

## Lisa Linklater KC

Call 1995 | Silk 2022





### Clerks' Details

 Nicole Luna  
 0113 203 1975

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### Appointments

- King's Counsel (2022)
- Vice-Chair of the Northern Business and Property Bar Association (2023)
- Accredited Mediator (CEDR)
- Attorney General's Regional Panel of Counsel (2000 – 2018)

### Memberships

- Chancery Bar Association
- Northern Business and Property Bar Association (Vice-Chair)
- R3 fellow (association of business recovery professionals) (full member)
- Insolvency Lawyers' Association (full member)
- The Honourable Society of the Inner Temple
- North Eastern Circuit

### Education

- MA Cantab (Law), University of Cambridge (Jesus College), (Class II:i)
- Inns of Court School of Law, London (Very Competent)
- The Honourable Society of the Inner Temple

### Commercial CV

#### Overview

##### Introduction

Lisa Linklater KC is a leading silk. She is an expert commercial barrister with an established reputation nationally for her expertise, advocacy, advice and strategic excellence in the following fields of practice:

- [Company, LLP and Partnership disputes, particularly shareholder disputes](#)
- [Insolvency and Restructuring](#)
- [Commercial Fraud](#)
- [Property and Trusts](#)

(Please see Lisa's bespoke CVs opposite for each of the above practice areas.)

- Commercial litigation and
- Commercial Contract litigation and advice.

As a silk, Lisa has rapidly established a heavyweight litigation and advisory practice, acting for high profile clients nationally and internationally, being sought after as a result of her reputation and the results she has achieved in her cases. Lisa's practice is often high value, high profile and/or with complex legal, factual or valuation issues and/or cross border issues. The breadth and depth of Lisa's experience and expertise in related areas of law is of value to clients in the context of commercial dispute resolution, enabling her to bring a commercial and holistic approach to cases and to secure a successful resolution as efficiently as possible.

Lisa is recommended as a Band 1 silk by both [Chambers and Partners UK Bar 2024](#) and Legal 500 UK Bar 2024, which recognise the strength of Lisa's skills in Commercial Dispute Resolution, Chancery and Insolvency and Restructuring. Recent clients also note the high quality of Lisa's service and client care. For example, a client Lisa successfully represented in a shareholder dispute that concluded in 2023 stated "Lisa provided a great service and her insight into the case was very helpful. Her communication was always prompt."

Lisa brings over 25 years of experience in advising and representing a diverse range of companies (SMEs and plcs), Government departments, local authorities and other public sector bodies, banks and other lenders, LLPs, partnerships, individuals (often high net worth), insolvency practitioners and Law of Property Act receivers. She is highly experienced in dispute resolution in both the private and public sectors, including in the technology, energy, financial, property, retail, healthcare, education and manufacturing sectors.

Lisa works closely with clients and instructing solicitors to tailor strategy to clients' objectives and to succinctly and clearly advocate on behalf of clients. Lisa's advice in this technical area is practical, creative, commercial and accessible. She is adept in effectively leading teams of different sizes, often including specialists in complementary fields of practice or specialist in the law and civil procedure of offshore or overseas jurisdictions, for the benefit of clients.

Lisa has expertise and an excellent practice and reputation in commercial litigation of all types, particularly commercial disputes involving shareholders, directors, partners, joint ventures or companies in insolvency.

She is also very highly regarded and sought after in high value contractual claims of all types where a breach of contract has taken place (including share and business sale agreements, shareholder agreements, LLP agreements, joint venture agreements, contracts involving the public sector, finance agreements and the supply of goods and services contracts), including the arbitration of such disputes or their resolution by expert determination.

Lisa is valued for her excellent oral and written advocacy, tenacity in long-running cases, as well as holding her nerve and exercising sound judgment in high-pressure situations. Lisa is also prized for prompt action, thorough preparation, communication, teamwork and effective case-strategy.

