orders as part of a large civil fraud claim.

England Footballers Image Rights

Advising Harry Kane, Jordan Henderson, Adam Lallana and a number of other England footballers over their Image Rights agreements whilst playing in the national team.

QPR v Football League; Financial Fair Play Rules arbitration

(Football League Arbitration, main hearing June 2017; appeal settled July 2018)

Acted for QPR and two Premier League football clubs in arbitral challenges to Football League financial fair play rules based on proportionality and competition law.

Employment

Nick has long been rated as a leading practitioner at the Employment Bar. He has a wide and extensive employment law practice.

He specialises in High Court work, regularly obtaining or resisting injunctions relating to confidential information and restrictive covenants.

Nick frequently appears in the Employment Appeals Tribunal and the High Court.

“He is excellent at thinking on his feet and rarely seems to be thrown by anything he comes across.”

— LEGAL 500, 2019

Nick also wrote the section on Sports Cases in *Goulding on Employee Competition* (Second edition) and on *Contempt of Court* in the Third Ed. Nick assists unrepresented appellants before the EAT.

Cases

(1) McLaren Indy LLC (2) McLaren Racing Ltd -v- (1) ALPA Racing USA LLC (2) Mr Alex Palou (3) Palou Motorsport SL

Commercial Court (ongoing)

Nick (along with Hollie Higgins) is acting for the Defendant racing driver and companies in a multi-million dollar claim brought by McLaren.

PFA and Premier League proposed Salary Cap

(Ongoing)

Nick is leading counsel (along with junior, Ravi Mehta) acting for the football players' union, the PFA, with respect to the Premier League's proposed player salary cap. Previously, Nick and Ravi successfully acted for the PFA against the EFL League One and League Two salary cap, having it declared unlawful and replaced halfway through the season in *The PFA v The EFL – Football League 1 and 2 Salary Cap Arbitration* (Independent Arbitration Panel, February 2021).

Benjamin Mendy v Manchester City FC

October 2023, ongoing (Manchester Employment Tribunal)

Nick represented the former Premier League football player, Benjamin Mendy, in his multi-million pound unauthorised deduction from wages claim before the Manchester Employment tribunal.

The Tribunal found that for the most part of the 22-month period wages were not paid, Manchester City had acted unlawfully. A full copy of the judgment is available [here](#).

Fulham Football Club v Craig Kline

Commercial Court, January 2021

Nick acted for the Premier League club in contempt of court proceedings brought against a former employee, Craig Kline, with respect to certain tweets and other posts made by Mr Kline in breach of the Court's orders. Following the hearing of the applications (which Fulham secured be heard in private), Butcher J sitting in the Commercial Court upheld Fulham's two committal applications on 25 November 2020 and fined Mr Kline £25,000 following a sanctions' hearing on 12 January 2021.

Alexander Zverev v Ace Group International Ltd

High Court (settled)

Nick acted the former manager of Alexander Zverev (the second youngest player ranked in the top 10 by the Association of Tennis Professionals) concerning a contractual dispute before the High Court. The case involved important restraint of trade arguments and was settled out of court.

Affinity Financial Awareness Limited v Ferguson & ors

(2016) High Court

Represented company in injunction and claim for breach of restrictive covenants.

Airbus v Rathlavat

(2016) High Court

Represented aircraft manufacturer in injunction and claim for misuse of confidential information.

Henderson v General Municipal and Boilermakers Union

(March 2017) UKEAT/0294/16/LA

Acted for Appellant candidate for General Secretary of the GMB union, successfully appealing decision of the Certification Officer that he had not been unlawfully excluded from standing for the election.

Foxtons Ltd v Clarke

(QBD) 11 January 2016

Obtained an area restraint non-compete interim injunction for estate agents.

Sunrise Brokers v Rodgers

[2014] EWHC 2633 (QB) (July 2014)

Acted for the broker in respect to an application for an injunction and then a speedy trial in an important case about obligations during employment contracts, termination, notice periods, and the right to injunctive relief.

