serle court

Daniel Lightman KC

Call: 1995 | Silk: 2016

Technically, Daniel is at the top of his field and spots arguments that others do not. ... a true expert in his field and is impressive both in his written work and on his feet. Great with clients and a real pleasure to work with

CHAMBERS & PARTNERS 2026

dlightman@serlecourt.co.uk +44 (0)20 7242 6105

Daniel Lightman KC has a broad chancery-commercial practice. He often engages with challenging and novel issues of law and civil procedure, in particular concerning shareholder disputes (he has appeared in a number of landmark unfair prejudice petitions and derivative claims), company law (including in matrimonial proceedings), insolvency, civil fraud, breach of fiduciary duty and professional negligence.

Shortlisted for Company / Insolvency Silk of the Year in the Chambers & Partners UK Bar Awards 2024, he is a co-author of two leading practitioner textbooks, contributing two chapters (on derivative claims and unfair prejudice petitions) to Joffe et al., Minority Shareholders: Law, Practice & Procedure (OUP, 7th Ed, 2024) and chapters 12 (duties & liabilities of administrators), 13 (duties & liabilities of receivers) & 29 (court receivers appointed by the court) to Lightman & Moss, The Law of Receivers and Administrators of Companies (6th Ed, 2017).

Other recent publications include: 'Non-members and s 994 petitions: a novel approach' (NLJ, 31 May 2024), 'The rule in Clayton's Case: its application in non-banking relationships' (Butterworths Journal of International Banking & Financial Law, May 2024, pp 309 – 311), 'The light at the end of the tunnel and the last throw of the die: liquidators' claims against former directors following Sequana' (International Insolvency & Restructuring Report 2023-24, pp 11-14), 'Pleading Issues: Pick Your Battles' (NLJ, 27 January 2023), 'Unparalleled Circumstances' (NLJ, 31 July 2020) and 'Restricting Evidence and Cross-Examination' (NLJ, 3 July 2020).

SHORTLISTED UK BAR AWARDS 2026

Daniel Lightman KC
Company/Insolvency Silk of the Year

Contact

6 New Square
Lincoln's Inn, London, WC2A 3QS

DX 1025 LDE
Telephone +44 (0) 20 7242 6105
Fax +44 (0) 20 7405 4004

Out of hours

Nick Hockney: +44 (0)7702 159953
Dan Wheeler: +44 (0)7714 853641

General enquiries

clerks@serlecourt.co.uk

Expertise

Civil Fraud

Recent Cases

- *In re BHS Group Ltd (in liquidation)* [2025] Bus LR 1639; [2024] 1 BCLC 71 – Represented Mr Chandler, one of the former directors of the BHS group of companies, in proceedings brought by the liquidators for alleged breach of duty and wrongful trading. In an important judgment ([2024] 1 BCLC 71) allowing Mr Chandler's appeal against the decision of Deputy ICC Judge Schaffer (*Re BHS Group Ltd* [2022] 2 BCLC 145; [2022] BCC 457), Edwin Johnson J reaffirmed that causation and quantum are essential elements of a cause of action under section 214 of the Insolvency Act 1986, as they are for breach of duty claims under section 212, and that it is essential for liquidators to plead these elements. Further, given the scale of the claims and complexity of the BHS litigation, Edwin Johnson J held, it is not acceptable for a case on the date of knowledge for the purposes of a claim under section 214 to be left "at large" on the pleadings. A specific date or dates must be identified – and it is "*essential that the relevant pleading identifies what the case is on causation and quantum for each of the alternative dates relied upon as the Knowledge Date*". Please click here to read the judgment of Edwin Johnson J in In re *BHS Group Ltd (in liquidation)* [2024] 1 BCLC 71 and here for Daniel's article in the New Law Journal considering this judgment. Edwin Johnson J's judgment ordering the liquidators to pay Mr Chandler's costs, to be subject to an immediate detailed assessment as well as an interim payment of 60%, is reported at [2023] Costs LR 69. After a six-week trial Leech J handed down a judgment ([2025] Bus LR 1639) which, running to 533 pages and 1,160 paragraphs, is reported to be one of the longest in Chancery Division history, in which he dismissed five of the six wrongful trading claims, four of the six misfeasant trading claims and all except two of the nine misfeasance claims against Mr Chandler; the claims against him were subsequently settled.
- *King v Stiefel* [2022] 1 All ER (Comm) 990; The Times, June 4, 2021 – Represented a firm of solicitors and four of its lawyers, five of ten defendants to a £58 million claim in unlawful means conspiracy brought in the Commercial Court by the claimants to previous (discontinued) litigation against the same defendants, their solicitors and QC. Successfully applied to strike out the claim – a rare example of a court striking out a fraud claim. Cockerill J addressed a number of significant legal and procedural issues, including whether the CPR require a defendant to file a defence before applying for summary judgment (she found they don't), the purposes and requirements of a pleading (in particular when pleading fraud), that abuse of process can arise where the relevant issue could have been raised during a costs assessment in relation to previous proceedings and that (save in relation to actions for negligence) an advocate's immunity from suit has not been abolished. Subsequently, Jacobs J ([2023] PNLR 18; [2023] Costs LR 559) considered the requirements for a wasted costs application to pass the "stage 1" test under CPR PD 46, para.5.7(a).
- *Christoforou v Christoforou* [2020] EWHC 1196 (Ch) – Represented the claimant, who claimed that a London property was held on trust for him pursuant to a common intention construction trust, in a successful application to strike out allegations of dishonesty, fraud, and illegality from the defendants' Amended Defence and to exclude those allegations from consideration (and cross-examination) at trial. Please click here to view the judgment of HH Judge Eyre QC (sitting as a High Court Judge) (now Eyre J), and here for 'Restricting Evidence and Cross-Examination', an article by Daniel Lightman KC and Stephanie Thompson in the New Law Journal considering this judgment.
- *Munday v Hilburn* [2015] BPIR 684 – Represented the appellants in their successful appeal against the striking out of their fraud claim as an abuse of process, the lower court having struck out their claim on the basis that when the claim was issued the cause of action was vested not in Mr Munday but in his trustee in bankruptcy. In allowing their appeal, Nugee J held that an abuse of process requires not merely that the claimant ought to have known that he did not have a cause of action but that he had actual knowledge of the lack of title to sue. Please click here to view the judgment of Nugee J.

Contact

6 New Square
Lincoln's Inn, London, WC2A 3QS

DX 1025 LDE
Telephone +44 (0) 20 7242 6105
Fax +44 (0) 20 7405 4004

Out of hours

Nick Hockney: +44 (0)7702 159953
Dan Wheeler: +44 (0)7714 853641

General enquiries

clerks@serlecourt.co.uk

- *Mahdavi v Sterling Avram and Healys LLP* – Represented the claimant, the victim of a fraudulent phantom sale of a property, in claims against both the purported vendor's and the purchaser's solicitors for breach of duty in failing to prevent a fraudulent transfer of a substantial sum, transferred by one solicitors' firm to another for the purpose of the purchase of a property but which were misappropriated by being paid out to third parties by a fraudster working as a consultant at the purported purchaser's law firm. Norris J ([2014 EWHC 4103 (Ch)) directed that the purported vendor's solicitors pay over to the claimant sums recovered through the banking system.
- *HRH Prince Abdulaziz Bin Mishal Bin Abdulaziz Al Saud v Apex Global Management Ltd* [2015] 2 All ER 206, [2015] 1 All ER (Comm) 1183, [2014] 1 WLR 4495, The Times, December 8, 2014 – Represented the respondents in the Supreme Court (and before that the High Court and the Court of Appeal) successfully opposing an appeal by a Saudi Arabian Prince against the dismissal by the Court of Appeal ([2014] EWCA Civ 1106) of his appeals against an unless order and the entry of judgment against him for US$ 7.7m. The Supreme Court stated that the standard form of disclosure by a party requires personal signing by that party. Please click here to view the judgment of the Supreme Court, and here for 'Why Procedure Matters', an article by Daniel Lightman and Thomas Elias in the New Law Journal considering its judgment.
- *Sukhoruchkin v van Bekestein* [2014] EWCA Civ 399 (Court of Appeal) and [2013] EWHC 1993 (Ch) (Morgan J)*:* the High Court and Court of Appeal considered whether a worldwide freezing injunction should be set aside because the claim might be barred by reason of the no reflective loss principle. Please click here to view the judgment of Morgan J and here to view the judgment of the Court of Appeal.
- *Apex Global Management Ltd v Fi Call Ltd [2014] BCC 286: before Vos J, successfully opposed an application by* two Saudi Arabian Princes to set aside the grant of permission to serve them out of the jurisdiction. Please click here to view the judgment of Vos J, here for 'The flexible friend', an article by Daniel Lightman in the New Law Journal considering this judgment, and here for 'Unfair prejudice petitions: long-range missiles for minority shareholders', an article he wrote for JIBF.
- *Re Fi Call Ltd [2013] 1 WLR 2993,* [2013] EMLR 29: successfully opposed in the Court of Appeal an appeal by two Saudi Arabian Princes against whom allegations of serious misconduct had been made against the dismissal of their application for an order that interlocutory hearings should be heard in private to protect their reputations. Please click here to view the judgment of the Court of Appeal.
- *Petrodel Resources v Prest* [2013] 2 AC 415, [2013] 3 WLR 1, [2013] 4 All ER 673, [2014] 1 BCLC 30, [2013] BCC 571, [2013] 2 FLR 732, [2013] 3 FCR 210, [2013] WTLR 1249, [2013] Fam Law 953, The Times, June 24, 2013 – Represented Mrs Prest, the successful appellant, in a landmark Supreme Court decision on the circumstances in which the court can pierce the corporate veil to make orders requiring the transfer to a former wife of assets and property held by offshore companies connected to the husband. Please click here to view the judgment of the Supreme Court, here for 'Lessons from Prest', an article about this judgment by Daniel Lightman and Emma Hargreaves in the New Law Journal, and here for 'Petrodel Resources Ltd v Prest: where are we now?', an article they wrote for Trusts & Trustees.
- *Serious Organised Crime Agency v Perry* [2013] 1 AC 182, [2012] 3 WLR 379, [2012] 4 All ER 795, [2012] 5 Costs LO 668, [2013] 1 Cr App R 6, The Times, August 17, 2012 (Supreme Court); [2011] 1 WLR 2817, [2011] 4 All ER 470, [2011] CP Rep 36, [2011] 3 Costs LO 292, [2011] Lloyd's Rep FC 387, The Times, June 10, 2011 (Court of Appeal); [2010] 1 WLR 2761, [2011] 1 Costs LR 22, The Times, July 22, 2010 (Mitting J) – Represented Mr Perry in his successful appeal to the Supreme Court, which decided that there was no jurisdiction to make a civil recovery order or a property freezing order under the Proceeds of Crime Act 2002 in respect of property located outside the jurisdiction. Please click here to view the judgment of the Supreme Court, and here for 'A drafting enigma', an article Daniel Lightman wrote about that judgment in the New Law Journal.
- *Serious Organised Crime Agency v Perry* [2013] 1 AC 182, [2012] 3 WLR 379, [2012] 4 All ER 795, [2012] 5 Costs LO 668, [2013] 1 Cr App R 6, The Times, August 17, 2012 (Supreme Court); [2011] 1 WLR 542, [2010] CP Rep 43, [2010] Lloyd's Rep FC 606, The Times, October 13, 2010 (Court of Appeal); [2010] 1 WLR 910 (Foskett J) – Represented Mr Perry in his successful appeal to the Supreme Court, which decided that there was no jurisdiction under the Proceeds of Crime Act 2002 for SOCA to give information notices to persons outside the jurisdiction. Please click here to view the judgment of the Supreme Court.

