

## £200,000 CLAIM ON FORTES FAILS

### TAKE-OVER DEAL

A £200,000 claim by two men in connexion with the Forte catering group take-over of another business was dismissed in the High Court yesterday.

The plaintiffs, Colonel William Howson, a former Indian Army officer, and Mr. Iain Selbie Torquil Campbell, a former R.A.F. pilot, had sued Mr. Michael Angelo Forte and Forte's (Holdings) Ltd., claiming £200,000 as their share of the profit on the deal, totalling more than £1m.

Mr. Justice John Stephenson, giving judgment, said that in 1953, Mr. Campbell, of Nevern Square, Earls Court, S.W., while working with a firm of stockbrokers, was interested in the catering company of Slater and Bodega.

That company owned properties that were greatly under-valued, and he prepared a scheme that he thought would make at least £1m. for the company that acquired it.

He got in touch with Colonel Howson, of Walsingham Mansions, Fulham Road, Fulham, S.W., who then had a small life assurance broker's business, and who he thought might be able to find a purchaser.

Both men claimed that when the scheme was put to Mr. Michael Forte, a director and shareholder of C. A. and M. Forte (Holdings) Ltd.—now Forte's (Holdings) Ltd.—he agreed they should receive 20 per cent of any profits resulting from the acquisition of a controlling interest by him, by the second defendants or any associate companies in which he had an interest.

This was denied by Mr. Michael Forte and by the second defendants, and the plaintiffs' counsel had conceded he must abandon his claim against Forte's (Holdings) Ltd.

### PUBLIC KNOWLEDGE

The Judge said it was clear that every feature of any importance in Mr. Campbell's scheme was public knowledge by the time he met Mr. Michael Forte. Slaters had already been the subject of take-over bids.

Both defendants maintained that neither the successful take-over bid nor an earlier offer was anything to do with Mr. Michael Forte or with anything said to him by the plaintiffs.

The Judge said he thought Mr. Michael Forte would have been willing to pay Colonel Howson and Mr. Campbell if they had been instrumental in acquiring Slaters, but they were to be paid by results.

He was satisfied that Mr. Michael Forte was not cooperating with his brother, Mr. Charles Forte, head of the group, in any deal behind the backs of their associates.

Mr. Michael Forte had nothing to do with the bid for Slaters, but without a word to the plaintiffs he had abandoned any idea of taking over Slaters on the basis of their scheme, and left his brother to go ahead.

Mr. Michael Forte had assisted the take-over by pledging his substantial shareholding. "To crown it all he thereby made for himself a profit he has refused to share with the plaintiffs", the Judge went on.

On the other hand, he was satisfied they had no legal claim on Mr. Forte and it might be thought unfair if he had to remunerate them out of all proportion to the work they had done unless it was plainly proved he committed himself to such liberality.

He provisionally proposed to award the defendants two-thirds of their costs but he would adjourn generally a final decision.

**£200,000 Claim On Fortes Fails.**

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