Gabriel-Abraham v Sports Direct

(settled)

Represented (along with Paul Goulding QC) the retailer in case involving 'zero hours' contract dispute.

My London Home Ltd v Prime London Residential Ltd and Ors

(High Court, 2014)

Obtained a search order for an estate agent in a confidentiality case.

CEF Holdings Ltd v Munday & Ors

[2012] EWHC 1524 (QB)

Successfully represented (along with Robert Howe QC) a number of the defendants in an important new High Court case on springboard injunctions, restrictive covenants and team moves.

Cunningham v Allied Irish Bank

(2012)

Acted for the bank in a substantial whistleblowing trial brought by the former Finance Director. He is currently acting for the bank in the EAT.

Unison v Kelly & ors

[2012] EWCA Civ 1148

Successfully represented the Respondent in an important application before the Court of Appeal which had the effect of protecting the Respondents from costs orders in employment related appeals where there is a significant public interest. Nick previously (2012) won in the EAT below on a significant issue of trade union and human rights law, and successfully obtained substantial compensation for the Claimants later in the ET (2013).

Purohit v Hospira

(ET and EAT, 2012)

Nick has successfully represented the Respondent in a number of long discrimination and whistle-blowing trials between the parties in the Employment Tribunal and in resisting appeals in the EAT. He has also obtained multiple costs' orders against the Claimants including maximum costs order in one of the claims.

Media & Entertainment

Nick has advised and acted for a variety of clients including film makers, publishers and professional musicians in disputes concerning copyright claims, a radio station in a dispute with a DJ, claims for an account and contractual disputes between professional musicians over royalty payments and IP rights. He is regularly involved in disputes concerning media rights in the sports industry.

Cases

Project Red Card Sports Data Rights Case (ongoing)

Nick (leading Natasha Simonsen) is acting for IPS law and the Global Sports Data & Technology Group representing players across football, cricket and rugby in landmark legal action concerning the commercial exploitation of players' tracking and performance personal data by betting companies and other third parties.

England Footballers Image Rights

Advising Harry Kane, Jordan Henderson, Adam Lallana and a number of other England footballers over their Image Rights agreements whilst playing in the national team.

(1) England and Wales Cricket Board Ltd, (2) Sky UK Limited v (1) Tixdaq Ltd, (2) Fanatix Limited

[2016] EWHC 575 (Ch); [2016] Bus. L.R. 641

Successfully acted for both the ECB and SKY TV in sports broadcast copyright infringement claim against a website and App creator.

Steve McQueen, The Man & Le Mans

(2016 settled)

Acted in film and television arbitral proceedings in dispute with distributors of movie film involving copyright law issues.

Re Starting at Zero – Jimi Hendrix movie

(2015)

Advised movie director in copyright dispute with producer's estate.

Universal City Studios v Lace

(2012)

Acted for the distributors of the DVD film, 'American Warships' in resisting various IP injunctions brought by the producers of the Hollywood 'Battleship' movie.

Remus v BBC and Ors

(High Court, 2012)

Represented the makers of the Oscar winning movie, Room at the Top in a copyright dispute with the BBC and others about attempts to screen a new screenplay based on the same original novel, (led by Ian Mill QC).

Charles Saatchi v Phaidon Press

(High Court, 2011)

Acts for the Publisher in a copyright dispute with the author.

Arbitration

Nick has a wide experience of sports arbitration and is a member of the disciplinary Tribunal of the IAAF. He was Chair of the Judicial Panel of the British Wrestling Association for a number of years and has been appointed as an FA Rule K sole arbitrator in various disputes. He is a member of Sports Resolutions' independent Panel of Arbitrators and Mediators and is a member of the specialist sports list of arbitrators at the Asian International Arbitration Centre.