Lisa's experience and expertise as lead trial Counsel in the Business and Property Courts of the High Court of Justice and in the Court of Appeal underpins the strength of her oral and written advocacy and strategic excellence at all stages of commercial disputes. While a substantial part of Lisa's work is in the Business and Property Courts of the High Court of Justice in Leeds, Manchester, Liverpool and Newcastle, Lisa is also regularly instructed in cases in London, Birmingham and Bristol and she takes cases from across England and Wales. Lisa is regularly instructed in cases in the Commercial Court and

Circuit Commercial Court, the Insolvency and Companies Court, the Business List and the Property, Trusts and Probate List.

### Recent Highlights

Highlights of Lisa's commercial litigation and commercial contract practice since taking silk include:

#### Commercial Litigation

- Acting in alleged claim by company administrators of £12 million for alleged knowing assistance and knowing receipt of breach of trust and alleged breaches of directors' duties. Lisa is collaborating with Jersey lawyers in respect of a freezing order obtained in the Royal Court of Jersey (2023 -).
- Successfully securing the dismissal of an application for an interim injunction to prevent a finance house from enforcing its security in respect of a substantial property development, involving a debt of over £1 million (2023).
- Successfully securing the discontinuance of a claim in restitution against a director in respect of tax liabilities relating to an employee benefit trust, shortly before the trial of the claim (2023).
- Advising and acting for shareholders and lenders in respect of proposed interim injunction for breach of a shareholders' agreement in dispute involving a substantial property development in the North West with an interface with a planning appeal (2023).
- Successfully deflected threatened removal as a director of a company of client who was accused of tax evasion, securing important strategic success in bitter dispute between family members of a business in the leisure sector. Lisa acted in parallel with other silks in different fields of specialism (2022).

#### Commercial Contract

- Acting on behalf of and advising a supplier to a high profile company in administration in respect of termination of the contract and the provisions of section 233B Insolvency Act 1986 (2023 -).
- Acting for a retiring member of a LLP in respect of the arbitration of disputes relating to the LLP (2024).
- Acting for and advising a minority shareholder in respect of Good Leaver/Bad Leaver provisions in a shareholders' agreement and related share forfeiture clauses (2024).
- Acting on behalf of a bank in respect of a substantial claim under a guarantee (2024).
- Acting in respect of claim for earn-out of up to £11 million under a share purchase agreement in the technology sector (2023 -).
- Advising in respect of a public contract relating to a very substantial joint venture property development in the North West, involving issues relating to public procurement law (2023).
- Advising shareholder in substantial retail business in Yorkshire on exit strategy involving points of construction and application of shareholders' agreement, in particular

how “fair value” was defined (2023).

- Acting in claim for specific performance of shareholders’ agreement, requiring shares to be transferred for nil consideration, including responding to claim that the shareholders’ agreement is forged (2022 – 2023).
- Advising in respect of the construction of a contract relating to the supply of test kits for coronavirus (2022).

Examples of Lisa’s significant experience in this field before taking silk are in the commercial cases list below. Please see the bespoke CVs opposite for details of Lisa’s practice, expertise and experience in [company \(particularly shareholder disputes\)](#), [insolvency](#), [commercial fraud](#) and [property and trusts](#).

### Further Information

Lisa is a member of the editorial advisory board of the Company Lawyer, a specialist journal, published by Sweet and Maxwell. She is widely published in company and insolvency law including in R3’s Recovery and Sweet & Maxwell’s Insolvency Intelligence. Recent seminars presented by Lisa to leading insolvency practitioners, accountancy firms and regional, national and international law firms include shareholder disputes, legal professional privilege and directors’ duties. In 2023, Lisa was chair of a prestigious panel of international experts at the 40th Cambridge International Symposium on Economic Crime. She is Vice-chair of the Northern Business and Property Bar Association.

## Recommendations

### DIRECTORIES

*Chambers and Partners 2024 recommends Lisa as a Tier 1 silk in each of the practice areas of Commercial Dispute Resolution, Restructuring/Insolvency and Chancery and highlights her expertise and experience in shareholder disputes, insolvency litigation and directors' duties.*

"Lisa is top class, extremely knowledgeable and incredibly hard-working."

"Lisa is very strong technically; she fights the clients' corner, leaves no stone unturned and knows the law inside out. Her written work is excellent."