Contact

6 New Square
Lincoln's Inn, London, WC2A 3QS

DX 1025 LDE
Telephone +44 (0) 20 7242 6105
Fax +44 (0) 20 7405 4004

Out of hours

Nick Hockney: +44 (0)7702 159953
Dan Wheeler: +44 (0)7714 853641

General enquiries

clerks@serlecourt.co.uk

- *Ovlas Trading SA v Strand (London) Ltd* [2008] EWHC 3236 (Ch) – Appeared for the claimants before Sir Donald Rattee in their successful opposition to an application for security for costs made by the defendants to a fraud claim. Please click here to view the judgment of Sir Donald Rattee.
- *Fraser v Oystertec plc* [2006] 1 BCLC 491, [2005] BPIR 381: represented the claimants in their successful application that an interim third party debt order be made final notwithstanding the existence of competing creditors. Please click here to view the judgment of Terence Mowschenson KC.
- *Oystertec v Davidson* [2005] BPIR 401: represented the claimant in a case where David Richards J considered the appropriate penalty to be imposed on the defendant for failing to comply with the asset disclosure requirements of a freezing order. Please click here to view the judgment of David Richards J.
- *Uzor v Chinye* [2004] EWHC 827 (Ch) – Represented the defendant, who, after setting aside an ex parte worldwide freezing order, recovered damages under the cross-undertaking in damages. Please click here to view the judgment of David Donaldson KC.
- *Verjee v CIBC Bank and Trust Co (Channel Islands) Ltd* [2001] Lloyd's Law Rep (Banking) 279, [2001] BPIR 1149: represented the creditor in his successful opposition to an application to set aside a statutory demand. In his judgment Hart J considered the scope of the duty owed by a bank to consult its customer before honouring a fraudulently presented cheque. Please click here to view the judgment of Hart J.

Commercial Litigation

Recent Cases

- *Docklock Ltd v Christo & Co Ltd* [2024] EWCA Civ 45: represented the successful appellant in the Court of Appeal, which held that the rule in *Clayton's Case* (the first in, first out rule) operates in the case of a running account between a property management company and its client. Accordingly, payments out of the account were automatically appropriated to sums standing to the credit of the account at the time and were not available to set off against other sums received in a later period. Neither a subsequent Family Division order nor a related settlement agreement between the companies should be construed so as retrospectively to undo that prior appropriation. Please click here to read the judgment of the Court of Appeal, and here for 'The rule in Clayton's Case: its application in non-banking relationships', an article by Daniel in Butterworths Journal of International Banking & Financial Law which considers this judgment.
- *In re BHS Group Ltd (in liquidation)* [2025] Bus LR 1639; [2024] 1 BCLC 71: represented Mr Chandler, one of the former directors of the BHS group of companies, in proceedings brought by the liquidators for alleged breach of duty and wrongful trading. In an important judgment ([2024] 1 BCLC 71) allowing Mr Chandler's appeal against the decision of Deputy ICC Judge Schaffer (*Re BHS Group Ltd* [2022] 2 BCLC 145; [2022] BCC 457), Edwin Johnson J reaffirmed that causation and quantum are essential elements of a cause of action under section 214 of the Insolvency Act 1986, as they are for breach of duty claims under section 212, and that it is essential for liquidators to plead these elements. Further, given the scale of the claims and complexity of the BHS litigation, Edwin Johnson J held, it is not acceptable for a case on the date of knowledge for the purposes of a claim under section 214 to be left "at large" on the pleadings. A specific date or dates must be identified – and it is "*essential that the relevant pleading identifies what the case is on causation and quantum for each of the alternative dates relied upon as the Knowledge Date*". Please click here to read the judgment of Edwin Johnson J in *In re BHS Group Ltd (in liquidation)* [2024] 1 BCLC 71 and here for Daniel's article in the New Law Journal considering this judgment. Edwin Johnson J's judgment ordering the liquidators to pay Mr Chandler's costs, to be subject to an immediate detailed assessment as well as an interim payment of 60%, is reported at [2023] Costs LR 69. After a six-week trial Leech J handed down a judgment ([2025] Bus LR 1639) which, running to 533 pages and 1,160 paragraphs, is reported to be one of the longest in Chancery Division history, in which he dismissed five of the six wrongful trading claims, four of the six misfeasant trading claims and all except two of the nine misfeasance claims against Mr Chandler; the claims against him were

Contact

6 New Square
Lincoln's Inn, London, WC2A 3QS

DX 1025 LDE
Telephone +44 (0) 20 7242 6105
Fax +44 (0) 20 7405 4004

Out of hours

Nick Hockney: +44 (0)7702 159953
Dan Wheeler: +44 (0)7714 853641

General enquiries

clerks@serlecourt.co.uk

subsequently settled. Please click here to read the judgment of Leech J.

- *Kulkarni v Gwent Holdings Limited & St Joseph's Independent Hospital Limited* [2022] EWHC 1368 (Ch): representing Gwent Holdings Limited, successfully opposed an application for summary judgment made by Dr Rohit Kulkarni, a consultant orthopaedic surgeon who is a minority shareholder in the company which owns St Joseph's Hospital in Newport, Gwent. The Court refused either to order the rectification of the company's register of members under section 125 of the Companies Act 2006 with retrospective effect or to grant relief entitling Dr Kulkarni to acquire Gwent's shares compulsorily, noting that "the issue of remediability is unlikely to be suitable for determination in most cases on a summary basis because, as in this case, the court does not have all the evidence it needs to make a determination about the proper construction of the contract and whether on the specific facts the breach was remediable". Subsequently successfully opposed the grant of permission to appeal before Mrs Justice Joanna Smith DBE: [2023] EWHC 1286 (Ch). Please click here to read the judgment of Deputy Master Marsh and here to read the judgment of Joanna Smith J.
- *Taylor Goodchild Ltd v Taylor* [2022] 2 BCLC 27; [2022] BCC 1155: represented the appellant in its successful appeal against the striking out of its claim for damages for breach of fiduciary duty against a former shareholder and director who had also been the respondent to a section 994 petition. The Court of Appeal considered, for the first time, how the guidelines laid down in *Aldi Stores Ltd v WSP Group plc* [2008] 1 WLR 748 (which require a party which intends to bring an additional claim in subsequent proceedings against the same defendant to draw that fact to the attention of the court in the first set of proceedings) should be applied in the context of unfair prejudice petitions. In allowing a law firm's appeal against the decision of Snowden J to strike out as an abuse of process claims it brought against its former director and 50% shareholder who had been found in an earlier unfair prejudice petition to have acted in breach of fiduciary duty, the Court of Appeal queried whether the decision in *Aldi* had in mind "*the rather special position relating to section 994 petitions*". Please click here to view the judgment of the Court of Appeal.
- *King v Stiefel* [2022] 1 All ER (Comm) 990; The Times, June 4, 2021: represented a firm of solicitors and four of its lawyers, five of ten defendants to a £58 million claim in unlawful means conspiracy brought in the Commercial Court by the claimants to previous (discontinued) litigation against the same defendants, their solicitors and QC. Successfully applied to strike out the claim – a rare example of a court striking out a fraud claim. Cockerill J addressed a number of significant legal and procedural issues, including whether the CPR require a defendant to file a defence before applying for summary judgment (she found they don't), the purposes and requirements of a pleading (in particular when pleading fraud), that abuse of process can arise where the relevant issue could have been raised during a costs assessment in relation to previous proceedings and that (save in relation to actions for negligence) an advocate's immunity from suit has not been abolished. Subsequently, Jacobs J ([2023] PNLR 18; [2023] Costs LR 559) considered the requirements for a wasted costs application to pass the "stage 1" test under CPR PD 46, para.5.7(a).
- *Rawlinson & Hunter Trustees SA v ITG Ltd* [2015] EWHC 1664 (Ch); [2015] EWHC 1924 (Ch): represented the defendants, the former trustees of a Tchenguiz family trust, in their successful opposition before Morgan J on the grounds of abuse of process to an application to reintroduce by way of re-amendment of the Particulars of Claim the same claims which the defendants had successfully contended could not properly be served out of the jurisdiction. Please click here to view the judgment of Morgan J.
- *Munday v Hilburn* [2015] BPIR 684: represented the appellants in their successful appeal against the striking out of their fraud claim as an abuse of process, the lower court having struck out their claim on the basis that when the claim was issued the cause of action was vested not in Mr Munday but in his trustee in bankruptcy. In allowing their appeal, Nugee J held that an abuse of process requires not merely that the claimant ought to have known that he did not have a cause of action but actual knowledge of a lack of title to sue. Please click here to view the judgment of Nugee J.
- *Solland International Ltd v Clifford Harris & Co*: decisions of Master Bowles ([2015] EWHC 2018 (Ch)) and (on appeal) Arnold J ([2015] EWHC 3295 (Ch)): the issue arose as to whether a professional negligence claim should be struck out as an abuse of process. Please click here to view the judgment of Arnold J.
- *HRH Prince Abdulaziz Bin Mishal Bin Abdulaziz Al Saud v Apex Global Management Ltd* [2015] 2 All ER 206, [2015] 1 All ER (Comm) 1183, [2014] 1 WLR 4495, The Times, December 8, 2014: represented the respondents in the Supreme Court (and