He has a special interest in arbitration and was involved in the leading case that established sports disciplinary proceedings can be arbitrations for the purposes of the Arbitration Act (Kaner v ECB). He regularly advises and acts for sports' governing bodies and individuals with respect to the validity and scope of arbitration clauses.

Cases

(1) UKAD (2) British Boxing Board of Control v Conor Benn

NADP Appeal Panel, 2024

Nick acted for the British Boxing Board of Control in its successful appeal against a decision of the National Anti-Doping Panel (NADP) involving the boxer, Mr Benn.

The Premier League v Nottingham Forest FC

FA Appeal Board, May 2024; FA Disciplinary Commission, March 2024

Nick acted for Nottingham Forest FC in relation to a breach of the Premier League's Profitability and Sustainability Rules (PSRs) for the period ending Season 2022/23. The case was heard in accordance with the new "standard directions", which provide for an expedited timetable so that PSR cases can be resolved in the same season the complaint is issued. Nick also acted for the club in its appeal against the decision of the Disciplinary Commission.

The Commission's decision may be found [here](#), and the Appeal decision may be found [here](#).

Leicester City FC v The EFL

League Arbitration Panel, April 2024

Nick acted for the football club in an application for interim relief against the EFL arising out of a letter from the EFL's Chief Executive suggesting the EFL would seek to impose any points deductions imposed by the Premier League with respect to its 2022/23 Profit & Sustainability rules in the 2023/24 Championship season. The application was dismissed, but only upon the EFL unconditionally conceding that it had no power to impose a points deduction ordered by the Premier League in the Championship. A copy of the Decision is available [here](#).

Newcastle United Football Company Ltd v. The Football Association Premier League Ltd and others

[2021] EWHC 349 (Comm)

Nick (along with Shaheed Fatima KC, & Tom Richards) acted for Newcastle United in a case involving an application to remove an arbitrator pursuant to section 24 of the Arbitration Act 1996. The section 24 application was dismissed but the Club was successful in arguing the Court's judgment should be published in unredacted and un-anonymised form.

Fulham Football Club v Craig Kline

Commercial Court, January 2021

Nick acted for the Premier League club in contempt of court proceedings brought against a former employee, Craig Kline, with respect to certain tweets and other posts made by Mr Kline in breach of the Court's orders. Following the hearing of the applications (which Fulham secured be heard in private), Butcher J sitting in the Commercial Court upheld Fulham's two committal applications on 25 November 2020 and fined Mr Kline £25,000 following a sanctions' hearing on 12 January 2021.

EFL v Sheffield Wednesday FC

Football League Independent Disciplinary Commission, July 2020

Nick (along with John Randall KC and Mark Grant) acted for Sheffield Wednesday in arbitral and disciplinary proceedings between the EFL and the Club relating to its sale of the Hillsborough stadium and the Championship Profit and Sustainability Rules. The decisions of the Disciplinary Commission on liability and sanction are available here. Please also find the written reasons here.

FA v Leeds United FC, Derek Day & Massimo Cellino

(FA Regulatory Commission, September 2016) (Appeal Board, Jan 2017 and June 2017)

Represented the football agent in high profile regulatory proceedings arising out of a £10 million player transfer.

QPR v Football League; Financial Fair Play Rules arbitration

(Football League Arbitration, main hearing June 2017; appeal settled July 2018)

Acted for QPR and two Premier League football clubs in arbitral challenges to Football League financial fair play rules based on proportionality and competition law.

Professional Discipline

Nick has a wide range of experience in regulatory work. He has been instructed by the General Medical Council in relation to the regulation of the medical professions (appearing often in the High Court and Employment Tribunals on behalf of the GMC) and has been instructed by various sporting regulatory bodies (such as the British Board of Boxing Control, the English Cricket Board, the Rugby Football Union, the Football Association and the Lawn Tennis Association) and by persons challenging the decisions of regulatory bodies. He often appears before sports' regulatory bodies defending or prosecuting athletes. He has also appeared before the Office of Fair Trading adjudicator, and advised other clients in other OFT cases.