"Lisa is personable, has a collaborative approach and is very technical."

**Chambers and Partners 2024 (Chancery/Commercial Dispute Resolution/Restructuring/Insolvency - Tier 1)**

'Lisa is very thorough and is always well prepared. A proactive silk.'

'Lisa's knowledge of shareholder disputes and the law on unfair prejudice is outstanding. A strategically astute silk.'

**Legal 500 2024 (Company and Insolvency/ Commercial Litigation - Tier 1)**

"Lisa is scrupulous. She is hands-on in getting to know the client's business."

**Chambers and Partners 2023**

"Lisa is technically superb."

**Chambers and Partners 2023**

"Very thorough and decisive."

**Chambers and Partners 2023**

'Lisa is very responsive and incredibly academic – she researches her cases inside out. She gives clear, concise advice.'

**The Legal 500 2023**

"Lisa is meticulous, very, very sharp, and has a wealth of knowledge. Always well prepared and an excellent advocate."

**Legal 500 2022 (Tier 1 Company and Insolvency)**

"Lisa Linklater has been excellent – she is very good with clients, and very measured and meticulous in her approach."

"Lisa has been really collaborative and attentive."

**Chambers and Partners 2022 (Band 1 Commercial Dispute Resolution)**

“Lisa is a highly academic and organised advocate who knows her cases inside out. She is always a pleasure to deal with and to instruct.”

**Chambers and Partners 2022 (Restructuring/Insolvency)**

“You have to do your homework when you are against her.”  
“Her knowledge and expertise is first-rate.”

**Chambers and Partners 2021 (Chancery)**

“She has a very good eye for detail.”  
“Experienced and has the confidence of the court.”  
“She’s good under pressure, diligent and very calm on her feet.”

**Chambers and Partners 2021 (Restructuring/Insolvency)**

“She is very technically astute and I can see why she is well respected in the region for this sort of work.”

“A very thorough and insightful analyst on the key issues.”

**Chambers and Partners 2021 (Commercial Dispute Resolution)**

“Lisa is very academic and always researches her cases fully. She is always well prepared and her written submissions are always excellent demonstrating her knowledge of cases. Lisa is a great advocate and is very persuasive.”

**The Legal 500 2021 (Tier 1 Company and Insolvency)**

“She is unflappable, extremely well prepared and an excellent advocate who is as strong on her feet as she is on paper.”

“She is a very astute barrister with excellent commercial acumen. Her judgement is always spot-on and she is decisive in even the most complicated scenarios.”

**Chambers and Partners 2020 (Chancery)**

“She is brilliant technically, great on her feet and her written work is really good.”  
“Gets to the heart of the details and is very thorough. She really fights her client’s corner and is dogged and robust in her approach.”

**Chambers and Partners 2020 (Restructuring/Insolvency)**

“Very highly-regarded both as a lawyer and as an advocate.”

**The Legal 500 2020 (Tier 1 Company and Insolvency)**

“She is knowledgeable, persuasive in court and excellent on complex legal problems.”  
“She is thorough, methodical and an excellent all-rounder.”

**Chambers and Partners 2019**

“Imperturbable and impressive in court; a force to be reckoned with.”

**The Legal 500 2018/19**

## TESTIMONIALS

“It was a pleasure to work with Lisa, whose hard work 24/7, excellent advocacy and expertise throughout was an invaluable factor in achieving this outcome.” **Excello Law (2023)**

“Lisa Linklater KC was incredible during all meetings and teams calls. Her vast amount of knowledge and confidence in the strength of our case was very reassuring. Her opening speech showed that she knew the case in depth and she knew exactly how to deliver her points firmly and in a strong and confident manner. Lisa was worth every single penny. She absolutely commanded the mediation and her confidence and knowledge were second to none.” **Mrs C (client in shareholder dispute) (2023)**

“Lisa provided a great service and her insight into the case was very helpful. Her communication was always prompt.” **Mr B (client in shareholder dispute) (2023)**

