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Chantelle Staynings

Call: 2012

Chantelle has appeared as sole advocate in the Companies Court, High Court and Court of Appeal. Her litigation experience includes a range of shareholder, partnership and joint venture disputes, many of which have involved applications for interim remedies including freezing orders, injunctions and Norwich Pharmacal orders.

Chantelle also has particular expertise in corporate insolvency. She frequently represents insolvency practitioners, companies and creditors in matters including applications for administration orders, contentious winding up proceedings, and claims against office-holders.

She has a strong corporate advisory practice, regularly advising on matters relating to the Companies Act and Insolvency Act. She has also acted in a number of cross-border mergers and capital reductions.

Litigation and Arbitration

- Shareholder disputes
- Unfair prejudice petitions
- Fiduciary obligations
- Warranty claims
- Joint venture disputes
- LLP/ partnership disputes
- Directors' disqualification
- Fraud and asset recovery
- Interim remedies
- Commercial litigation
- Arbitration

Significant cases include:

Re: AMT Coffee Ltd (2018)

Instructed (with Nigel Dougherty) on behalf of Petitioners in trial of unfair prejudice petition under s 994 CA 2006 alleging matters including non-payment of dividends and excessive remuneration.

Re: Northbay Pelagic Ltd (2018)

Instructed (with James Potts QC) on behalf of Respondents in trial of unfair prejudice petition and counterclaim under s 994 CA 2006 alleging matters including breaches of directors' duties / exclusion from management.

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Interactive Technology Corp Ltd v Ferster [2016] EWHC 2896 (Ch)

Instructed in trial of shareholders' dispute involving unfair prejudice petition, breach of duty and trust claims (led by Andrew Thompson QC).

Zoya Ltd v Ahmed [2016] EWHC 2249 (Ch); [2016] 4 W.L.R. 174; [2016] All ER (D) 75

Acted for solicitors in claim for breach of warranty of authority in litigation brought by a company. The Defendant to the litigation had not relied on the warranty, having argued from the outset that the person instructing the solicitors lacked authority to do so.

Jackson & Ors v Feeney & Anr [2016] EWCA Civ 479

Permission to appeal granted in respect of whether parties against whom declarations were being sought were properly excluded from being heard in the counterclaim seeking those declarations.

Pourghazi v Kamyab [2015] (unrep.)

Indemnity costs awarded against a judgment debtor following cross-examination on his assets and a suspended committal order having been made for non-attendance.

J & W Sanderson Ltd v Fenox (UK) Ltd [2014] EWHC 4322 (Ch); [2015] All ER (D) 38 (Jan)

Successfully resisted application for stay of unfair prejudice petition for arbitration under the Arbitration Act 1996 or the court's inherent case management powers.

Vitol SA v Morley [2015] EWHC 613 (QB)

Successfully resisted application for an order that £1.3million be transferred by defendant subject to a worldwide freezing order from out of the jurisdiction and paid into court (led by Michael Todd QC).

Corporate

- Companies House matters (including rectification of register/charges register/restoration to register)
- Company meetings
- Construction and drafting of constitutional documents
- Disclosure and transparency rules
- Takeover code
- Cross-border mergers
- Shareholders disputes
- Corporate governance
- Reductions of capital
- PSC register
- Directors' duties

Significant cases include:

Re Juicesport Ltd

Merger by absorption (with surviving UK company) under the Companies (Cross-Border Mergers) Regulations 2007.

Re Eye Media Solutions Limited

Merger by absorption of a wholly-owned subsidiary under the Companies (Cross-Border Mergers) Regulations 2007.

Re Complete Entertainment Resources Limited (2015)

Merger by absorption under the Companies (Cross-Border Mergers) Regulations 2007.

Restructuring & Insolvency

- Contentious insolvency (incl. cross-border issues)
- Disputed winding up petitions
- Jurisdiction to wind up
- Injunctions to restrain presentation and advertisement of petitions
- Administration (incl. extensions of time)
- Validation orders
- Transactions at an undervalue/ preferences
- Bankruptcy hearings
- Cross-border Insolvency Regulations 2006

Significant cases include:

Rowntree Ventures Ltd v Oak Property Partners Ltd [2016] EWHC 1523 (Ch)

Resisted applications in the High Court for administration orders against two companies with combined prospective liabilities said to be in excess of £17 million. Noteworthy for the fact that the court declined to exercise its discretion to grant administration orders on the basis that they were premature and it was preferable to give the companies the opportunity to “bring the business round without being subject to either liquidation or administration”.

Re Buccament Bay Resort Ltd; Re Harlequin Property (SVG) Ltd [2014] EWHC 3130 (Ch)

Successfully resisted winding-up petitions presented in the English court against SVG companies on the basis that the English court had no jurisdiction where, among other things, most of the companies' assets were in a foreign jurisdiction and the order might prove ineffective (led by Ceri Bryant QC).

Borodzicz v Horton [2015] All ER (D) 03 (Dec); [2016] B.P.I.R. 24

Defending application by former bankrupt for permission to bring proceedings under s. 304 Insolvency Act 1986 in respect of remuneration and other expenses incurred by trustee who had been released from office.

Re Grabiec [2015] EWHC 1548 (Ch); [2015] B.P.I.R. 1311

Appeal to High Court following decision of Chief Registrar raising issues regarding the availability of set-off as a defence to a statutory demand, including where the debtor's proof had been rejected in the creditor company's winding up.

International & Offshore

Advice in relation to companies in BVI, Singapore and Hong Kong.

Annotated version of BVI Business Companies Act.

Memberships & Publications

Chancery Bar Association

COMBAR

Financial Services Lawyers' Association

Chantelle Staynings

Practical Law: author of current "Creditor's petition to wind up a company: case study and "Creditor's winding up petition: procedure"

Co-author of "The Law of Majority Shareholder Power" (2nd edition, 2017) published by Oxford University Press

Education & Awards

2012: City Law School: BPTC (Outstanding)

Prizes for Company and Commercial Law; Civil Procedure and Everard Ver Heyden Prize for overall performance.

2006: Oxford Institute of Legal Practice: LPC (Distinction)

2005: Oxford Brookes University: GDL (Distinction)

2004: Trinity College, Oxford University: BA (Hons) English (1st class) and Percival Scholar