Cases

(1) UKAD (2) British Boxing Board of Control v Conor Benn

NADP Appeal Panel, 2024

Nick acted for the British Boxing Board of Control in its successful appeal against a decision of the National Anti-Doping Panel (NADP) involving the boxer, Mr Benn.

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FA Appeal Board, May 2024; FA Disciplinary Commission, March 2024

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The Commission's decision may be found [here](#), and the Appeal decision may be found [here](#).

Leicester City FC v The EFL

League Arbitration Panel, April 2024

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The FA v Peter Beardsley (FA Regulatory Commission)

(September 2019)

Acted for the former Liverpool and England international player in relation to charges brought against him by The FA who alleged he used abusive and/or insulting words against youth players. The Football Association [The FA] charged Mr Beardsley with three breaches of FA Rule E3 following the conclusion of initial disciplinary proceedings by Newcastle United FC into allegations of misconduct. Mr Beardsley is disappointed by the decision and has throughout categorically denied the allegations.

The Scottish FA v Scott Brown (April 2019)

Successfully acted for Celtic captain Scott Brown in disciplinary proceedings brought against him for misconduct relating to gestures made at the end of a Celtic v Rangers match. The Charge was found not proven.

The FA v Wayne Hennessey (April 2019)

Successfully acted for Crystal Palace goalkeeper, Wayne Hennessey in charges brought against him for making an alleged Nazi salute at a dinner with other players. The charge was found not proven. The full written reasons are available [here](#).

Wilfried Zaha v The FA (February 2019)

Acted for the Crystal Palace striker in disciplinary proceedings and then an FA Appeal hearing relating to a charge of misconduct against the Player for “sarcastic clapping”. The Appeal Board’s written reasons are available [here](#).

The FA v West Ham United

Acted for West Ham United FC in regulatory proceedings brought by The FA following pitch incursions and protests at the London Stadium during the club’s Premier League fixture against Burnley in March 2018. West Ham was fined £100,000 for the breach. The FA’s full written reasons are available [here](#).

FA v David Manasseh

Represented the football agent David Manasseh in FA regulatory proceedings relating to a breach of FA rules about agents entering contracts with minors. Mr Manasseh was suspended from intermediary activity for three months ending on 31 December 2018 and fined £50,000.

The FA v Joey Barton

FA Regulatory Commission, April 2017; FA Appeal Board, July 2017

Acted for the Premier League Football player in the most high-profile football betting case of the year and then successfully represented the player in his appeal against sanction.

ECB v Ben Stokes & Alex Hales

Acted for the England & Wales Cricket Board in relation to high profile disciplinary proceedings against the English cricket players following their involvement in a street fight and social media breaches.

FIFA v West Ham United FC & Diafra Sakho

(FIFA Football Disciplinary Committee (FDC) Proceedings, 4 February 2015)

Represented West Ham and Sakho in case concerning player release for Africa Cup.

Levack & Kleinman v FA

(FA Appeal Panel, April 2014)

Represented football agents in appeal against ban for misconduct.

De Ridder v ISAF, Court of Arbitration for Sport, Lausanne, 8 December 2014

(CAS 2014/A/3630)

Successfully acted for the International Sailing Federation in appeal proceedings before the Court of Arbitration in Sport in Lausanne, brought by the sailor arising from a finding of cheating in the Americas’ Cup.

ICC v James Anderson and ECB v Jadeja

(ICC disciplinary and appeal hearings, August 2014)

Successfully acted for the England & Wales Cricket Board and player in disciplinary proceedings (defending the player) and appeal proceedings (prosecuting the Indian player, Jadeja) arising out of high profile allegations during a Test Match.

