

DAVID MABB QC

Called: 1979 Silk: 2001

Profile:

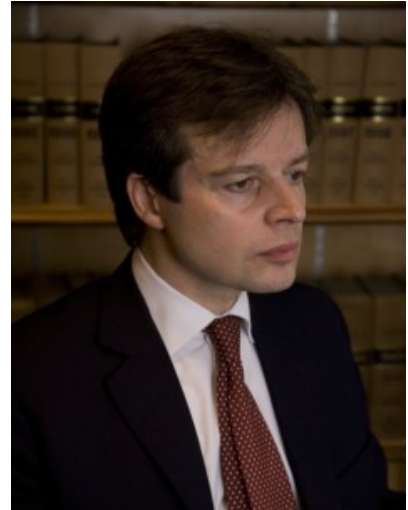
Litigation and advisory work covering company law and all related areas, including accounting matters, corporate insolvency, corporate finance, financial services and some professional negligence and commercial work.

Education:

Cambridge University - B.A. in law, first class (1978), M.A. (1982).

Lincoln's Inn – major scholarship (1979).

Joined Erskine Chambers in 1980.



Recently reported cases:

Re Expro International Group Plc LTL 25/07/2008 (David Richards J. - Chancery Division)

Application for the sanction of a scheme of arrangement, and rival application to adjourn, involving consideration of the Takeover Code, particularly rule 2.8.

Re Alliance Assurance Co Ltd LTL 17/10/2006 (David Richards J. - Chancery Division)

Question as to who should pay a creditor's costs of initial opposition to an insurance business transfer scheme under Part VII of the Financial Services and Markets Act 2000.

Stansell Ltd v Co-operative Group (CWS) Ltd [2006] 1 BCLC 401 (Blackburne J. – Chancery Division); [2006] 1 WLR 1704 (Court of Appeal)

Question concerning the operation of a transfer of engagements under Section 51 of the Industrial and Provident Societies Act 1965 in relation to a construction contract containing a restriction on assignment.

Feetum & Ors v Levy & Ors [2005] 1 WLR 2576 (Lewison J. – Chancery Division)

Question whether the appointment of administrative receivers of a limited liability partnership was valid, which depended on the scope of the project finance exception in Section 72E of the Insolvency Act 1986 to the prohibition in Section 72A. (For the decision of the Court of Appeal, upholding the Judge's Order, see [2006] Ch 585.)

EIC Services Ltd v Phipps [2004] 2 BCLC 589 (Neuberger J. - Chancery Division); [2005] 1 WLR 1377 (Court of Appeal)

Question whether a bonus issue was valid; involving issues of shareholder approval, common mistake and Section 35A of the Companies Act 1985.

Rose v Lynx Express Ltd [2004] 1 BCLC 455 (Court of Appeal)

Application for disclosure, under CPR r.31.16, before proceedings started; depending on whether it was properly arguable with a real prospect of a success that pre-emption provisions had been triggered.

Smith v Henniker-Major & Co (a firm) [2002] BCC 544 (Rimer J. - Chancery Division); [2003] Ch 182 (Court of Appeal)

Issues concerning Section 35A of the Companies Act 1985; ratification; amendment of pleadings post-expiry of limitation period.

Re Anglo American Insurance Co Ltd [2002] BCC 715 (Neuberger J. - Chancery Division)

Questions arising in relation to applications by joint provisional liquidators for letters requesting assistance from two overseas Courts.

Re Anglo American Insurance Co Ltd [2001] 1 BCLC 755 (Neuberger J. - Chancery Division)

Questions concerning set-off arrangements raised on the hearing of a petition seeking sanction for a creditors' scheme of arrangement under Section 425 of the Companies Act 1985.

Re Sedgefield Steeplechase Co (1927) Ltd [2000] 2 BCLC 211 (Lord Hoffmann - Chancery Division); [2001] BCC 889 (Court of Appeal)

Question arising in a claim and a parallel Section 459 petition whether pre-emption provisions had been triggered.

Re Guidezone Ltd [2000] 2 BCLC 321 (Jonathan Parker J. - Chancery Division)

Petition seeking relief under Section 459 of the Companies Act 1985, alternatively winding up on the just and equitable ground. The judgment considers the scope of, particularly, the latter jurisdiction.

Re Ransomes Plc [1999] 1 BCLC 775 (Lloyd J. - Chancery Division); [1999] 2 BCLC 591 (Court of Appeal)

Petition seeking confirmation of cancellation of share premium account, opposed by preference shareholder.

Publications:

Opinion on Control of Political Funding under Part XA of the Companies Act 1985, published on the Law Society website.

Contribution to *Buckley on the Companies Acts* (of commentary on Part 9 of the Companies Act 2006 (Exercise of Members' Rights)).

Professional Organisations:

Member of the Chancery Bar Association and the Commercial Bar Association.

Other:

Member, Financial Reporting Review Panel, 2009 -.

Further details:

For further information please contact the Clerks.