Contact

6 New Square
Lincoln's Inn, London, WC2A 3QS

DX 1025 LDE
Telephone +44 (0) 20 7242 6105
Fax +44 (0) 20 7405 4004

Out of hours

Nick Hockney: +44 (0)7702 159953
Dan Wheeler: +44 (0)7714 853641

General enquiries

clerks@serlecourt.co.uk

before that the High Court and the Court of Appeal) successfully opposing an appeal by a Saudi Arabian Prince against the dismissal by the Court of Appeal ([2014] EWCA Civ 1106) of his appeals against an unless order and the entry of judgment against him for US$ 7.7m. The Supreme Court stated that the standard form of disclosure by a party requires personal signing by that party. Please click here to view the judgment of the Supreme Court, and here for 'Why Procedure Matters', an article by Daniel Lightman and Thomas Elias in the New Law Journal considering its judgment.

- *Mahdavi v Sterling Avram and Healys LLP*: represent the claimant, the victim of a fraudulent phantom sale of a property, in claims against both the purported vendor's and the purchaser's solicitors for breach of duty in failing to prevent a fraudulent transfer of a substantial sum, transferred by one solicitors' firm to another for the purpose of the purchase of a property but which were misappropriated by being paid out to third parties by a fraudster working as a consultant at the purported purchaser's law firm. Norris J ([2014] EWHC 4103 (Ch)) directed that the purported vendor's solicitors pay over to the claimant sums recovered through the banking system.
- *Sukhoruchkin v van Bekestein* [2014] EWCA Civ 399 (Court of Appeal) and [2013] EWHC 1993 (Ch) (Morgan J): the High Court and Court of Appeal considered whether a worldwide freezing injunction should be set aside because the claim might be barred by reason of the no reflective loss principle. Please click here to view the judgment of Morgan J and here to view the judgment of the Court of Appeal.
- *Apex Global Management Ltd v Fi Call Ltd* [2014] BCC 286: before Vos J, successfully opposed an application by two Saudi Arabian Princes to set aside the grant of permission to serve them out of the jurisdiction. Please click here to view the judgment of Vos J, here for 'The flexible friend', an article by Daniel Lightman in the New Law Journal considering this judgment, and here for 'Unfair prejudice petitions: long-range missiles for minority shareholders', an article he wrote for JIBF.
- *Re Fi Call Ltd* [2013] 1 WLR 2993, [2013] EMLR 29: successfully opposed in the Court of Appeal an appeal by two Saudi Arabian Princes against whom allegations of serious misconduct had been made against the dismissal of their application for an order that interlocutory hearings should be heard in private to protect their reputations. Please click here to view the judgment of the Court of Appeal.
- *Petrodel Resources v Prest* [2013] 2 AC 415, [2013] 3 WLR 1, [2013] 4 All ER 673, [2014] 1 BCLC 30, [2013] BCC 571, [2013] 2 FLR 732, [2013] 3 FCR 210, [2013] WTLR 1249, [2013] Fam Law 953, The Times, June 24, 2013: represented Mrs Prest, the successful appellant, in a landmark Supreme Court decision on the circumstances in which the court can pierce the corporate veil to make orders requiring the transfer to a former wife of assets and property held by offshore companies connected to the husband. Please click here to view the judgment of the Supreme Court, here for 'Lessons from Prest', an article about this judgment by Daniel Lightman and Emma Hargreaves in the New Law Journal, and here for '*Petrodel Resources Ltd v Prest*: where are we now?', an article they wrote for Trusts & Trustees.
- *Serious Organised Crime Agency v Perry* [2013] 1 AC 182, [2012] 3 WLR 379, [2012] 4 All ER 795, [2012] 5 Costs LO668, [2013] 1 Cr App R 6, The Times, August 17, 2012 (Supreme Court); [2011] 1 WLR 2817, [2011] 4 All ER 470, [2011] CP Rep 36, [2011] 3 Costs LO 292, [2011] Lloyd's Rep FC 387, The Times, June 10, 2011 (Court of Appeal); [2010] 1 WLR 2761, [2011] 1 Costs LR 22, The Times, July 22, 2010 (Mitting J): represented Mr Perry in his successful appeal to the Supreme Court, which decided that there was no jurisdiction to make a civil recovery order or a property freezing order under the Proceeds of Crime Act 2002 in respect of property located outside the jurisdiction. Please click here to view the judgment of the Supreme Court, and here for 'A drafting enigma', an article Daniel Lightman wrote about that judgment in the New Law Journal.
- *Serious Organised Crime Agency v Perry* [2013] 1 AC 182, [2012] 3 WLR 379, [2012] 4 All ER 795, [2012] 5 Costs LO 668, [2013] 1 Cr App R 6, The Times, August 17, 2012 (Supreme Court); [2011] 1 WLR 542, [2010] CP Rep 43, [2010] Lloyd's Rep FC 606, The Times, October 13, 2010 (Court of Appeal); [2010] 1 WLR 910 (Foskett J): represented Mr Perry in his successful appeal to the Supreme Court, which decided that there was no jurisdiction under the Proceeds of Crime Act 2002 for SOCA to give information notices to persons outside the jurisdiction. Please click here to view the judgment of the Supreme Court.
- *Solland Projects LLP v Nautiloides Comercio International E Servicos Sociedade Unipessoal LDA* [2012] EWHC 1957 (TCC): represented the claimant in successfully opposing before Coulson J the defendant's application to strike out a claim for

Contact

6 New Square
Lincoln's Inn, London, WC2A 3QS

DX 1025 LDE
Telephone +44 (0) 20 7242 6105
Fax +44 (0) 20 7405 4004

Out of hours

Nick Hockney: +44 (0)7702 159953
Dan Wheeler: +44 (0)7714 853641

General enquiries

clerks@serlecourt.co.uk

damages in a dispute concerning a management contract. Please click here to view the judgment of Coulson J.

- *Ovlas Trading SA v Strand (London) Ltd* [2008] EWHC 3236 (Ch): represented the claimants before Sir Donald Rattee in their successful opposition to an application for security for costs made by the defendants to a fraud claim. Please click here to view the judgment of Sir Donald Rattee.
- *Havai v Solland* [2008] EWHC 2514 (Ch): whether an order for the provision of security for costs should be varied to enable security to be provided by way of a charge over real property. Please click here to view the judgment of Martin Mann QC.
- *BBC v Sugar* [2008] 1 WLR 2289: Acting pro bona, represented the appellants in the first Court of Appeal decision interpreting the requirements of a decision notice by the Information Commissioner under the Freedom of Information Act 2000. Please click here to view the judgment of the Court of Appeal.
- *Expandable Ltd v Rubin* [2008] 1 WLR 1099, [2008] CP Rep 22, [2008] BPIR 314, [2008] NPC 16, The Times, March 10, 2008: first Court of Appeal decision considering the extent of a party's right under CPR rule 31.14 to disclosure of documents mentioned in another party's witness statement. The first-instance decision of Patten J is reported at [2009] BCC 443. Please click here to view the judgment of the Court of Appeal.
- *Fraser v Oystertec plc* [2006] 1 BCLC 491, [2005] BPIR 381: represented the claimants in their successful application that an interim third party debt order be made final notwithstanding the existence of competing creditors. Please click here to view the judgment of Terence Mowschenson QC.
- *Tritton Development Fund Ltd v Fortis Bank (Cayman) Ltd and others* [2006] CILR 268: decision of Cayman Chief Justice Smellie in which he adopted as a matter of Cayman law the doctrine of the application by analogy of statutory limitation periods to claims in equity.
- *Barrett v Universal-Island Records Ltd* [2006] EMLR 21: represented Island Records and members of the Marley family in their successful defence at trial before Lewison J of claim brought by former members of The Wailers alleged to have been in partnership with Bob Marley; an earlier decision of Laddie J on abuse of process was reported in The Times, 24 April 2003. Please click here to view the judgment of Lewison J.
- *Oystertec v Davidson* [2005] BPIR 401: represented the claimant in a case where David Richards J considered the appropriate penalty to be imposed on the defendant for failing to comply with the asset disclosure requirements of a freezing order. Please click here to view the judgment of David Richards J.
- *Uzor v Chinye* [2004] EWHC 827 (Ch): represented the defendant, who, after setting aside an ex parte worldwide freezing order, recovered damages under the cross-undertaking in damages. Please click here to view the judgment of David Donaldson QC.
- *Eid v Al-Kazem*i [2004] EWCA Civ 1811: represented the applicant before Neuberger LJ in a rare successful application under CPR rule 52.9 to set aside the grant of permission to appeal. Please click here to view the judgment of Neuberger LJ.
- *Al-Fayed v Commissioner of Police of the Metropolis* [2004] 148 SJLB 1405: represented Mohammed Al-Fayed in an appeal to the Court of Appeal concerning his claim for damages for false imprisonment. Please click here to view the judgment of the Court of Appeal.
- *Mamidoil-Jetoil Greek Petroleum Co SA v Okta Crude Oil Refinery AD* [2003] 2 All ER (Comm) 640, [2003] 2 Lloyd's Rep 635 (Court of Appeal: judgment of Longmore LJ); [2003] 2 Lloyd's Rep 645, The Times, 19 June 2003, The Independent, 13 June 2003 (Court of Appeal: judgment of Clarke LJ); [2003] 1 Lloyd's Rep 42, [2003] Lloyd's Rep 1, [2003] 2 Costs LR 175, The Times, 27 December 2002 (all Aikens J); [2001] 2 All ER (Comm) 193, [2001] 2 Lloyd's Rep 76 (Court of Appeal); [2001] 1 Lloyd's Rep 591 and [2000] 1 Lloyd's Rep 554 (both Thomas J): represented the defendants in 5 years of litigation concerning a contract to provide oil to the only oil refinery in Macedonia. Please click here to view the second of the three judgments of the Court of Appeal in this case and here for 'Strict Guidelines', an article Daniel wrote for Solicitors' Journal about this judgment.
- *Verjee v CIBC Bank and Trust Co (Channel Islands) Ltd* [2001] Lloyd's Law Rep (Banking) 279, [2001] BPIR 1149: represented