Phil Smith v The Football Association

(July 2014)

Represented the football agent, Phil Smith in a successful appeal before the FA Appeal Panel against a ban on Mr Smith practising as a football agent following findings that he had breached provisions of the Agents' Regulations regarding Third Party Ownership. The case is the first one in which an Agent in the UK has been charged with third party interest in a football player, an area in which Nick has specialist expertise.

Barry Town United AFC v Football Association of Wales

(High Court in Wales, August 2013)

Represented the FAW in a High Court challenge brought by the football club concerning their admission into the competition.

ECB v Westfield & Kaneria

[2013] EWHC 1074 (Comm) and ECB Disciplinary and Appeal Board proceedings

Represented the England & Wales Cricket Board in high profile disciplinary and appeal proceedings against Essex County Cricket players related to "spot-betting" fixing in cricket, leading to the lifetime ban of Danish Kaneria. Nick also represented the ECB in the application in the Commercial Court arising out of the same case that led to the landmark decision that a sports appeal process was an arbitration for the purposes of the Arbitration Act.

FA v QPR

(FA Regulatory Commission, May 2011)

Nick acted for QPR in defence of various charges relating to Third Party Investment and Football Agents Regulations. QPR successfully resisted the most serious charges, and the threat of a points deduction was avoided, thus enabling the club to be promoted to the Premier League as winners of the Championship in the most important football legal case since the Tevez litigation.

ACHIEVEMENTS

Education

LLB (Lond), First Class, (Scholarship: Jules Thorn Scholar, Middle Temple)

Publications

- Presenter of the Blackstone Chambers Sports Law Podcast
- Author and editor of 'Football and the Law' (Bloomsbury 2018 & 2022) the first comprehensive guide to legal issues in football in the world
- Contributor to 'Lewis & Taylor: Sport and the Law' (Bloomsbury, 2021)
- Author of Lewis, Taylor, De Marco & Segan, Challenging Sports Governing Bodies (forthcoming, 2016).
- Contributor, Goulding on Employee Competition (3rd ed., 2016) – responsible for the section on contempt of court.
- Contributor, Lewis & Taylor, Sport: Law and Practice (3rd ed.) Co-authored chapter on the financial regulation of sport.
- Contributor, Goulding on Employee Competition (2nd ed., 2011) – responsible for the section on Sports cases.
- Contributor, Lester and Pannick Human Rights Law and Practice 3rd ed (2009) and 2nd ed. (2004) – responsible for the chapter on Art 14 (Discrimination)
- Author, Blackstone's Guide to the Employment Equality Regulations (2004) – a practical guide to the Sexual Orientation and Religion or Belief discrimination regulations
- Former Editor of Sports Law Case Reports for the Journal of the British Association of Sports Law (BASL) (2006-2008)
- Former General Editor, Administrative Court Digest (2002-2005)
- Contributor to Legal Action magazine on UK Human Rights cases (2002-2005)
- Editor of the Venice Commission Bulletin on Constitutional Case Law (2000 - 2001)
- Contributor, European Human Rights Case Summaries, B. Mensah, Cavendish (2002)
- Editor of the UCL Faculty of Laws Jurisprudence Review 2000
- Nick is also editor of Blackstone Chambers' Sports' Law Bulletin online blog and a member of the editorial board of and regular contributor to Law in Sport.

Papers

- The new FA Football Intermediaries Regulations and the disputes likely to arise (26 March 2015)
- 2012 Olympics – Legal challenges to selection - The Lawyer, 2 July 2012
- Euro 2004 ticket case sets precedent for sporting events (World Sports Law Report, Vol 2, Issue 6, June 2004)
- Interpreting Termination Clauses – paper co-written with Monica Carss-Frisk QC for talk given at the IRS "Employment Law in the High Court" conference in May 2004. The paper focussed on PILON clauses, whether a termination clause is a liquidated damages clause or a penalty clause, and the application of UCTA.
- The New Discrimination Regulations – Paper accompanying talk given to ELA voluntary sector conference on the race relations (amendment) act, sexual orientation and religion of belief discrimination regulations (January 2004).
- Sexual Orientation and Religion or Belief discrimination - Defining the grounds (ELA Briefing, Vol. 11, No. 7, Jan/Feb 2004)
- Identity crisis - what constitutes a public body in public law? Co-written with Tom de la Mare (The Lawyer, 11 November 2002, Vol. 16 issue 45)
-

