



Mark Cawson Q.C.

E-Mail cawsonqc@exchangechambers.co.uk
Call 1982
Silk 2001

Personal

Education:

University of Liverpool (LLB)
Inns of Court Law School

Travel, Rugby Union (following Sale Sharks), armchair politics, the Church.

Practice

Mark is noted in Chambers' Directory as a leader in his field in the areas of Insolvency/Corporate Recovery, Commercial Dispute Resolution, Chancery, and Partnership.

He has experience in dealing with most areas of chancery and commercial practice, including in particular the following:

INSOLVENCY including all aspects of administration, liquidation, receivership and personal insolvency work.

COMPANY including shareholder disputes, enforcement of directors' duties, protection of minority rights and interests, and directors' disqualification.

COMMERCIAL DISPUTE RESOLUTION including complex and high value business litigation and disputes.

BANKING including in particular enforcement of securities and priority issues.

PROFESSIONAL NEGLIGENCE including claims for and against solicitors, surveyors and accountants.

COMMERCIAL PROPERTY including landlord and tenant and real estate litigation.

What the Directories say:

Restructuring/Insolvency

Outstanding silk Mark Cawson QC is "technically superb and always remains absolutely focused on the end goal. He's approachable, a true team player and is hugely respected by judges....." His practice covers a broad range of contentious and non-contentious insolvency matters. He has recently been involved in proceedings concerning the collapse of Landsbanki, the major Icelandic bank, and has also been instructed by liquidators handling the collapse of The Accident Group, formerly the largest injury claims specialists in the UK. One instructing solicitor considers his "excellent manner with clients and proactivity in ensuring that cases keep moving forward" to be other key strengths.

Chancery

The set also boasts one of the region's foremost insolvency practitioners in Mark Cawson QC. This "fiercely bright" silk was involved in proceedings concerning the high-profile collapse of Landsbanki, Iceland's second largest bank.

Commercial Dispute Resolution

Mark Cawson QC counts insolvency work, shareholder and partnership disputes and commercial property litigation among his specialist areas of expertise. His "considered and measured style" proves a boon when handling the mediation work he regularly undertakes.

Experience/Career/Notable and Reported Cases

Appointments:

QC
Recorder
Deputy High Court Judge
Chairman, Northern Circuit Commercial Bar Association
Bencher, Lincoln's Inn

Additional Qualifications

Accredited mediator

Notable and reported cases include:

- *Secretary of State for Trade and Industry v. Ashcroft* [1998] Ch 71 (directors' disqualification)
- *Barakot Limited v. Epiette Limited* [1998] 1 BCLC 283 (res judicata/issue estoppel)
- *Lombard North Central plc v. Brook* [1999] BPIR 701 (voting rights/voluntary arrangements)
- *Lloyd v. Dugdale* [2002] 2 P&CR 13 (constructive trusts/registered land)
- *Fielding v. Seery* [2004] BCC 315 (office holder/conflict of interests)
- *Mulvenna v. Royal Bank of Scotland plc* [2004] CP Rep 8 (causation)
- *Vlieland-Boddy v. Dexter Limited* [2004] BPIR 235 (individual voluntary arrangements)
- *Lavelle v. Lavelle* [2004] 2 FCR 418 (advancement/resulting trusts)
- *Ultraframe (UK) Limited v. Tailored Roofing Systems Limited* [2004] 2 All ER (Comm) 692 (contract/implied terms)
- *Meisels v. Martin* [2005] BPIR 1151 (company voluntary arrangements)
- *Lune Metal Products Limited (In Administration)* [2007] 2 BCLC 746 (Administrator's powers and duties)
- *Adam Opel GmbH v Mitras Automotive (UK) Limited* [2008] Bus LR Digest 55 (economic duress)
- *RBS v Chandra* [2010] 1 Lloyd's Rep 677 (undue influence)

Mark has also been involved in a number of recent significant insolvencies, including: *The Accident Group Limited, TVR Motors Company Limited, MG Rover Group Limited, and Landsbanki Islands hf.*

Sitting as a Deputy High Court Judge, Mark has given the following reported insolvency decisions:

- *Re Siteburn Limited* [2006] BPIR 1009 (estoppel by convention)
- *Lomax Leisure Limited v. Miller* [2008] 1 BCLC 262 (Liquidator's duties/dividends)
- *Re Paycheck Services 3 Ltd; HMRC v Holland* [2008] 2 BCLC 613 (unlawful dividends)
- *Re Oxford Pharmaceuticals Ltd; Wilson v Masters International Ltd* [2009] 2 BCLC 485 (preference and misfeasance)

Memberships/Professional Associations:

Chancery Bar Association, Insolvency Lawyers' Association, Professional Negligence Bar Association, Northern Circuit Commercial Bar Association, Northern Chancery Bar Association.