Contact

6 New Square
Lincoln's Inn, London, WC2A 3QS

DX 1025 LDE
Telephone +44 (0) 20 7242 6105
Fax +44 (0) 20 7405 4004

Out of hours

Nick Hockney: +44 (0)7702 159953
Dan Wheeler: +44 (0)7714 853641

General enquiries

clerks@serlecourt.co.uk

the creditor in his successful opposition to an application to set aside a statutory demand. In his judgment Hart J considered the scope of the duty owed by a bank to consult its customer before honouring a fraudulently presented cheque. Please click here to view the judgment of Hart J.

- *Peskin v Anderson* [2001] 1 BCLC 372, [2001] BCC 875 (Court of Appeal); [2000] 2 BCLC 1, [2000] BCC 110 (Neuberger J): represented the claimants (former full members of the RAC) in their claim against the committee of the RAC. The landmark judgment of the Court of Appeal considered the circumstances in which directors owe fiduciary duties directly to shareholders. Please click here to view the judgment of Neuberger J and here to view the judgment of the Court of Appeal.
- *Re Israel-British Bank Ltd (In Liquidation)* [2001] CP Rep 91: Sir Andrew Morritt V-C considered whether English proceedings should be stayed or dismissed on the basis of forum non conveniens in the light of proceedings commenced in Israel.
- *The University of Nottingham v Dr Simon Fishel* [2001] RPC 22, The Times, 31 March 2000, [2000] IRLR 471, [2000] ICR 1462, [2000] ELR 385, [2000] EdCR 505: represented the defendant in his successful defence of claims for breach of contract and breach of fiduciary duty brought against him by the university by which he had been employed as a lecturer. Elias J's important judgment considered the circumstances in which an employee owes fiduciary duties to his employer and the ambit of any such duties. Please click here to view the judgment of Elias J.
- *Mealey Horgan plc v Timothy Horgan*, The Times, 6 July 1999: an early post-CPR decision concerning the use of sanctions under the CPR for breaches of court orders. Please click here to view the judgment of Buckley J.

Company

Recent Cases

- *Webster v ESMS Global Ltd* [2025] EWHC 3107 (Ch): represented the defendants in a case where the company was deadlocked, with the claimants and defendants each controlling an equal number of shares. The claimants sought to appoint an additional director by requiring the company to circulate a written resolution under section 292, but the defendants refused to approve the circulation of that resolution. In a novel judgment, HH Judge Cadwallader (sitting as a High Court Judge) decided that the court has power under section 292 of the Companies Act 2006 to make an order compelling a company to circulate a proposed resolution – even though the statute contains no express stipulation to this effect and instead prescribes a criminal sanction for non-compliance. The judge declined to follow previous previous analysis from leading commentators which had suggested that no such power was available. Please click here to read the judgment of HH Judge Cadwallader.
- *Re Contingent and Future Technologies Ltd* [2024] 2 BCLC 358; [2024] BCC 223: represented the two shareholder respondents to a section 994 petition presented against them by a former shareholder, who had been removed from the company's register of members on the basis of a resolution that he was a "bad leaver". The respondents applied to strike out the petition on the grounds that the petitioner lacked standing, as he was no longer a member of the company. In a landmark judgment, the court made novel use of its case management powers to order a split trial to determine at the first trial whether the register of members should be rectified and whether the petition was well founded. Please click here to read the judgment of ICC Judge Greenwood, and here for 'Non-members and s 994 petitions: a novel approach', Daniel's article in the New Law Journal considering this judgment.
- *Boston Trust Co Ltd v Szerelmey Ltd* [2023] Costs LR 123; [2023] Costs LR 129: represented the company on whose behalf derivative claims had been brought. On the hearing of the claimant's application to continue a costs indemnity order, successfully argued ([2023] Costs LR 123) that that there should be appropriately worded protection against the use of the costs indemnity to fund a separate partnership claim which the derivative claimant had issued after the initial costs indemnity order had been made. The second judgment ([2023] Costs LR 129) concerned how the costs indemnity should operate with respect to (i) any consequentials hearing after trial and (ii) work which would benefit the claimant's partnership

Contact

6 New Square
Lincoln's Inn, London, WC2A 3QS

DX 1025 LDE
Telephone +44 (0) 20 7242 6105
Fax +44 (0) 20 7405 4004

Out of hours

Nick Hockney: +44 (0)7702 159953
Dan Wheeler: +44 (0)7714 853641

General enquiries

clerks@serlecourt.co.uk

claim. Please click here and here to view the two judgments.

- *Re Klimvest plc* [2023] 1 BCLC 388; [2022] BCC 747: represented the petitioner, who successfully petitioned to have a listed plc wound up on the just and equitable ground under section 122(1)(g) of the Insolvency Act 1986 for loss of substratum, following the sale of its assets and business. HH Judge Cawson QC (sitting as a High Court Judge) found that the identification of a company's purpose or substratum is a matter of equity between the company – even a listed plc – and its shareholders, rather than a formalistic exercise in construing the corporate constitution, and that the purpose is lost, potentially triggering winding-up by the Court, not only where carrying it out is "practically impossible" for the company, but also where it has been, or will be, abandoned. Please click here to view the judgment of Judge Cawson QC. Daniel Lightman KC and Max Marenbon wrote two articles analysing this judgment: 'Quasi-Partnerships in Public Companies' (ThoughtLeaders4 Disputes Magazine, Issue 5, pp. 41 and 42) and 'Publicly listed company wound up for loss of substratum (Re Klimvest plc)' (Lexis®PSL, 28 March 2022). Please click here and here to view the two articles.
- *Duneau v Klimt Invest SA* [2023] 1 BCLC 388; [2022] BCC 1258; [2022] Costs LR 1463: representing the petitioner who had obtained a winding-up order, successfully sought an order granting the liquidator permission to apply for an order that the majority shareholder, Klimt Invest SA, pay the company's costs of participating in the petition. Please click here to view the judgment of HH Judge Cawson QC.*Re Prospect Place (Wimbledon) Management Co Ltd* [2022] BCC 1176: instructed on appeal, represented the appellant petitioner in its appeal against the dismissal following trial of its section 994 petition complaining of unfairly prejudicial conduct in relation to the management company of an exclusive private estate in Wimbledon. Mrs Justice Joanna Smith's judgment on appeal considered the circumstances in which the court will grant declaratory relief under section 996 of the Companies Act 2006 which is intended to "send a message" to future directors of a company.
- *Kulkarni v Gwent Holdings Limited & St Joseph's Independent Hospital Limited* [2022] EWHC 1368 (Ch): representing Gwent Holdings Limited, successfully opposed an application for summary judgment made by Dr Rohit Kulkarni, a consultant orthopaedic surgeon who is a minority shareholder in the company which owns St Joseph's Hospital in Newport, Gwent. The Court refused either to order the rectification of the company's register of members under section 125 of the Companies Act 2006 with retrospective effect or to grant relief entitling Dr Kulkarni to acquire Gwent's shares compulsorily, noting that "the issue of remediability is unlikely to be suitable for determination in most cases on a summary basis because, as in this case, the court does not have all the evidence it needs to make a determination about the proper construction of the contract and whether on the specific facts the breach was remediable". Subsequently successfully opposed the grant of permission to appeal before Mrs Justice Joanna Smith DBE: [2023] EWHC 1286 (Ch). Please click here to read the judgment of Deputy Master Marsh and here to read the judgment of Joanna Smith J.
- *Taylor Goodchild Ltd v Taylor* [2022] 2 BCLC 27; [2022] BCC 1155: represented the appellant in its successful appeal against the striking out of its claim for damages for breach of fiduciary duty against a former shareholder and director who had also been the respondent to a section 994 petition. The Court of Appeal considered, for the first time, how the guidelines laid down in *Aldi Stores Ltd v WSP Group plc* [2008] 1 WLR 748 (which require a party which intends to bring an additional claim in subsequent proceedings against the same defendant to draw that fact to the attention of the court in the first set of proceedings) should be applied in the context of unfair prejudice petitions. In allowing a law firm's appeal against the decision of Snowden J to strike out as an abuse of process claims it brought against its former director and 50% shareholder who had been found in an earlier unfair prejudice petition to have acted in breach of fiduciary duty, the Court of Appeal queried whether the decision in *Aldi* had in mind "*the rather special position relating to section 994 petitions*". Please click here to view the judgment of the Court of Appeal.
- *Re Dinglis Properties Ltd* [2021] 1 All ER 685, [2020] 2 BCLC 607, [2020] 2 BCLC 574 and [2020] 1 BCLC 107: represented the respondents to a section 994 petition. In his judgment following a trial of preliminary issues ([2020] 1 BCLC 107; [2019] Bus LR 3100), Adam Johnson J rejected the petitioner's quasi-partnership claim and ordered his shares to be purchased subject to a minority discount. Successfully argued that the costs of that trial should be reserved until after the quantum trial: [2019] Costs LR 1909. Subsequently ([2020] 2 BCLC 574) Adam Johnson J determined the date of valuation of the shares, what adjustments (whether in favour of the petitioner or in favour of the respondents) should be made to the value of

Contact

6 New Square
Lincoln's Inn, London, WC2A 3QS

DX 1025 LDE
Telephone +44 (0) 20 7242 6105
Fax +44 (0) 20 7405 4004

Out of hours

Nick Hockney: +44 (0)7702 159953
Dan Wheeler: +44 (0)7714 853641

General enquiries

clerks@serlecourt.co.uk

petitioner's shareholding, and the correct approach to the calculation of the minority discount to be applied to the petitioner's shares. In a further landmark judgment ([2021] 1 All ER 685; [2021] 1 All ER (Comm) 649; [2020] 2 BCLC 607) Adam Johnson J considered the impact of the Covid-19 crisis on the share purchase order which he had previously made. Please click here to view this further judgment of Adam Johnson J, and here for 'Unparallelled circumstances', Daniel's article in the New Law Journal considering it.

