

## Ian Tucker

Call 2010



## Clerks' Details

 Lynn Salter  
 0161 817 2754

 Joe Mawson  
 0161 817 2753

## Memberships

- Northern Circuit
- Northern Chancery Bar Association
- Associate of the Royal College of Science

## Education

- BSc Mathematics with a Year in Europe, Imperial College London and L'École Nationale Supérieure d'Informatique et Mathématiques Appliquées de Grenoble (First Class Honours, 2004 – 2008)
- LLB, College of Law, York (Commendation, 2008 - 2009)
- Bar Vocational Course, BPP Law School, Leeds (Very Competent, 2009 – 2010) Diplock Scholarship, Middle Temple (Major Scholarship, 2009-2010)
- Sachs Prize, Middle Temple (BVC Results, 2010)
- Alliance Française, Français langue étrangère (French as a foreign language) Level B2 (Independent) and C1 (Proficient)

## Insolvency

### Overview

Ian is an insolvency specialist. His practice covers all aspects of personal and corporate insolvency, CDDA proceedings, contractual disputes, professional negligence, banking, trusts, mortgage transactions and debt recovery.

He is regularly instructed in the following areas:

- Transaction at an undervalue, preference and misfeasance pleadings and trials
- Applications to set aside statutory demands and contested bankruptcy petitions
- Applications to prevent the presentation of winding up petitions, or their advertisement, and contested winding up petitions
- Remuneration applications
- Interim and final applications to suspend discharge from bankruptcy
- Advising on and appearing in director's disqualification proceedings and BRO
- Company restorations, combined with appointment/reappointments of liquidators or administrators

He regularly appears in the Chancery Applications List on urgent and contested applications, where his experience also includes applications to restrain presentation and advertisement of winding up petitions, administration applications, and applications of a technical nature. He recently acted in *Green v Wright* [2015] EWHC 993 (Ch), the first reported case to address the nature of the trusts created by R3's standard terms (version 2) following the successful completion of the IVA.

## Recommendations

“He’s very personable and has the makings of a very successful advocate.” “He is able to address unusual points in a thoughtful and intellectual manner, with a keen emphasis on practical advice.”

**Chambers and Partners 2017**

## Cases

### ***Re Sports Management Group Ltd (In Liquidation) v Marston [2016]***

Lexis Citation 55, [2016] All ER (D) 208 (May) - A claim for misfeasance, transaction at an undervalue and preference where the primary issue was whether the Respondent was a de facto director.

### ***JCAM Commercial Real Estate Property XV Ltd v Davis Haulage Limited [2016]***

EWHC 772 (Ch) – The Court considered the circumstances where back to back notices of intention to appoint an administrator amount to an abuse of process.

Hedger (Liquidator of Pro4sport Ltd) v Adams [2015] EWHC 2540 (Ch). Successfully representing the Respondent director to a misfeasance claim. The central allegation was that a transaction selling the Company's assets to an associated company that provided for deferred consideration but did not provide for security should not have been entered into. Consideration was also given to the ability to bring Companies Act claims within insolvency proceedings by way of Form 7.1a.

### ***Green v Wright [2015] EWHC 993 (Ch)***

Successfully arguing that under R3's standard IVA terms, and in the absence of bad faith, after the issuing of a completion certificate any further funds that came to light belong to the former debtor.

### ***Utilise TDS Limited v Davies & Bolton College (reported as Denton v TH White Ltd and other appeals) [2014] EWCA Civ 906***

Led by David Mohyuddin in the Court of Appeal. The leading case following Mitchell as to how applications for relief from sanction should be decided.

### ***Utilise TDS Limited v Davies & Bolton College [2014] EWHC 834 (Ch)***

An application for relief from sanction, representing the successful Respondent, prior to it being overturned, in a first appeal in the High Court.

***Re RGW (2013)***: annulling a bankruptcy due to technical errors in the petition