

Insolvency Seminar @ Malmaison, Birmingham

Wednesday 8th February 2012

Malmaison, One Wharfside Street, Birmingham, B1 1RD

"Good and concise seminar which I would not hesitate to attend again and recommend."

Prior Leeds delegate

For the first time, Guildhall Chambers, recently voted "Chambers of the Year", will host an evening of hot insolvency topics in Birmingham! The seminar will include topics such as the liability of professional advisers for void dispositions, IVA developments and making sense of the veritable flood of cases on the invalid appointment of administrators. The seminar will be followed by complimentary drinks and canapés and a chance to network with the region's top solicitors and IPs.

Key topics covered:

- Corporate and personal insolvency legal update
- Cross-border update on COMI and the end of bankruptcy tourism
- S. 127/284 void dispositions – the liability of professional advisers
- IVA developments and the latest on *Paymex*
- Administrations – validity of appointment

**Fee: £50 + VAT
per delegate**

2 CPD hours

Seminar programme

4.00pm Registration

4.30pm Welcome

4.35pm **Administrations**
Chris Brockman & Jeremy Bamford

- The flood of invalid administrator appointments – a triumph of forms over substance?
- Invalidity bear traps – how to avoid them and how to get out.

4.55pm **Personal and Corporate Insolvency Update**
Holly Doyle & Simon Passfield

5.15pm Tea & Coffee Break

5.20pm **Cross-border Insolvency Update**
Stefan Ramel

- The CJEU on COMI in *Interedil*;
- *Eichler* Mk II: the end of bankruptcy tourism?

5.40pm **A year in IVAs**

Paul French

- Material irregularity
- Voting
- Unfair prejudice
- VAT & *Paymex*

6.00pm **Sections 127/284 – liability of professional advisers**

Stephen Davies QC

- “disposition”
- Quasi bank accounts
- Change of position

6.20pm Drinks & canapés

2 CPD points

Guildhall BAI/GUCH

About the team

Guildhall Chambers continues to dominate the circuit and is host to most of the leading insolvency barristers in the region. Chambers UK 2012

Bristol-based Guildhall Chambers has an “exceptional reputation and commands great respect” nationally for insolvency matters. Chambers UK 2010

The set is made up of a substantial number of “high-level insolvency experts” who are applauded for their “pragmatic and down-to-earth” approach. Chambers UK 2010



Stephen Davies QC (1983; 2000) has appeared in around 100 reported insolvency cases. From March 2009 to March 2010 he was the President of the Insolvency Lawyers' Association and remains an active member of its Council. During 2010 and continuing into 2011 he has advised in many high profile insolvencies, including Lehman, Madoff, AIB and Asil Nadir. During 2011 he has appeared successfully on 3 occasions in cases where the Court of Appeal has clarified the law relating to office-holder remuneration, the use it or lose it rule and provisional liquidators respectively.



Christopher Brockman (1985) practises in all areas of personal and commercial insolvency. Chambers UK 2010: “Having originally been a solicitor, he “has a huge amount of experience under his belt” and proves to be “a highly effective advocate.” He is renowned for his “fantastic client supportiveness” and for his combination of “intellect and commercially savvy common sense.” In 2011 he is described as an “innovative thinker”.



Neil Levy (1986) specialises in banking disputes and advising on financial transactions. He has particular experience of domestic banking transactions, having worked as part of the Lloyds Bank in-house legal team from 1987-92, in London and Bristol. His field of expertise also covers professional negligence in financial transactions, insolvency and commercial disputes. Neil is a contributor to two leading banking textbooks: *Paget's Law of Banking* and *Penn & Shea: The Law Relating to Domestic Banking*.



Jeremy Bamford (1989) has appeared in over 25 reported cases, most recently *HMRC v Cozens* [2011] EWHC 2782 (Ch) (continuance of freezing order in respect of inward diversion excise duty fraud); *SoS v Chohan* [2011] EWHC 1350 (Ch) (CDDA – clarification of allegation of involvement in unauthorised collective investment scheme); *Beattie v Smailes* [2011] EWHC 1563 (Ch) (removal of liquidators investigating tax fraud); *John Smith v Hill* [2010] 2

BCLC 556 (liability of administrators for nuisance); *Re Sixty UK Ltd* [2010] BPIR 1234 (whether guarantor who paid sums in respect of rent was entitled to be reimbursed as administration expense). He is a member of the ILA, R3 and CBA and contributes to *Mithani: Directors' Disqualification*.



Paul French (1989) represents clients in all aspects of corporate, personal and partnership insolvency and acts regularly in all types of asset recovery actions. He is ranked in Chambers 2012 for Restructuring/Insolvency, which says he “is a ‘fount of knowledge in relation to personal insolvency’ and combines being ‘extremely practical and helpful’ with being ‘very academic and responsive’.” It has previously described him as “incredibly quick” with clients appreciating his “enthusiasm and his fantastic brain.” Legal 500 2012 ranks him in Commercial, Insolvency and Property, stating that “his knowledge of law and, in particular case law, is legendary”. He is co-author of *Insolvency and the Enterprise Act 2002* (Jordans), co-editor of *Bankruptcy and Personal Insolvency Law Reports* (Jordans) and joint editor of *Lawson: Individual Voluntary Arrangements* (Jordans).



Matthew Wales (1993) is a busy commercial junior with a practice spanning all types of property disputes and litigation, in the County Court, High Court, Land Registry and Lands Tribunal. His insolvency work is similarly property centred, and includes, for instance, commercial leases, co-ownership, possession and the whole range of issues encountered in the realisation of property assets in an insolvency context.