- *In the matter of Global-IP Cayman*: representing the majority shareholder and principal creditor in the Grand Court of the Cayman Islands, successfully argued before Raj Parker J that (i) the case was an exception to the usual rule that the petitioning creditor should be awarded its costs of a winding-up petition (unrep, 21 July 2020) and (ii) the majority shareholder's appointees to the company's board had not been removed from office because on a proper interpretation of the company's articles the relevant board meeting had been inquorate ([2021] (1) CILR 228). Please click here to read the judgment of Raj Parker J in *In the matter of Global-IP Cayman* [2021] (1) CILR 228.
- *Re G&G Properties Ltd* [2020] Bus LR 762; [2020] 1 BCLC 1; [2020] BCC 236: represented the respondents in an appeal to the Court of Appeal, which, in an important judgment, examined the pleading requirements in section 994 petitions. Please click here to view the judgment of the Court of Appeal.
- *Re Bankside Hotels Ltd* (No 2) [2019] 2 BCLC 174: represented parties who successfully opposed before Sir Nicholas Warren an application by the petitioner to join them as respondents to a section 994 petition. Striking out the claim to a share purchase order against the trustees, Sir Nicholas Warren found that even if the settlor of a trust holding 50% of the shares in a company is guilty of unfairly prejudicial conduct in relation to that company as a director of it, the trustees of the settlement are not thereby automatically themselves responsible for or implicated in such conduct or exposed to relief being granted against them in an unfair prejudice petition. Please click here to view the judgment of Sir Nicholas Warren.
- *Re Edwardian Group Ltd, Estera Trust (Jersey) Ltd v Singh* [2019] 1 BCLC 171; [2019] EWHC 873 (Ch); [2020] WTLR 127: represented the principal respondent to a section 994 petition presented by his brother and by a trust company connected to him at two trials before Fancourt J. Fancourt J's judgment following Trial 1 ([2019] 1 BCLC 171), is significant in numerous areas, including the law of fiduciary duties of directors, the requirements needed for a quasi-partnership to arise in relation to a family business, the effect of delay by the petitioner on the grant of relief in an unfair prejudice petition, and the issue whether a petitioner's shares should be valued subject to a minority discount. Fancourt J's judgment following Trial 2 ([2019] EWHC 873 (Ch)) addressed the questions of the amount of the discount to be applied to a minority shareholding and the award of quasi-interest in section 994 petitions. In a further judgment ([2020] WTLR 127; [2019] STI 1554; [2019] STC 1814), Fancourt J refused to restructure the share purchase order he had made to improve the petitioners' tax position in the face of objection from the respondents. Important issues concerning redaction of documents for legal advice privilege and control of expert evidence were addressed, respectively, in judgments of Morgan J ([2017] EWHC 2805 (Ch)) and Nugee J ([2017] EWHC 3112 (Ch)). Please click here, here and here to view the three judgments of Fancourt J.
- *Dinglis v Dinglis* [2019] EWHC 738 (Ch): represented the respondent in a successful application for permission to amend his defence to a section 994 petition concerning a family property development company shortly before trial. Please click here to view the judgment of David Holland QC.
- *Re Bankside Hotels Ltd* [2019] 1 BCLC 434; [2018] BCC 617: represented the respondents before Sir Nicholas Warren, who in a landmark judgment accepted their argument that even though their defence to a section 994 petition had been struck out, the petitioner was nonetheless unable to obtain judgment under CPR r. 3.5, but was required to establish the pleaded allegations of unfair prejudice on which he relied at a trial at which he needed to present sufficient evidence to satisfy the court that there had been unfairly prejudicial conduct. Please click here to view the judgment.
- *Re Pedersen (Thameside) Ltd* [2018] BCC 58: successfully applied on behalf of a 5% shareholder to strike out the claim to relief (a share purchase order) sought against him in an unfair prejudice petition. Please click here to view the judgment of HH Judge Pelling QC and here for 'Unfair Prejudice Petitions: Long-range Missiles for Minority Shareholders', an article Daniel Lightman wrote for JIBFL in which he considered that judgment.
- *Griffith v Gourgey* [2017] EWCA Civ 926: in the context of the striking out of defences to three unfair prejudice petitions for

Contact

6 New Square
Lincoln's Inn, London, WC2A 3QS

DX 1025 LDE
Telephone +44 (0) 20 7242 6105
Fax +44 (0) 20 7405 4004

Out of hours

Nick Hockney: +44 (0)7702 159953
Dan Wheeler: +44 (0)7714 853641

General enquiries

clerks@serlecourt.co.uk

failure to comply with an unless order, the Court of Appeal considered the circumstances in which a court should entertain a second application for relief from sanctions. Please click here to view the judgment of the Court of Appeal.

- In *C v C*, in matrimonial proceedings the husband obtained an *ex parte* order in the Family Court which had the effect of restraining his wife and son from performing their duties as directors of two family-owned companies, Representing the son, Daniel successfully applied to set aside the *ex parte* injunction with indemnity costs, persuading Roberts J, in a landmark judgment ([2016] Fam Law 20), to hold that established company law principles apply in the Family Court, that previous Family Court decisions (notably of Thorpe J in *Poon v Poon* [1994] 2 FLR 857) that all disputes within the family should be litigated in the Family Court should not be followed, and that accordingly the Family Court had no jurisdiction under section 37 of the Matrimonial Causes Act 1973, section 37 of the Senior Courts Act 1981 or its inherent jurisdiction to grant injunctive relief either (i) against company directors who are not the spouses in the matrimonial proceedings or (ii) in respect of assets of the companies of which the spouses are the sole shareholders. Please click here to view the judgment of Roberts J.
- *HRH Prince Abdulaziz Bin Mishal Bin Abdulaziz Al Saud v Apex Global Management Ltd* [2015] 2 All ER 206, [2015] 1 All ER (Comm) 1183, [2014] 1 WLR 4495, The Times, December 8, 2014: represented the respondents in the Supreme Court (and before that the High Court and the Court of Appeal) successfully opposing an appeal by a Saudi Arabian Prince against the dismissal by the Court of Appeal ([2014] EWCA Civ 1106) of his appeals against an unless order and the entry of judgment against him for US$ 7.7m. The Supreme Court stated that the standard form of disclosure by a party requires personal signing by that party. Please click here to view the judgment of the Supreme Court, and here for 'Why Procedure Matters', an article by Daniel Lightman and Thomas Elias in the New Law Journal considering its judgment.
- *Abouraya v Sigmund* [2015] BCC 503: David Richards J held that a multiple derivative claim can be brought at common law in respect of an overseas company. Please click here to view the judgment of David Richards J.
- *Sukhoruchkin v van Bekestein* [2014] EWCA Civ 399 (Court of Appeal) and [2013] EWHC 1993 (Ch) (Morgan J): the High Court and Court of Appeal considered whether a worldwide freezing injunction should be set aside because the claim might be barred by reason of the no reflective loss principle. Please click here to view the judgment of Morgan J and here to view the judgment of the Court of Appeal.
- *Re Fi Call Ltd* [2014] EWHC 779 (Ch): successfully opposed an application for security for costs before Newey J on the basis that the costs associated with a section 994 petition and a cross-petition could not satisfactorily be disentangled. Please click here to view the judgment of Newey J.
- *Apex Global Management Ltd v Fi Call Ltd* [2014] BCC 286: before Vos J, successfully opposed an application by two Saudi Arabian Princes to set aside the grant of permission to serve them out of the jurisdiction. Please click here to view the judgment of Vos J, here for 'The flexible friend', an article by Daniel Lightman in the New Law Journal considering this judgment, and here for 'Unfair prejudice petitions: long-range missiles for minority shareholders', an article he wrote for JIBF.
- *Eckerle v Wickeder Westfalenstahl GmbH* [2014] Ch 96, [2013] 3 WLR 1316, [2014] 1 BCC 1, The Times, April 9, 2013: represented the defendant, who successfully applied to strike out the proceedings, Norris J holding that only a registered member (and not a holder of shares through a nominee) has locus standi to apply under section 98 of the Companies Act 2006 for an order cancelling a resolution for re-registration of a plc as a private company. Please click here to view the judgment of Norris J.
- *Re Fi Call Ltd* [2013] 1 WLR 2993, [2013] EMLR 29: successfully opposed in the Court of Appeal an appeal by two Saudi Arabian Princes against whom allegations of serious misconduct had been made against the dismissal of their application for an order that interlocutory hearings should be heard in private to protect their reputations. Please click here to view the judgment of the Court of Appeal.
- *Petrodel Resources v Prest* [2013] 2 AC 415, [2013] 3 WLR 1, [2013] 4 All ER 673, [2014] 1 BCLC 30, [2013] BCC 571, [2013] 2 FLR 732, [2013] 3 FCR 210, [2013] WTLR 1249, [2013] Fam Law 953, The Times, June 24, 2013: represented Mrs Prest, the successful appellant, in a landmark Supreme Court decision on the circumstances in which the court can pierce the corporate veil to make orders requiring the transfer to a former wife of assets and property held by offshore companies

Contact

6 New Square
Lincoln's Inn, London, WC2A 3QS

DX 1025 LDE
Telephone +44 (0) 20 7242 6105
Fax +44 (0) 20 7405 4004

Out of hours

Nick Hockney: +44 (0)7702 159953
Dan Wheeler: +44 (0)7714 853641

General enquiries

clerks@serlecourt.co.uk

connected to the husband. Please click here to view the judgment of the Supreme Court, here for 'Lessons from Prest', an article about this judgment by Daniel Lightman and Emma Hargreaves in the New Law Journal, and here for '*Petrodel Resources Ltd v Prest*: where are we now?', an article they wrote for Trusts & Trustees.

