

Substituting a New Claimant After a Limitation Period Ends: *AIG Europe Ltd v McCormick and RSA Insurance PLC*

[James Watthey](#) recently appeared in an interesting procedural wrangle on CPR Part 19.5(3)(a) and (b) in *AIG Europe Ltd v McCormick Roofing Ltd & Ors* [2020] EWHC 943 (TCC). This is a TCC claim where proceedings had been commenced in the name of the wrong claimant, and an application was made to correct the error after the end of the Limitation Period.

In a [judgment](#) given by Roger ter Haar KC sitting as a Judge of the High Court and reported this week, the law was in parts clarified and in others apparently expanded. If the decision is followed, CPR Part 19.5(3)(b) may have a wider role in future applications.

James was instructed for the 3rd Party Respondent and the litigation is ongoing.