- Can human rights survive the 'war on terrorism'? (The Lawyer, 30 September 2002, Vol. 16 issue 39)
- Marxism and Democracy - Apex and Abrogation (UCL Faculty of Laws Jurisprudence Review 2000 pp. 36-58)

Memberships and Appointments

- Bencher of The Honourable Society of the Middle Temple
- Director of the British Association of Sports Lawyers
- Member of the Editorial Board of Law in Sport
- Member of the Editorial Board of Football Legal
- Member of the Advisory Board of the Middle East Sports Law Platform

Selected earlier reported cases

Sport

- Football Association v Reading FC (FA Regulatory Commission and Appeal Board, 2015)
- Knott v British Horseracing Association (BHA Appeal Panel, April 2015)
- FIFA v West Ham United FC & Diafra Sakho (FIFA Football Disciplinary Committee (FDC) Proceedings, 4 February 2015)
- Malkay Mackay v Cardiff City FC; Cardiff City FC v Iain Moody (Managers Arbitration Tribunal and High Court, May 2014)
- Levack & Kleinman v FA (FA Appeal Panel, April 2014)
- Phil Smith v The Football Association (2014, FA Regulatory Commission and Appeal Board)
- Salisbury Town FC v The Football Conference (FA Appeal Board, August 2014)
- West Ham United v The FA (FA Rule K hearing, February 2014)
- Yogesh Joshee v The Football Association (FA Agents Appeal Panel, January 2014)
- Paul Edwards v UK Athletics and ors (High Court, 2014)
- Ken Bates v Leeds United Football Club (2014, settled)
- Barry Town United AFC v Football Association of Wales (High Court in Wales, August 2013)
- British Horseracing Authority v Knott & Burke (May 2013).
- Dave Jones v Cardiff City Football Club (High Court, April 2013 - settled)
- The Football League v Watford Association Football Club & Bassini (March 2013)
- Kolles v Force India (2010- August 2013)
- Portsmouth FC v Kanu (December 2012)
- FA v Joey Barton (May 2012)
- Andrey Arshavin (FA Rule K Arbitration 2012)
- Jimmy Bullard v Hull City (August 2011-2012, Football League Arbitration)
- Birmingham City v Alex McLeish (June 2011, settled)
- FA v QPR (FA Regulatory Commission, May 2011 – re third party ownership)
- Marcel Seip v Blackpool Football Club (FAPL, May 2011)
- Hasselbaink v Middlesbrough (May 2011)

- Toulouse v West Ham United (High Court, May 2011)
- Fulham v West Ham United (FAPL)
- Fleetwood Town FC v The Football Conference (before the FA Appeal Board, 21 April 2010)
- Bolton Wanderers v Nicolas Anelka (High Court 2009)
- Football Association v Charles Collymore (FA Disciplinary Commission, Autumn 2008 and Spring 2009)
- Mark Connolly v Wolverhampton Wanderers FC (FAPL Disciplinary Commission, Summer 2009)
- Birmingham & Solihull Rugby Club v First Division of Rugby (RFU Competition Appeals Board, 6 May 2008)
- Nike v Tomas Rosicky (High Court (ChD) 9 August 2007)
- Gabriel Heinze v Manchester United FC (Football Premier League Appeals Board, August 2007)
- Fulham FC and Sheffield United FC v The Premier League (High Court, 13 July 2007)
- Dartry Ltd v Narain Karthikeyan (High Court)
- West Ham United FC v The Football Association (FA Appeal Committee, April 2006)
- Rotherham United FC v Southend United FC (Football League, February 2006)
- John Obi Mikel v Manchester United Football Club (FIFA Dispute Resolution Panel)
- 3 Players v International Tennis Federation
- Ryder Cup Limited v Tickets2bThere.com (November 2005)
- Epsom Downs Racecourse Limited v Horan (June 2005)
- Adrian Mutu v Chelsea FC (January 2005)
- Joe Royle v Manchester City Football Club (Court of Appeal, March 2005)
- Enrique De Lucas Martinez v Chelsea FC (June 2005)
- Andy Cole v The Football Association (14 October 2004)
- Swindon FC v Neil Ruddock (December 2002)