- *Bamford v Harvey* [2013] Bus LR 589, [2013] BCC 311, The Times, December 7, 2012: Roth J considered the weight to be given to the existence of an alternative remedy when the court considers an application for permission to continue a statutory derivative claim. Please click here to view the judgment.
- *Re Dunstans Publishing Ltd, Fairclough v Dunstans Publishing Ltd* [2012] BCC 515: represented the claimant in his successful application for rectification of a company's register of members, Sir Andrew Morritt C holding that a share transfer notice was a valid notice under the articles notwithstanding that it had been entitled "without prejudice". Please click here to view the judgment of Sir Andrew Morritt C.

Insolvency & Restructuring

Recent Cases

- *East Riding of Yorkshire Council as Administrating Authority of the East Riding Pension Fund v KMG* [2025] Bus LR 2823; [2025] Bus LR 1214, [2025] BCC 249: represented the respondent which successfully opposed two appeals against the dismissal of a winding-up petition in respect of a sub-fund of an investment company incorporated in Luxembourg. In dismissing East Riding's first appeal ([2025] Bus LR 1214), Richard Smith J decided that section 220 of the Insolvency Act 1986 is not capable of encompassing entities that are neither companies nor associations. Rejecting the contention that it would be anomalous if no effective remedy were available in England against foreign cellular structures offering investments in UK assets to UK investors, he held that the sub-fund was not an entity that Parliament reasonably intended to be wound up as an unregistered company. In dismissing East Riding's second appeal ([2025] Bus LR 2823), the Court of Appeal rejected its argument that the sub-fund was an "association" within the meaning of section 220, holding that "to fall within section 220(1), an association must be comprised of persons who have some substantive legal relationship with each other, rather than persons who are connected for purely social or personal reasons or who merely share a common interest". Please click here to read the judgment of Richard Smith J and here to read the judgment of the Court of Appeal.
- *In re BHS Group Ltd (in liquidation)* [2025] Bus LR 1639; [2024] 1 BCLC 71: represented Mr Chandler, one of the former directors of the BHS group of companies, in proceedings brought by the liquidators for alleged breach of duty and wrongful trading. In an important judgment ([2024] 1 BCLC 71) allowing Mr Chandler's appeal against the decision of Deputy ICC Judge Schaffer (*Re BHS Group Ltd* [2022] 2 BCLC 145; [2022] BCC 457), Edwin Johnson J reaffirmed that causation and quantum are essential elements of a cause of action under section 214 of the Insolvency Act 1986, as they are for breach of duty claims under section 212, and that it is essential for liquidators to plead these elements. Further, given the scale of the claims and complexity of the BHS litigation, Edwin Johnson J held, it is not acceptable for a case on the date of knowledge for the purposes of a claim under section 214 to be left "at large" on the pleadings. A specific date or dates must be identified – and it is "*essential that the relevant pleading identifies what the case is on causation and quantum for each of the alternative dates relied upon as the Knowledge Date*". Please click here to read the judgment of Edwin Johnson J in *In re BHS Group Ltd (in liquidation)* [2024] 1 BCLC 71 and here for Daniel's article in the New Law Journal considering this judgment. Edwin Johnson J's judgment ordering the liquidators to pay Mr Chandler's costs, to be subject to an immediate detailed assessment as well as an interim payment of 60%, is reported at [2023] Costs LR 69. After a six-week trial Leech J handed down a judgment ([2025] Bus LR 1639) which, running to 533 pages and 1,160 paragraphs, is reported to be one of the longest in Chancery Division history, in which he dismissed five of the six wrongful trading claims, four of the six misfeasant trading claims and all except two of the nine misfeasance claims against Mr Chandler; the claims against him were subsequently settled. Please click here to read the judgment of Leech J.
- *Re Klimvest plc* [2023] 1 BCLC 388; [2022] BCC 747: represented the petitioner, who successfully petitioned to have a listed

Contact

6 New Square
Lincoln's Inn, London, WC2A 3QS

DX 1025 LDE
Telephone +44 (0) 20 7242 6105
Fax +44 (0) 20 7405 4004

Out of hours

Nick Hockney: +44 (0)7702 159953
Dan Wheeler: +44 (0)7714 853641

General enquiries

clerks@serlecourt.co.uk

plc wound up on the just and equitable ground under section 122(1)(g) of the Insolvency Act 1986 for loss of substratum, following the sale of its assets and business. HH Judge Cawson QC (sitting as a High Court Judge) found that the identification of a company's purpose or substratum is a matter of equity between the company – even a listed plc – and its shareholders, rather than a formalistic exercise in construing the corporate constitution, and that the purpose is lost, potentially triggering winding-up by the Court, not only where carrying it out is "practically impossible" for the company, but also where it has been, or will be, abandoned. Please click here to view the judgment of Judge Cawson QC. Daniel Lightman KC and Max Marenbon wrote two articles analysing this judgment: 'Quasi-Partnerships in Public Companies' (ThoughtLeaders4 Disputes Magazine, Issue 5, pp. 41 and 42) and 'Publicly listed company wound up for loss of substratum (Re Klimvest plc)' (Lexis®PSL, 28 March 2022). Please click here and here to view the two articles.

- *Duneau v Klimt Invest SA* [2023] 1 BCLC 388; [2022] BCC 1258; [2022] Costs LR 1463: representing the petitioner who had obtained a winding-up order, successfully sought an order granting the liquidator permission to apply for an order that the majority shareholder, Klimt Invest SA, pay the company's costs of participating in the petition. Please click here to view the judgment of HH Judge Cawson QC.
- *In the matter of Global-IP Cayman*: representing the majority shareholder and principal creditor in the Grand Court of the Cayman Islands, successfully argued before Raj Parker J that (i) the case was an exception to the usual rule that the petitioning creditor should be awarded its costs of a winding-up petition (unrep, 21 July 2020) and (ii) the majority shareholder's appointees to the company's board had not been removed from office because on a proper interpretation of the company's articles the relevant board meeting had been inquorate ([2021] (1) CILR 228). Please click here to read the judgment of Raj Parker J in *In the matter of Global-IP Cayman [2021] (1) CILR 228.*
- *Munday v Hilburn* [2015] BPIR 684: represented the appellants in their successful appeal against the striking out of their fraud claim as an abuse of process, the lower court having struck out their claim on the basis that when the claim was issued the cause of action was vested not in Mr Munday but in his trustee in bankruptcy. In allowing their appeal, Nugee J held that an abuse of process requires not merely that the claimant ought to have known that he did not have a cause of action but actual knowledge of a lack of title to sue. Please click here to view the judgment of Nugee J.

Professional Negligence

Recent Cases

- *In re BHS Group Ltd (in liquidation)* [2025] Bus LR 1639; [2024] 1 BCLC 71: represented Mr Chandler, one of the former directors of the BHS group of companies, in proceedings brought by the liquidators for alleged breach of duty and wrongful trading. In an important judgment ([2024] 1 BCLC 71) allowing Mr Chandler's appeal against the decision of Deputy ICC Judge Schaffer (*Re BHS Group Ltd* [2022] 2 BCLC 145; [2022] BCC 457), Edwin Johnson J reaffirmed that causation and quantum are essential elements of a cause of action under section 214 of the Insolvency Act 1986, as they are for breach of duty claims under section 212, and that it is essential for liquidators to plead these elements. Further, given the scale of the claims and complexity of the BHS litigation, Edwin Johnson J held, it is not acceptable for a case on the date of knowledge for the purposes of a claim under section 214 to be left "at large" on the pleadings. A specific date or dates must be identified – and it is "*essential that the relevant pleading identifies what the case is on causation and quantum for each of the alternative dates relied upon as the Knowledge Date*". Please click here to read the judgment of Edwin Johnson J in *In re BHS Group Ltd (in liquidation)* [2024] 1 BCLC 71 and here for Daniel's article in the New Law Journal considering this judgment. Edwin Johnson J's judgment ordering the liquidators to pay Mr Chandler's costs, to be subject to an immediate detailed assessment as well as an interim payment of 60%, is reported at [2023] Costs LR 69. After a six-week trial Leech J handed down a judgment ([2025] Bus LR 1639) which, running to 533 pages and 1,160 paragraphs, is reported to be one of the longest in Chancery Division history, in which he dismissed five of the six wrongful trading claims, four of the six misfeasant trading claims and all except two of the nine misfeasance claims against Mr Chandler; the claims against him were subsequently settled.

