

## CATHERINE ROBERTS

*Called: 1986*

### **Profile:**

Company Law litigation and advice, corporate finance, financial services, insolvency. Miss Roberts has extensive experience of corporate litigation from petitions under section 459 of the Companies Act 1985, applications under the Companies Act 1985, claims against directors for breach of fiduciary duty, proceedings under the Company Directors Disqualification Act 1986 and issues arising in corporate insolvencies. Miss Roberts has cross-examined many witnesses of fact and expert witnesses.

Advisory work in relation to corporate transactions involving questions on the Companies Act 1985, Companies Act 2006, Financial Services and Markets Act 2000 and Insolvency Act 1986.

### **Education:**

1979-1982 :Churchill College Cambridge (M.A., LL.M)

1983-1985: Lecturer in Law, Leeds University. Supervisor in Law at Churchill College.

1986: Called to the Bar by Lincoln's Inn

### **Practice:**

Joined Erskine Chambers in 1987.

### **Publications:**

Author of Financial Assistance For The Acquisition Of Shares (2005), published by Oxford University Press.

Contributor to Buckley on the Companies Acts, published by Butterworths.

Joint author of Company Meetings: Law, Practice and Procedure which is to be published by Oxford University Press in December 2008.

### **Professional Organisations:**

COMBAR, Chancery Bar Association.

## Case List:

Constable -v- Executive Connections Limited

*Ref: [2005] 2 BCLC 638*

PNC Telecom plc -v- Thomas & others

*Ref: [2004] 1 BCLC 88*

*Efficacy of a requisition notice sent by fax*

Folkes Group plc

*Ref: January 2002*

*Costruction of articles of association - hearing before Rimer J.*

Folkes Group plc -v- Alexander

*Ref: [2002] 2 BCLC 254*

*Interpretation of articles of association*

Re Nottingham Forest Plc

*Section 459 petition. Junior Counsel acting for respondents. Trial before Hart J. in January 2001. Judgement in favour of respondents given in April 2001.*

Woven Rugs Limited

*Ref: November 2001*

*Section 371 of the Companies Act 1985*

Soden v. British & Commonwealth Holdings Plc

*Ref: [1995] 1 BCLC 686, [1997] 2 WLR 206 (CA), [1997] 3 WLR 840 (HL)*

Harman v BML Group Limited

*Ref: {1994} 1 WLR 893*

Re Whitchurch Insurance Consultants

*Ref: [1994] BCC 51*

Re Morgan Insurance Brokers Limited

*Ref: [1993] BCLC 676*

Re Opera Photographic Limited

*Ref: [1989] 1 WLR 634*

Re Patrick Gibbons

*Breach of fiduciary duty proceedings*

Re Quayle Munro Limited  
*Section 459 Petition*

Re The Littlewoods Organisation and Barry Dale  
*Wrongful dismissal claim for Barry Dale - settled 1998*

Re Northern Electric Properties Limited  
*Insolvency - hearing in Newcastle DR in June 1998*

Re Chapman v Homan Horsfield & James  
*Wrongful dismissal claim - settled 1998 before final hearing*

Re Dartington Crystal Group plc  
*Section 459 Petition - for respondent - settled 1998*

Re Bonyard Shipping v Global Containers  
*Winding up of a foreign company - heard July 1998*

Re Vass Construction Services  
*Section 459 Petition - settled 1997*

Re Gonzalez Byass (UK) Limited  
*Professional negligence claim in a large commercial transaction - settled late 1997 during preparation for hearing.*

Re David Valks and J Valks (Farmers) Limited  
*Shareholder dispute - breach of fiduciary duty claim - settled during hearing in Leeds DR in September 1997*

Re Exeter Golf & Country Club -and- Littlewood  
*Section 459 Petition - settled 1997 before final hearing*

Re Rydstrom v. Ronson Group Plc  
*Removed employee seeking compensation - company countersuing for alleged breach of fiduciary duty*

Manyoni v Philips  
*Witness action - shareholders dispute; several days of cross-examination.*

Deakin & Deakin v Faulding  
*Breach of fiduciary duty and undue influence. Proceeded to full trial before Hart J. in July 2001.*

Re Asmac Limited

*Section 459 and section 122 petition. Acting for respondents.*

Re Bracebridge Limited

*Application under section 371 of the Companies Act 1985.*

Stewart v Burke

*Breach of fiduciary duty proceedings.*

Murphy v Murphy

*Partnership matter - settled before trial.*

Re Mazoriagga

*Partnership matter. Not instructed at first instance. Instructed for hearing in the Court of Appeal.*