

Restructuring & Insolvency

Edwin Coe is well placed to advise on all aspects of restructuring and insolvency, with a highly experienced team and a consultant who is dual qualified as an Insolvency Practitioner.

Whether you are an individual facing personal insolvency, a company requiring advice on corporate restructuring, or an Insolvency Practitioner acting as an office holder, we are able to advise on all aspects of insolvency, bankruptcy and liquidation.

We regularly undertake work in the following areas:

- **Administrations and receiverships**
- **Bankruptcies and liquidations**
- **Civil fraud**
- **Confiscation and restraint proceedings**
- **Director claims**
- **Directors disqualification proceedings**
- **Director loan accounts**
- **Individual and company voluntary arrangements**

- **LPA receiverships**
- **Misfeasance**
- **Restructuring processes**
- **Unlawful dividends**

We also regularly undertake licensing and disciplinary work for Insolvency Practitioners, ranging from individual practitioners to firms of accountants of all sizes.

Where necessary we are able to call upon the knowledge and expertise of lawyers working in complementary areas within the firm, such as banking, property, employment, litigation and insurance, to assist clients with a wide variety of complex issues. Whether we act on a conditional fee basis, a fixed fee or time cost basis, we promise value for money.

'An outstanding firm whose collegiate approach ensures commercially superb outcomes for clients.'

Chambers UK 2020

Examples of our work

We have handled:

- Acting for the Trustee in Bankruptcy in a large and complex case involving debts of more than £40 million, in respect of an illegal pyramid scheme. A number of separate proceedings have been commenced alleging fraud for in excess of £10 million.
- Acting for the Administrator of a national chain of menswear clothing shops based in major retail outlets. This case involved complex issues regarding the disposal of the Company and its assets.
- Acting for the Chief Executive of a high-profile hotel group in administration, in relation to serious allegations made by the Administrator concerning his conduct as a Director.
- Acting for the Administrators regarding the sale of a major technology group, and providing advice on complex employment issues which arose in respect of keeping the workforce together without incurring the personal liability of the Administrators.
- Acting for the Administrators of a firm of solicitors, providing advice in relation to the partnership deed and practising constraints imposed by the partners' professional obligations. The administration gave rise to the sale of the business as a going concern.
- Acting for the LPA Receiver of a tenanted commercial property regarding various issues relating to his appointment, disputes with occupiers, marketing and strategy for repayment of the Appointor's debt.
- Acting for the Petitioning Creditor and the Joint Liquidators of a UK residential housing development company in pursuing its former directors for fraud, bribery and misfeasance.

They lead the field with a strong specialist team of both partners and associates.'

Chambers UK 2019

'Ali Zaidi strikes a good balance between being pragmatic and knowing the law.'

Chambers UK 2019

- Acting for a bankrupt who was charged under the Insolvency Act 1986 for failing to disclose his assets, in particular the existence of Swiss bank accounts and gold ingots. The case involved assisting the bankrupt's criminal lawyers in understanding the Insolvency Act but also leading negotiations with the bankrupt's Trustee in Bankruptcy in order to compromise the bankrupt's affairs, partly with a view to mitigating the criminal charges.
- Acting for liquidators of a multimillion pound fraud investigation against the former directors of an AIM listed natural resources company following the transferring of shares in subsidiary companies for questionable consideration. This matter is being run in close co-operation with the Serious Fraud Office (SFO) and the Financial Services Authority (FSA).
- Acting for liquidators of a multimillion pound land banking scheme, which misled investors about the true investment value and the expectation of future development of the sites. This matter involves hundreds of creditors in which the liquidators are seeking to recover several million pounds and is being pursued in close co-operation with the FSA.
- Acting for a trustee in bankruptcy of a dealer in residential and commercial properties, where there was ongoing complicated litigation with other investors in those properties. We had to identify which matters were worth pursuing and which ones were not, in order to avoid our client incurring liability for other parties' legal costs.
- Acting for a third party in determining the limit of a liquidator's powers to compel the delivery of information and documentation under section 236 of the Insolvency Act 1986.
- Acting for the Trustee in the bankruptcy of three debtors who together operated an illegal pyramid scheme called Planline. The matter involved undertaking detailed examinations of numerous antecedent transactions to place assets out of reach of creditors, pursuing investigations to recover assets in Italy, the Baltics and Switzerland and working closely with the FSA and SFO.
- Acting for the liquidator of a distributor in claims against directors and shareholders regarding dividends and property transactions which depleted the company's assets. The case was settled at a mediation.
- Acting in the matter of a bankrupt estate the deficiency in which is c.£1.2 billion. Advising on the trustee's application to suspend discharge, obtaining discharge and then advising on compliance with the statutory duties to assist and attend.
- Advising the administrators in the matter of a failed hotel room investment vehicle. Advising on the sale of the charged land for £10 million, and the extent to which the security provides for the consideration to be released to the chargee. Advising on the investors' claims, their interests in land, and the anti-deprivation principle.

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Edwin Coe LLP is a Limited Liability Partnership, registered in England & Wales (No.OC326366). The Firm is authorised and regulated by the Solicitors Regulation Authority. A list of members of the LLP is available for inspection at our registered office address: 2 Stone Buildings, Lincoln's Inn, London, WC2A 3TH. "Partner" denotes a member of the LLP or an employee or consultant with the equivalent standing.