“I have retained Lisa on a number of complicated shareholder disputes. She is sharp, focussed and decisive and is able to navigate the most challenging legal and factual issues with aplomb. Lisa prepares thoroughly for hearings, ensuring all bases are covered, and her presentation of a case to court is both measured and highly effective.”  
**Adam Maher, Partner, Head of Commercial Litigation, Myerson LLP (2022)**

“Your strategy was perfect and delivered exactly the result the client was looking for”  
**Joshua Briggs, Head of Dispute Resolution, Wilkin Chapman LLP (2022)**

“Lisa is very much a team player. She is very diligent, unflappable and measured in her submissions” **Stuart Frith, Partner - Restructuring and Insolvency, Stephenson Harwood LLP (2019)**

“Your clarity of thinking and leadership was much appreciated” **Insolvency Practitioner Client, 2019**

“Thank you for your focussed and effective advocacy” **Government lawyer, 2018**

“I could not have asked for a better legal team than [solicitor’s firm] and Lisa Linklater”  
**Client following mediation, 2017**

“This was a fantastic result” Managing director and commercial dispute resolution  
**Solicitor, 2016**

“Your expert presentation of the case to the court was exceptional” **Partner and head of Commercial Dispute Resolution Department following trial in 2016**

## Publications

Shareholder Disputes: Unfair Prejudice Petitions and The Art of Share Valuation (Solicitors Journal, 2022) 165(9), 25 – 27.

Virgin Active and New Look: A new dawn for the rescue culture? (Sweet & Maxwell's Insolvency Intelligence 2021, 34(3), 55 - 57).

"Legal Professional Privilege: Breach of a Company Director's Duties and the Iniquity Exception in Practice" (Feature article, LexisNexis Corporate Rescue & Insolvency Journal, December 2020, 13(6), 194 - 195).

"Changing Times: Aspects of Creditor Enforcement in Administration and the New Moratorium" (Sweet & Maxwell's Insolvency Intelligence 2020, 33(3), 96 - 98).

"Furlough and Administration: When is a Contract of Employment 'Adopted'?" (R3's Recovery, Autumn 2020).

Member of the editorial advisory board of "The Company Lawyer" (Sweet & Maxwell).

Co-author of "Rider, Alexander, Linklater & Bazley: Market Abuse and Insider Dealing" (2nd ed, Tottel Publishing).

Member of the editorial board of "The Company Lawyer" (Sweet & Maxwell) from 2001 – 2007, regularly contributing editorials on company, finance and insolvency topics.

## Beyond the Bar

Music, golf, swimming, gym and theatre. Lisa is fluent (conversational) in French and German.



## Commercial Cases

Lisa's experience in commercial litigation and commercial contract before taking silk includes the following:

### COMMERCIAL LITIGATION

- Securing a favourable settlement for the defendants to a £5 million misfeasance and transaction defrauding creditors claim, brought by the liquidators of an offshore partnership that had moved onshore in long-running HCt BPC proceedings (2018 – 2021).
- **Wybone Limited:** Successfully defended serious allegations and defeated injunction application against client director in respect of management of successful company (2020)(HCt).
- **[2019] EWHC 546 (Ch) and [2019] EWHC 1928 (Ch):** Successfully defended challenge to the English High Court's jurisdiction and claim that England was forum non conveniens, securing payment of debt and withdrawal of claim in Northern Ireland for over £1.7 million (HCt).
- **Northgate Lighting Limited v Brite Source PTE Limited:** Acted for Singaporean company in disputed winding up petition relating to lighting supplies valued at \$2.2 million (2019) (HCt).
- Acted for **Sports Direct** in defending emergency application for delivery up of items in High Street stores following the purchase of House of Fraser (in administration) (2018) (HCt).
- Representing company that bought a pharmaceutical business from a company in administration in claims brought by the administrators that the terms of the business sale agreement had been breached (2017) (HCt).
- Successfully defending injunctive relief proceedings brought by a major manufacturer of bed products that had purchased a portfolio of properties from administrators in a "fire sale" and obtaining a favourable settlement of claim before a six day trial. The claim centred on allegations of civil fraud and was related to high profile criminal proceedings relating to the premises (2016) (HCt).
- Successfully obtained freezing order for leading travel company, based in Yorkshire (2015) (HCt).
- Advised and represented leading household name in the energy sector in dispute relating to power station in the North West (2015) (HCt).
- Obtained injunction on behalf of an academy in West Yorkshire to help secure pupils and employees following violent threats by a pupil (2014).
- **Close Asset Finance Limited v B & ors:** Defended application for repossession of specialist machinery, used to make medical milk for export pursuant to licence, and subject to hire purchase agreements, brought by finance house. The first hearing of the application settled, preserving use of machinery for client during administration (2015) (HCt).

