



Fenner Moeran QC

Call: 1996

QC: 2014

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Clerks' Details

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Qualifications and Appointments

- Fenner Moeran read Politics and Philosophy at Bristol University, before reading for his C.P.E. at City University.
- He was a Hardwick Scholar and Walter Wigglesworth Scholar of Lincoln's Inn.

“Incredibly smart and easy to work with. Extremely quick on his feet and impressive in hearings. A powerful cross-examiner.”

The Legal 500, 2021

Memberships

- Chancery Bar Association
- Commercial Bar Association
- Association of Pension Lawyers

Publications

- Contributor to Palmer on Bailment.
- Contributor to Tolley's Pensions Law.

Practice Overview

Fenner has a broad based chancery / commercial practice with an emphasis on litigation. Whilst he has particular specialities in pensions and civil fraud and asset recovery, he also regularly acts in general litigious chancery matters as well as insolvency, insurance, property and general commercial matters.

He is recommended in Chambers and Partners, The Legal 500 and Chambers Global as a leading practitioner in his fields, as well as being named in the Chambers 100: UK Bar list of the top 100 junior barristers in 2013, before he took silk in 2014.

Within the commercial chancery field his work in recent years has been focused on civil fraud and dishonesty disputes, with particular emphasis on breaches of fiduciary duties and money laundering / asset recovery work. With regard to asset recovery, Fenner has extensive experience of obtaining and defending freezing, search, disclosure (including third party disclosure) and gagging orders. His clients range from international financial institutions, through regulatory bodies to individual financial traders and customers.

Within the pensions field, he acts for trustees, employers, members and professionals in both litigation and advisory work. He also acts for the Pensions Regulator and various Government departments. His work has in recent years included litigation of pensions liberation and misselling claims, moral hazard claims (on both sides), professional negligence claims against actuaries and solicitors, advising on occupational pension scheme wind-ups and interpreting the statutory provisions of the PPF as well as various public sector pension schemes.

Fenner practices in the following areas: general commercial litigation, civil fraud and asset tracing/recovery (including interim relief), company law (in particular breach of fiduciary duty and shareholder disputes), regulatory (pensions, financial services and legal professions), contentious trust, insolvency (both personal and corporate), professional liability, pensions and general contract disputes.

The 2021 edition of Chambers & Partners describes Fenner as *"very efficient, very user-friendly, extremely reliable and has a consistently positive and enthusiastic attitude"*. *"Fenner has a great manner with clients and is particularly good at explaining complicated areas in simple ways."* *"He is good on his feet and is a delight to work with."* *"He has great strategic instincts and is very outcome-focused and pragmatic."*



Practice Overview continued

The Legal 500 2021 edition notes he is *"incredibly smart and easy to work with, extremely quick on his feet and impressive in hearings. A powerful cross-examiner". "Always has the ear of the Court, knowing precisely when to push a point and judging the mood perfectly."* He is *"very clever, knows the law well, strategically savvy and a pleasure to work with"*.

Commercial

Fenner has been recommended in the directories for some years in both general Commercial Chancery (including in Chambers Global) and in specialist Civil Fraud and asset recovery.

"Fenner has a great manner with clients and is particularly good at explaining complicated areas in simple ways so that clients understand. He is good on his feet and is a delight to work with." "He has great strategic instincts and is very outcome-focused and pragmatic." (Chambers & Partners, 2021: Commercial Chancery)

"Very clever, knows the law well, strategically savvy and is a pleasure to work with." (The Legal 500, 2021: Commercial Litigation)

Earlier editions have described him as *"an impressive litigator, whose experience spans freezing orders, asset tracing, shareholder disputes and professional negligence claims"* who *"has a thorough grounding in the law, and just tenaciously goes for it in court"*. He is an *"alert performer in court"*, who is *"clever, sensible and approachable"* and a *"fount of knowledge when it comes to obscure legal points, and also has the ability to quickly identify the right issues."* Clients like working with him because he is *"great at cross-examination and has a sound grasp of mathematical concepts"*.

Notable cases Include:

- *Gavigan v Norton* [2020] EWHC 2583 (Ch): Tribunal and procedure for committal applications in cases transferred from High Court to County Court.
- *Bostani v Pieper* [2019] 4 WLR 44 [2019] 2 All ER (Comm) 276 [2019] EWHC 547 (Comm): Enforcement of Tomlin orders / lifting stays of proceedings, and how limitation periods / passage of time applies to this.
- *Caribonum Pension Trustee Ltd v Pelikan Hardcopy Production AG* [2019] EWHC 314 (Ch), and [2019] 6 WLUK 362: Construction and enforcement of a guarantee, abuse of process.
- *Jones v Hamilton* [2017] EWHC 3361 (Ch) and [2017] EWHC 1065 (Ch). Forgery of share documentation, and taking an account between business partners.
- *Kanev-Lipinski v Lipinski* [2016] EWHC 475 (QB). Discharging worldwide freezing and search orders made in support of Israeli proceedings under Civil Jurisdiction and Judgments Act 1982 s.25 where there was no real risk of dissipation.
- *Re Bovey Cranbrook RBS* [2013] EWHC 4346 (Ch): Inherent jurisdiction of the Court, freezing injunctions and cross-undertakings by public bodies and office holders.
- *JSC BTA Bank v Solodchenko* [2012] EWHC 1247 (Comm): Third party delivery up of documents, cross-examination of third parties, passports and restraint orders.
- *Redpath v Shefford* [2011] All ER (D) 12 (Mar). Adjournment of proceedings on first day of fraud trial.
- *Law Society of England and Wales v Isaac & Isaac International Holdings Ltd* [2010] EWHC 1670 (Ch). Mortgage fraud by solicitors, dishonest assistance and conspiracy, tracing and asset recovery.
- *Law Society of England & Wales v Habitable Concepts Ltd* [2010] EWHC 1449 (Ch). More solicitors mortgage fraud..
- *Chan Sui v Appasmy* [2008] BPIR 18. Setting aside a statutory demand on the basis of cross-demands and equitable set-off.
- *PNC Telecoms plc v Thomas & others* [2008] 2 BCLC 95 Director's breach of fiduciary duties, relief from liability and conflicts of interest.