



Rachael Earle

Call: 2013

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Clerks' Details

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Qualifications and Appointments

- LLM in Commercial Law (First Class) (Ranked 1st in College), Darwin College, University of Cambridge
- Bar Professional Training Course (Very Competent) BPP Holborn
- LLB Law with French Law (First Class), University College London
- Darwin College Dean's Award (2014)
- Blackstone Entrance Exhibition (2012)

Memberships

- Chancery Bar Association
- Commercial Bar Association
- Insolvency Lawyers' Association
- R3: Association of Business Recovery Professionals

Practice Overview

Rachael has a busy insolvency practice which encompasses all areas of corporate and individual insolvency but with a particular emphasis on complex directors' misfeasance claims (in which she acts both for Liquidators and for defendant directors).

She is also frequently instructed on company and commercial disputes, in which she has significant experience dealing with allegations of fraud and dishonesty.

Rachael appears regularly in the High Court, both as sole and junior counsel.

Insolvency

Notable ongoing and recent cases include:

- Acting for Joint Liquidators in a £2 million fraudulent trading and misfeasance claim against former directors of a national firm of solicitors who misled clients into investing into a fraudulent scheme;
- Acting for Joint Administrators in misfeasance claims against former directors for their involvement in EBT tax avoidance schemes, worth over £1 million.
- Advising Joint Liquidators on claims against former directors for diverting a significant business opportunity (a development worth £14.5 million).
- Acting for Joint Liquidators in a £800,000 fraudulent trading and misfeasance claim against former directors of the company involved in a complex MTIC scheme.
- *DCL Hire Limited* (in liquidation) (2019). Led in a 5 day misfeasance trial against a former director who made significant payments out of the company for nil consideration on the instruction of a shadow director.
- *Parkers Developments Limited* (2019). Acted on behalf of two directors in defending a misfeasance and unlawful return of capital claim in respect of their involvement in an EBT scheme worth over £1.2 million.
- *Pico's Limited* (2019). Acted on behalf of the company in seeking an urgent validation order to allow the company to continue trading pending the first hearing of the winding up petition.
- *So Sienna Limited v (1) HMRC (2) The Official Receiver* (2019). Acted for the company in an application for the rescission of a winding up order and dismissal of the petition.
- *HS Works Limited* (in liquidation) (2018). Led in a 5 day High Court trial against a former administrator for breach of his schedule B1 and fiduciary duties, worth £4 million.