



Sebastian Allen

Call: 2006

sallen@wilberforce.co.uk

Clerks' Details

+44 (0)20 7306 0102
practicemanagers@wilberforce.co.uk

Qualifications and Appointments

- Law scholar at Christ Church College, Oxford, where he was awarded the Lovell's Prize for his undergraduate degree and the Hugh Pilkington scholarship for his bachelor of civil law degree.
- Awarded the main Lincoln's Inn Scholarship, the Lord Mansfield scholarship, as well as the Hardwicke scholarship and the Buchanan Prize for obtaining a distinction in his bar school exams.

"He is dynamic, incisive and inspires confidence in clients."

Chambers and Partners, 2020

Memberships

- Chancery Bar Association
- Bar Pro Bono Panel
- Commercial Bar Association

Publications

- *Safeway v Newton: a limited lifeline for defeasible benefits?* (2018) Practical Law Company
- *White v Jones: what if the claimant was not the client?* (2012) Trusts and Trustees
- Transaction Avoidance in Insolvencies (2011) OUP Contributing Editor
- *'The construction of pension scheme documents'* (2009) Practical Law Company

Practice Overview

Sebastian is ranked as a **"leading junior"** with a substantial litigation practice in commercial and chancery law.

The legal directories have described him as being **"highly intelligent"** and **"articulate"**. Sebastian is **"technically very able"**, with a **"massive brain"** and a **"sharp intellect"**, as well as being **"very personable, client-friendly and hard-working"**, with **"strong advocacy skills"** and a **"fantastic manner with clients"**. He is a **"highly popular choice of junior"** who is not only **"always approachable"**, **"clear-headed"** and **"very practical"**, but who also **"instills complete confidence in clients"**.

Sebastian is a particularly strong advocate who specialises in company, commercial, fraud, insolvency, pensions, professional negligence and trusts law.

He has considerable experience acting across a wide range of matters both on his own (including against Leading Counsel) and as part of a wider team led by Leading Counsel within and outside Chambers. He appears regularly in the High Court and the Court of Appeal, representing clients in interim and final applications, as well as at trial and on appeal.

Sebastian is frequently instructed on large and complex multi-party litigation, often with an international element, and has experience acting with multi-jurisdictional teams. He also has extensive experience advising and acting in relation to large regulatory investigations, including cases involving the Financial Conduct Authority, the Pensions Regulator, the Financial Reporting Council and the Institute and Faculty of Actuaries.

Sebastian has been ranked as **"highly-commended"** in Legal Week's **"Future Stars of the Bar"**.



Company

Sebastian is a leading commercial chancery junior specialising in company law.

He has extensive experience of company litigation and has worked on a number of high-profile disputes involving both offshore and onshore company and partnership law issues. He is regularly instructed on cases involving complex corporate structures and has particular experience with shareholder disputes, unfair prejudice claims and claims against directors for breaches of fiduciary duties. The breadth of Sebastian's commercial and chancery practice means that he also frequently advises where company law issues interact with other legal areas such as trust law, commercial law, financial services and pensions law.

Notable cases include:

- advising on high-profile minority shareholder dispute;
- **Star Poland Limited (in liquidation) v Mr Felice and others:** acting for the former directors of a Gibraltar trust company brought by its liquidators in relation to various alleged breaches of duty;
- **Madoff litigation:** acting on several pieces of litigation arising out of the massive international fraud perpetrated by Bernard Madoff through the largest ever Ponzi scheme in which investors lost almost \$65bn. This has included acting on behalf of investment fund managers in a claim brought against them by individual investors for having invested and lost the entirety of the sums in fund in Madoff's Ponzi scheme and on behalf of the private individual, Mrs Sonja Kohn, in defending claims worth US \$19bn that have been brought by the trustee in the US liquidation of Bernard L. Madoff Investment Securities LLC;
- **D.E. Shaw -v- Orient Express Hotels Ltd:** acting for a high-profile Bermudian company listed on the New York Stock Exchange in multi-million pound litigation brought by the claimant hedge funds concerning the legality of its share ownership structure. Successful in defending the claimant's petition and striking out various allegations made against the directors of the company for breaches of fiduciary duties and unfair prejudice;
- **Chapman -v- Vigar:** Acting for the director and majority shareholder of a private company in relation to successful proceedings concerning the ownership of certain shares in the company which had been settled on a workers' trust that had failed;
- **Langstone Leisure Limited -v- Willers:** acting for a company on its ongoing claims against its former managing director based on negligence and breaches of fiduciary duty in relation to the costs incurred by the company in funding litigation brought by the liquidator of a debtor company;
- **Re Foxcrest Ltd:** advising the directors of the company on the appropriate procedure for an application for the reduction of share capital and successfully obtaining an order from the Companies Court;
- **Re IPEC Limited:** advising on the form and contents of an application to rectify the register of members of a company at Companies House;
- **Re Nortel Networks UK Pension Fund:** Advising the trustee of the Nortel Networks UK Pension Scheme in regulatory proceedings that involved substantial issues of company valuation where a single company in an interdependent group fails to be valued;
- advising members of a corporate residents' association on a potential derivative action based on the legal validity of actions taken by the company and by certain members of the company including the requisitioning of an Extraordinary General Meeting of the shareholders, the replacement of the directors and the approval by the company of a deed granting rights of way to the members of the company;
- advising on a number of company law and partnership issues arising in the context of a large international farming partnership dispute. This case involved not only a number of complex legal issues but also the sensitive handling of what was a particularly acrimonious partnership dissolution;
- advising on and successfully obtaining numerous winding-up petitions on behalf of creditors of companies.