Nicholas Briggs (1994) specialises in all aspects of corporate and personal insolvency as well as company law. He has represented clients at all levels of court from county court to the House of Lords. In the past 18 months Nicholas has been a partner in a Bristol based law firm heading up the Restructuring and Recovery department in Bristol and London, and supervising 17 lawyers. His work has extended from pre-packs to antecedent transaction litigation. He returns to Guildhall this year to continue his career in

independent practice. Nicholas sits as a Deputy Registrar of the High Court in both the Companies Court and Bankruptcy Court. He is a member of the ILA, R3 and the Chancery Bar Association.



Richard Ascroft's (1995) work spans the full range of insolvency procedures (bankruptcy, administration, liquidations, voluntary arrangements) and has seen him appear in courts at all levels including the House of Lords. He regularly

acts for and against office holders in relation to transaction avoidance claims and directors' misfeasance proceedings. Richard also has significant experience of the company directors' disqualification and bankruptcy restrictions order regimes (he is a contributor to *Mithani: Directors' Disqualification* and has been on the Attorney General's panel of Junior Counsel to the Crown since 2002).



Hugh Sims (1999) specialises in commercial and insolvency litigation and has been recognised as a leading junior in these fields in Chambers UK and Legal 500 for a number of years. His insolvency work covers corporate insolvency, shareholder

disputes, directors' rights and duties, personal insolvency and directors' disqualification. He has contributed to a number of insolvency publications, is a member of the Insolvency Lawyers' Association and R3. Hugh is on the Attorney General's Panels of Junior Counsel to the Crown and accepts instructions for Directors' Disqualification cases from the Crown and Defendants.



Katie Gibb (1999) specialises in insolvency and commercial law. She deals with all aspects of personal and corporate insolvency work and has a particular interest in disputes with a partnership or an employment aspect. In 2007, Katie was

appointed to the Attorney General's Panel of Junior Counsel to the Crown and undertakes company directors' disqualification proceedings. She is recommended in Chambers UK and the Legal 500.



Stefan Ramel's (2002) practice encompasses corporate and personal insolvency law with a particular specialism in cross-border work. He is a member of R3 and the ILA. In November 2010 he was appointed to the Attorney General's Panel of

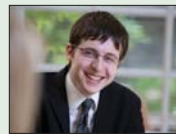
Regional Junior Counsel to the Crown. He is also a contributor to Gore-Browne on Companies. Stefan has recently acted in the Alitalia and Madoff insolvencies.



Ross Fentem (2003) undertakes litigation and advisory work in commercial, banking and finance and associated insolvency law. He is recommended by Chambers and Partners and the Legal 500 for commercial dispute resolution. In his insolvency practice he has particular experience of advising and representing banks and secured creditors in disputes arising out of the preservation and realisation of assets.



Daisy Brown (2006) became a tenant at Guildhall Chambers in 2007 and specialises in property, commercial and insolvency law. Her insolvency work covers litigation and advice in both personal and corporate insolvency including possession and sale applications, annulments, transaction avoidance claims, winding up petitions, administration applications and directors' misfeasance actions. Daisy is a member of R3.



Michael Selway (2007) became a member of Chambers in 2008 and is now a member of the property, commercial and insolvency teams. In the area of insolvency, he deals mainly with property-related aspects of insolvency matters, but also has experience of winding-up and bankruptcy petitions, as well as various other applications.



Holly Doyle (2008) is a member of the commercial and insolvency teams, having completed her pupillage in October 2009 under the supervision of Hugh Sims and Nicholas Briggs. She undertakes both corporate and personal insolvency work and has a particular interest in developing a practice in professional indemnity work.



Simon Passfield (2009) joined Chambers in September 2010 after completing a specialist insolvency pupillage under the supervision of Jeremy Bamford. He undertakes litigation and advisory work in all aspects of personal and corporate insolvency law including possession and sale applications, statutory demand disputes, bankruptcy petitions, winding up petitions and administration.



Guildhall Chambers booking form

Wednesday 8th February 2012

@ Malmaison, One Wharfside Street, Birmingham, B1 1RD

Please complete the form in BLOCK CAPITALS and email to seminars@guildhallchambers.co.uk

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<input type="checkbox"/> Please email me information about future events*	
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Surname	
Job title	
Firm/organisation	
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Email address	
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* we do not sell or pass on our mailing lists

Booking details

Please be advised that places are limited so please book early to guarantee a place.

Delegate fee: £50 + VAT per delegate.

The fee for this seminar includes a comprehensive conference folder and refreshments.

If you would like to register more than four delegates please photocopy the booking form attached.

To book, please use one of the following methods:

Email us at seminars@guildhallchambers.co.uk

Post your completed registration form to: **Insolvency Team Seminar, Guildhall Chambers, 23 Broad Street, Bristol BS1 2HG**

Fax your complete booking form to us on 0117 930 3898

Booking terms: Please send a cheque with your form or wait to be invoiced. A VAT invoice will be sent to you on receipt of your booking form/details. All invoices for this seminar must be paid within 30 days of the invoice date. Cheques are made payable to Guildhall Chambers.

Confirmation of registration: If you have not received confirmation

of your registration one week before the conference, please telephone **0117 930 9000** to confirm that your registration form has been received.

Substitute delegates: Substitute delegates will be accepted at any time – please telephone **0117 930 9000** to let us know the name of the substitute.

Cancellation: Provided written notice is received at least ten days before the seminar, the seminar fee will be refunded less a £20 (+VAT) administration charge.

CPD Accreditation: Under the Law Society's CPD scheme and the Bar Council's New and Established Practitioners' Programme the conference is accredited with 2 CPD points (Law Society reference BAI/GUCH). The seminar will also contribute to CPD requirements under the terms of the ICAEW's CPD policy.

If you have any enquiries, please call Julia Baddeley or Jo Broome on 0117 930 9000 or email seminars@guildhallchambers.co.uk

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