- **Oxford RFS v AP & ors** (2013) (Briggs J) Successfully obtained an interim injunction on behalf of a company against a former employee restraining use of confidential information and records taken in a developing technology in the energy sector and subsequently successfully settled claim.
- **Paragon Mortgages Ltd v MP** [2011] All ER (D) 65 (David Steel J) Acted for borrower in multi-million pound claims under guarantees and on personal mortgages of buy to let properties in Leeds where LPA receivers had been appointed.
- **Lowes v W Machell Joinery Ltd** [2011] EWCA Civ 794, [2012] 1 All ER (Comm) 153 and [2011] EWCA Civ 798 (Rix LJ, Lloyd LJ and Lewison J) Whether a staircase was unfit for purpose under the Sale of Goods Act 1979 due to non-compliance with Building Regulations and the extent to which new points may be taken on appeal and costs consequences.
- **GE Money Home Lending Ltd v H C Wolton & Sons Ltd (t/a Wolton Chartered Surveyors)** [2010] All ER (D) 116 (May) [2010] PNLR 28 (HHJ Behrens) Whether or not claim form in professional negligence proceedings could be amended in respect of name of one of the parties outside limitation period.
- **Michael Gerson (Leasing) Ltd v Loach and others** [2002] All ER (D) 147 (Jul) (Court of Appeal) (Pill LJ, Robert Walker LJ and Sir Martin Nourse) Succeeded in appeal on issue of construction of chattel leasing agreement.

## COMMERCIAL CONTRACTS

- Successfully acted for construction company in claim for specific performance of a contract to purchase land with a contract value of £4m in a dispute that had lasted 10 years (2020 – 2021) (HCt).
- **Unwin v Bond [2020] EWHC 1769 (Comm)**, a precedent case on good faith clauses in shareholder agreements and one of the first trials to take place remotely during the Covid-19 pandemic.
- Advising a local authority on successfully exiting an onerous contract relating to mortuary services (2019).
- Successfully defending a claim under a joint venture agreement and by proprietary estoppel to a valuable quarry at an 8-day trial (2019) (HCt).
- Representing a Yorkshire Fastest 50 company in defending a claim brought by a commercial agent for in excess of £2.5 million in alleged unpaid commission (2018).
- Advising in alleged breach of contract claim relating to project in Dubai (2018).
- Successfully acted for sellers of shares in claim against purchasers for breach of share purchase agreement involving a company providing car repair services for insurers. Case settled before issue of proceedings (2017).
- **Atlantisrealm Ltd v Intelligent Land Investments (Renewable Energy) Ltd** [2017] EWCA Civ 1029, [2017] C.P. Rep. 39, [2017] EWHC 564 (TCC): Acted for the Claimant in a substantial claim of over £1 million for breach of warranties in a share purchase agreement involving a wind farm in Scotland. The case settled before a 10-day trial and following a high-profile appeal centred on disclosure of legally professionally privileged documents by the Defendant.
- Lisa successfully acted for a major commercial landscaping company in obtaining settlement of a claim of just under £1 million in the Mercantile Court against a local

authority. The claim was for breach of a public sector contract relating to ground-works in parks, schools and other amenities under the control of the local authority (2015) (HCt).

- Successfully defended seller of shares in claim for alleged breach of warranties in a share sale agreement relating to a debt collection company in a case involving complex forensic accounting issues on the issue of liability (2015) (HCt).

Please see the bespoke CVs opposite for details of Lisa's practice, expertise and experience in [company \(particularly shareholder disputes\)](#), [insolvency](#), [commercial fraud](#) and [property and trusts](#) before taking silk.