Contact

6 New Square
Lincoln's Inn, London, WC2A 3QS

DX 1025 LDE
Telephone +44 (0) 20 7242 6105
Fax +44 (0) 20 7405 4004

Out of hours

Nick Hockney: +44 (0)7702 159953
Dan Wheeler: +44 (0)7714 853641

General enquiries

clerks@serlecourt.co.uk

- *King v Stiefel* [2022] 1 All ER (Comm) 990; The Times, June 4, 2021: represented a firm of solicitors and four of its lawyers, five of ten defendants to a £58 million claim in unlawful means conspiracy brought in the Commercial Court by the claimants to previous (discontinued) litigation against the same defendants, their solicitors and QC. Successfully applied to strike out the claim – a rare example of a court striking out a fraud claim. Cockerill J addressed a number of significant legal and procedural issues, including whether the CPR require a defendant to file a defence before applying for summary judgment (she found they don't), the purposes and requirements of a pleading (in particular when pleading fraud), that abuse of process can arise where the relevant issue could have been raised during a costs assessment in relation to previous proceedings and that (save in relation to actions for negligence) an advocate's immunity from suit has not been abolished. Subsequently, Jacobs J ([2023] PNLR 18; [2023] Costs LR 559) considered the requirements for a wasted costs application to pass the "stage 1" test under CPR PD 46, para.5.7(a).
- *Solland International Ltd v Clifford Harris & Co*: decisions of Master Bowles ([2015] EWHC 2018 (Ch)) and (on appeal) Arnold J ([2015] EWHC 3295 (Ch)): the issue arose as to whether a professional negligence claim should be struck out as an abuse of process. Please click here to view the judgment of Arnold J.
- *Mahdavi v Sterling Avram and Healys LLP*: represent the claimant, the victim of a fraudulent phantom sale of a property, in claims against both the purported vendor's and the purchaser's solicitors for breach of duty in failing to prevent a fraudulent transfer of a substantial sum, transferred by one solicitors' firm to another for the purpose of the purchase of a property but which were misappropriated by being paid out to third parties by a fraudster working as a consultant at the purported purchaser's law firm. Norris J ([2014 EWHC 4103 (Ch)) directed that the purported vendor's solicitors pay over to the claimant sums recovered through the banking system.
- *Gladstar Ltd v Layzells* [2014] EWHC 1449 (Ch): Sales J decided whether proceedings brought for damages for breach of a solicitor's undertaking should be struck out as an abuse of process. Please click here to view the judgment of Sales J.
- *Tritton Development Fund Ltd v Fortis Bank (Cayman) Ltd and others* [2006] CILR 268: decision of Cayman Chief Justice Smellie in which he adopted as a matter of Cayman law the doctrine of the application by analogy of statutory limitation periods to claims in equity.
- *Verjee v CIBC Bank and Trust Co (Channel Islands) Ltd* [2001] Lloyd's Law Rep (Banking) 279, [2001] BPIR 1149: represented the creditor in his successful opposition to an application to set aside a statutory demand. In his judgment Hart J considered the scope of the duty owed by a bank to consult its customer before honouring a fraudulently presented cheque. Please click here to view the judgment of Hart J.

Trusts & Probate

Recent Cases

- *Docklock Ltd v Christo & Co Ltd* [2024] EWCA Civ 45: represented the successful appellant in the Court of Appeal, which held that the rule in *Clayton's Case* (the first in, first out rule) operates in the case of a running account between a property management company and its client. Accordingly, payments out of the account were automatically appropriated to sums standing to the credit of the account at the time and were not available to set off against other sums received in a later period. Neither a subsequent Family Division order nor a related settlement agreement between the companies should be construed so as retrospectively to undo that prior appropriation. Please click here to read the judgment of the Court of Appeal, and here for 'The rule in Clayton's Case: its application in non-banking relationships', an article by Daniel in Butterworths Journal of International Banking & Financial Law which considers this judgment.
- *Christoforou v Christoforou* [2020] EWHC 1196 (Ch): represented the claimant, who claimed that a London property was held on trust for him pursuant to a common intention construction trust, in a successful application to strike out allegations of dishonesty, fraud, and illegality from the defendants' Amended Defence and to exclude those allegations from

Contact

6 New Square
Lincoln's Inn, London, WC2A 3QS

DX 1025 LDE
Telephone +44 (0) 20 7242 6105
Fax +44 (0) 20 7405 4004

Out of hours

Nick Hockney: +44 (0)7702 159953
Dan Wheeler: +44 (0)7714 853641

General enquiries

clerks@serlecourt.co.uk

consideration (and cross-examination) at trial. Please click here to view the judgment of HH Judge Eyre QC (sitting as a High Court Judge) (now Eyre J), and here for 'Restricting Evidence and Cross-Examination', an article by Daniel Lightman KC and Stephanie Thompson in the New Law Journal considering this judgment.

- *Estera Trust (Jersey) Ltd v Singh* [2020] WTLR 127: represented the principal respondent to a section 994 petition presented by his brother and by a trust company connected to him at two trials before Fancourt J, who refused to restructure the share purchase order he had made to improve the petitioners' tax position in the face of objection from the respondents. Please click here to view the judgment of Fancourt J.

  Re Bankside Hotels Ltd (No 2) [2019] 2 BCLC 174: represented parties who successfully opposed before Sir Nicholas Warren an application by the petitioner to join them as respondents to a section 994 petition. Striking out the claim to a share purchase order against the trustees, Sir Nicholas Warren found that even if the settlor of a trust holding 50% of the shares in a company is guilty of unfairly prejudicial conduct in relation to that company as a director of it, the trustees of the settlement are not thereby automatically themselves responsible for or implicated in such conduct or exposed to relief being granted against them in an unfair prejudice petition. Please click here to view the judgment of Sir Nicholas Warren.

- *Rawlinson & Hunter Trustees SA v ITG Ltd* [2015] EWHC 1664 (Ch); [2015] EWHC 1924 (Ch): for the defendants, the former trustees of a Tchenguiz family trust, successfully opposing before Morgan J on the grounds of abuse of process an application to reintroduce by way of re-amendment of the Particulars of Claim the same claims which the defendants had successfully contended could not properly be served out of the jurisdiction. Please click here to view the judgment of Morgan J.
- *Singh v Singh* [2014] EWHC 1060 (Ch) & [2014] EWCA Civ 1650: represented the hotelier Jasminder Singh in (i) his successful defence before Sir William Blackburne after a 5-week trial of a claim by his father that his business empire was held on constructive trust for the male members of his family in accordance with the Mitakshara and (ii) the dismissal of the father's appeal by the Court of Appeal. Please click here to view the judgment of Sir William Blackburne and here to view the judgment of Patten LJ.
- *Petrodel Resources v Prest* [2013] 2 AC 415, [2013] 3 WLR 1, [2013] 4 All ER 673, [2014] 1 BCLC 30, [2013] BCC 571, [2013] 2 FLR 732, [2013] 3 FCR 210, [2013] WTLR 1249, [2013] Fam Law 953, The Times, June 24, 2013: represented Mrs Prest, the successful appellant, in a landmark Supreme Court decision on the circumstances in which the court can pierce the corporate veil to make orders requiring the transfer to a former wife of assets and property held by offshore companies connected to the husband. Please click here to view the judgment of the Supreme Court, here for 'Lessons from Prest', an article about this judgment by Daniel Lightman and Emma Hargreaves in the New Law Journal, and here for '*Petrodel Resources Ltd v Prest*: where are we now?', an article they wrote for Trusts & Trustees.

Matrimonial Finance: Trusts & Company Law

Daniel Lightman KC has made his mark ensuring that company and trusts law principles are recognised in the Family Courts. Before taking Silk, for two years he was the only barrister not exclusively a family practitioner who was ranked for Family Law (including Divorce and Financial Remedy) in Legal 500. He is, and has been for several years, the only Silk who is not exclusively a family practitioner ranked by Legal 500 in that practice area. He is also ranked by Chambers & Partners in Family / Matrimonial: Trusts / Tax Experts, is included in the Citywealth Leaders List for Barristers – Family and Matrimonial and has been shortlisted for Family Barrister of the Year in the Citywealth Magic Circle Awards 2026.

In addition to the three widely publicised cases referred to below, he has advised and represented parties to matrimonial proceedings in a number of other, confidential, cases, including where issues have arisen as to (i) whether a minority shareholding in a private company should be valued subject to a minority discount – an issue which is highly significant financially in an increasing number of high value matrimonial disputes – and (ii) how to protect the spouse's rights and interests as a shareholder (if

Contact

6 New Square
Lincoln's Inn, London, WC2A 3QS

DX 1025 LDE
Telephone +44 (0) 20 7242 6105
Fax +44 (0) 20 7405 4004

Out of hours

Nick Hockney: +44 (0)7702 159953
Dan Wheeler: +44 (0)7714 853641

General enquiries

clerks@serlecourt.co.uk

necessary by issuing proceedings in the Companies Court), while at the same time seeking remedies in the Family Courts.

Recent Cases

- In *Versteegh v Versteegh* (reported as *W v W* [2017] EWHC 123 (Fam)), representing the husband in high-value matrimonial proceedings, he persuaded Sir Peter Singer that he should transfer shares in family companies, rather than pay a lump sum, to the wife, and that the shares she should be given should be ordinary, not preference, shares.
- In *C v C*, in matrimonial proceedings the husband obtained an *ex parte* order in the Family Court which had the effect of restraining his wife and son from performing their duties as directors of two family-owned companies, Representing the son, Daniel successfully applied to set aside the *ex parte* injunction with indemnity costs, persuading Roberts J, in a landmark judgment ([2016] Fam Law 20), to hold that established company law principles apply in the Family Court, that previous Family Court decisions (notably of Thorpe J in *Poon v Poon* [1994] 2 FLR 857) that all disputes within the family should be litigated in the Family Court should not be followed, and that accordingly the Family Court had no jurisdiction under section 37 of the Matrimonial Causes Act 1973, section 37 of the Senior Courts Act 1981 or its inherent jurisdiction to grant injunctive relief either (i) against company directors who are not the spouses in the matrimonial proceedings or (ii) in respect of assets of the companies of which the spouses are the sole shareholders. Please click here to view the judgment.
- *Petrodel Resources v Prest* [2013] 2 AC 415, [2013] 3 WLR 1, [2013] 4 All ER 673, [2014] 1 BCLC 30, [2013] BCC 571, [2013] 2 FLR 732, [2013] 3 FCR 210, [2013] WTLR 1249, [2013] Fam Law 953, The Times, June 24, 2013: represented Mrs Prest, the successful appellant, in a landmark Supreme Court decision on the circumstances in which the court can pierce the corporate veil to make orders requiring the transfer to a former wife of assets and property held by offshore companies connected to the husband. Please click here to view the judgment of the Supreme Court, here for 'Lessons from Prest', an article about this judgment by Daniel Lightman and Emma Hargreaves in the New Law Journal, and here for '*Petrodel Resources Ltd v Prest*: where are we now?', an article they wrote for Trusts & Trustees.