Commercial

- Bank of Ireland v Jaffery (Chancery Division, 2012)
- Lombard North Central Plc v Automobile World (UK) Ltd [2010] EWCA Civ 20
- Lombard North Central v Automobile World (April 2008, Leeds County Court)
- World Duty Free v Kirk & ors (December 2007, High Court)
- Frankel v Feldman (2005 - Case No. HC05CO1000)
- Benrache v Stiedl [2003] EWCA Civ 838 – judgment restricted

Employment

- Foxtons v Hassell [2010] EWHC 2199 (QB)
- Humphreys v Quinn Glass (ET, October 2009)
- Dr Igboaka v GMC (EAT June 2009)
- Impellam v Long (High Court and Employment Tribunal 2009)
- Equality and Human Rights Commission v BNP (July 2009)

- Moran v Wakefield (Employment Tribunal 2008)
- Lighthouse Carrwood v Philip Lockett (High Court, November 2007)
- Villars v Kwik Fit (High Court, April 2007)
- Sahatchu v DPP (EAT March 2007)
- Griffiths v Law Society (ET April 2007)
- World Challenge Expeditions v Outlook and Anr (High Court, January 2007)
- Wilkes v Experian (November 2006)
- Roeser v Commerzbank AG (EAT/0552/05)
- Randle v Mapics (UK) (EAT)
- P Campbell v Ministry of Defence (ET)

Media & Entertainment

- Empire Media productions v Calum Best (November 2007)
- Rachmaninov v Sotheby's

Professional Discipline

- Dr Igboaka v GMC (EAT June 2009)
- Football Association v Charles Collymore (FA Disciplinary Commission, Autumn 2008 and Spring 2009)
- Azam v RFU (RFU Appeals Board, October 2009)
- Mark Connolly v Wolverhampton Wanderers FC (FAPL Disciplinary Commission, Summer 2009)
- Dr Alan Tutin v GMC (High Court February 2009)
- Birmingham & Solihull Rugby Club v First Division of Rugby (RFU Competition Appeals Board, 6 May 2008)
- RFU v Bristol Rugby Club (RFU Disciplinary panel, 8 August 2007)
- George Galloway MP v The Labour Party (2003)

Other relevant experience

Nick has a busy international practice, acting for clients in sport from around the world. He took part in the Bar Council trade delegation to South Korea and China, and regularly lectures in sports law throughout the world.

Before going to the Bar, Nick worked as a film and video editor. He was also elected as a trade union representative and student union president.

While at university he won a number of mooted competitions including the Blackstone/Herbert Smith/GTI national mooted competition (1998-1999) and the Inner Temple mooted competition (2000).

Nick is an acclaimed photographer, often travelling the world to take photos. He has published various books including "Cubans" available on Blurb.com. The international photography magazine, Leica Fotografia International, featured a 12-page profile of his work in June 2010 and he was recently interviewed by Lomography magazine (<https://www.lomography.com/magazine/318551-community-amigo-nick-de-marco>). His work has been exhibited in central London.

Nick is a football fan and previous Director of QPR.

A lover of all things Italian, Nick spends much of his spare time in his house in southern Italy where he has a small vineyard and olive grove, making his own organic wine and olive oil.

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