Testimonials

"Technically, Daniel is at the top of his field and spots arguments that others do not. ... a true expert in his field and is impressive both in his written work and on his feet. Great with clients and a real pleasure to work with"

Chambers & Partners 2026

"Daniel Lightman is an extremely intelligent advocate who provides cutting-edge and practical legal analysis of complex corporate disputes."

Chambers & Partners 2026

"Daniel is accessible, very intelligent and fastidious in his approach. He is a really good strategist, who can break things down into digestible bits of information. He's also great with clients."

Chambers & Partners 2026

"Daniel Lightman KC has a massive brain."

Contact

6 New Square
Lincoln's Inn, London, WC2A 3QS

DX 1025 LDE
Telephone +44 (0) 20 7242 6105
Fax +44 (0) 20 7405 4004

Out of hours

Nick Hockney: +44 (0)7702 159953
Dan Wheeler: +44 (0)7714 853641

General enquiries

clerks@serlecourt.co.uk

Chambers & Partners 2026

“Dan is a genius and a top expert on unfair prejudice.”

Chambers & Partners 2026

“Daniel is an excellent technician and exquisite draftsman.”

Chambers & Partners 2026

“Daniel Lightman KC is a fantastic black-letter lawyer. He's a really bright individual, very hands-on and very harmonious.”

Chambers & Partners 2026

“Daniel Lightman KC is a true expert in his field and is impressive both in his written work and on his feet. Great with clients and a real pleasure to work with.”

Chambers & Partners 2026

“He is a very clear and compelling advocate.”

Chambers & Partners 2026

“Daniel is a genuine authority on all things minority shareholder disputes.”

Chambers & Partners 2026

“Like a ferret up a drainpipe, Daniel will go to all lengths to find a creative solution.”

Chambers & Partners 2026

“Daniel has a first-rate intellect, deep knowledge of the law and is extremely wise on matters of strategy.”

Legal 500 2026

“'His intellect and mastery of the law is outstanding' ... 'He has good judgement and a sixth sense for what the court will decide'.”

Legal 500 2026

“Daniel knows everything there is to know about insolvency and company law, and judges really trust his authority on difficult legal points.”

Legal 500 2026

Contact

6 New Square
Lincoln’s Inn, London, WC2A 3QS

DX 1025 LDE
Telephone +44 (0) 20 7242 6105
Fax +44 (0) 20 7405 4004

Out of hours

Nick Hockney: +44 (0)7702 159953
Dan Wheeler: +44 (0)7714 853641

General enquiries

clerks@serlecourt.co.uk

"Daniel's real strength is a deep analysis of case law and clinical presentation of the law. The advocacy is not showy, but rather on point and precise."

Legal 500 2026

"Daniel is special. He is somebody for whom there is no length that he will not go to find a solution for your problem."

Chambers & Partners 2025

"Daniel is, and always has been, a great strategist, whose advocacy is focused and persuasive. Perhaps most significantly, judges respect him and defer to his company law knowledge."

Chambers & Partners 2025

"Daniel is a master at distilling complex legal arguments and facts into easily digestible and highly persuasive skeleton arguments."

Chambers & Partners 2025

"Daniel is incredibly thorough, can see points people don't think of."

Chambers & Partners 2025

"He is an oracle of all things shareholder dispute. He is a great intellect whilst remaining a persuasive advocate."

Chambers & Partners 2025

"Daniel is my go-to leading counsel for shareholder disputes. He is also an effective advocate and a great cross-examiner."

Chambers & Partners 2025

"Daniel is unparalleled in his experience of shareholder disputes and expertise. He is an effective advocate and a great cross-examiner. He's diligent and hard-working."

Chambers & Partners 2025

"He is all over the detail and a clear lateral thinker."

Chambers & Partners 2025

"He's able to nimbly deal with challenging clients in a way that maintains confidence in the relationship."

Chambers & Partners 2025

"What is interesting about Daniel is he is willing to take risks for a client and thinks of creative tactical things that a client should

Contact

6 New Square
Lincoln's Inn, London, WC2A 3QS

DX 1025 LDE
Telephone +44 (0) 20 7242 6105
Fax +44 (0) 20 7405 4004

Out of hours

Nick Hockney: +44 (0)7702 159953
Dan Wheeler: +44 (0)7714 853641

General enquiries

clerks@serlecourt.co.uk

consider. He is brave in that way, which adds value."

Chambers & Partners 2025

"Daniel is a highly effective advocate. Judges respect him and value his legal dexterity."

Legal 500 2025

"Daniel is extremely bright, incisive and original in his thinking."

Legal 500 2025

"He is an extremely tenacious and compelling advocate. He is passionate about the law and passionate about his cases."

Legal 500 2025

"Daniel is highly perspicacious and can explain issues in a very straightforward and accessible manner."

Legal 500 2025

"Daniel is a major player in the insolvency sphere. He knows his stuff inside out. Clients love him because he is able to come up with solutions that no one else can think of."

Legal 500 2025

Appointments

- Called (ad hoc) to the Bar of the Cayman Islands (2020)
- Member of the Practical Law Company Corporate Consultation Board

Recommendations

- Shortlisted for Company/Insolvency Silk of the Year (Chambers UK, 2026)
- Shortlisted for Chancery Silk of the Year (Legal 500, 2026)
- Shortlisted for Family Barrister of the Year (Citywealth Magic Circle Awards, 2026)
- Shortlisted for Company / Insolvency Silk of the Year (Chambers & Partners UK Bar Awards, 2024)
- Chancery: Commercial, Commercial Dispute Resolution, Company, Family / Matrimonial: Trusts / Tax Experts, Professional

Contact

6 New Square
Lincoln's Inn, London, WC2A 3QS

DX 1025 LDE
Telephone +44 (0) 20 7242 6105
Fax +44 (0) 20 7405 4004

Out of hours

Nick Hockney: +44 (0)7702 159953
Dan Wheeler: +44 (0)7714 853641

General enquiries

clerks@serlecourt.co.uk

Negligence & Restructuring / Insolvency (Chambers & Partners)

- Commercial Litigation, Company, Family (including Divorce & Financial Remedy), Fraud: Civil, Insolvency & Professional Negligence (The Legal 500)
- Dispute Resolution: Commercial, Dispute Resolution: Commercial Chancery & Restructuring / Insolvency (Chambers Global)
- Company & Partnership – Silks; Asset Recovery (Lexology Index: UK Bar)
- Barristers – Family & Matrimonial, Barristers – Contentious Trusts (Citywealth Leaders List)

Publications

Books

- Author of Chapter 2 (derivative claims) and co-author of Chapter 7 (section 994 procedure) of Joffe: Minority Shareholders: Law, Practice & Procedure (OUP, 7th Ed, 2024).
- Co-author of Chapters 12 (duties and liabilities of administrators), 13 (duties and liabilities of receivers and their appointors) and 29 (court-appointed receivers) of Lightman & Moss, The Law of Administrators and Receivers of Companies (6th Ed, 2017).
- Co-author of Cricket Grounds from the Air (Myriad Books, 2nd Ed, 2010).

Articles

- Non-members and s 994 petitions: a novel approach (New Law Journal, 31 May 2024).
- The rule in Clayton's Case: its application in non-banking relationships (Butterworths Journal of International Banking & Financial Law, May 2024, pp 309 – 311).
- The light at the end of the tunnel and the last throw of the die: liquidators' claims against former directors following Sequana (International Insolvency & Restructuring Report 2023-24, pp 11 – 14).
- Pleading Issues: Pick Your Battles (New Law Journal, 27 January 2023).
- Quasi-Partnerships in Public Companies (ThoughtLeaders4 Disputes Magazine, Issue 5, pp. 41 and 42). Publicly listed company wound up for loss of substratum (Re Klimvest plc) (Lexis®PSL, 28 March 2022). Unparalleled Circumstances (New Law Journal, 31 July 2020).
- Restricting Evidence and Cross-Examination (New Law Journal, 3 July 2020).

Other

- Co-author of Cricket Grounds from the Air (2nd Ed. 2010) and has written articles on cricket for (amongst other publications) Wisden, The Cricketer, The Nightwatchman, The Spectator and Majesty Magazine, as well as curating the current (and first ever) exhibition at the MCC Museum, Lord's, on Cricket and the Jewish Community.

Contact

6 New Square
Lincoln's Inn, London, WC2A 3QS

DX 1025 LDE
Telephone +44 (0) 20 7242 6105
Fax +44 (0) 20 7405 4004

Out of hours

Nick Hockney: +44 (0)7702 159953
Dan Wheeler: +44 (0)7714 853641

General enquiries

clerks@serlecourt.co.uk

Memberships

- ACTAPS
- Chancery Bar Association
- COMBAR
- Family Law Bar Association
- Insolvency Lawyers' Association
- PNBA

Education & Qualifications

- Denning Scholar, Lincoln's Inn
- Hardwicke, Lincoln's Inn
- Mansfield, Lincoln's Inn
- Dip Law (Distinction), City University
- BA Hons (Double First) Literae Humaniores, Magdalen College, Oxford

BSB Registration

Daniel Lightman KC

VAT Number

681268516

Contact

6 New Square
Lincoln's Inn, London, WC2A 3QS

DX 1025 LDE
Telephone +44 (0) 20 7242 6105
Fax +44 (0) 20 7405 4004

Out of hours

Nick Hockney: +44 (0)7702 159953
Dan Wheeler: +44 (0)7714 853641

General enquiries

clerks@serlecourt.co.uk