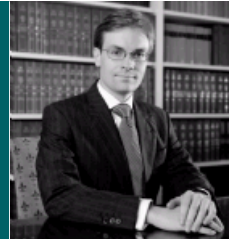


Donald Lilly

Called: 2006



Areas of Practice

Litigation and advice in the fields of corporate insolvency, commercial litigation, financial services, company law and public law.

Insolvency & Reconstruction

Donald regularly appears in the High Court in corporate insolvency matters. He appears at the hearing of petitions in the winding up list, at disputed debts hearings and at applications for restraining order (of presentation or advertisement), for validation orders and under s.216(3) of the Insolvency Act 1986. His advisory work is varied, spanning from advice upon wrongful and fraudulent trading to issues arising from the proof of debts in administrations and liquidations (most notably advising on the insolvency of Britannia Bulk plc). Apart from his own work, Donald has also been led in a number of substantial corporate insolvency matters, including the winding up on just and equitable grounds of a company incorporated in the Bahamas (led by John Brisby QC and Andrew de Mestre).

Commercial Litigation

Donald appears in the County Courts and in the High Court, and has experience with alternative dispute resolution procedures, in particular, mediation. He has appeared in a number interlocutory applications, such as for summary judgment. His advisory work not only includes general advice upon litigation tactics and the conduct of proceedings, but also on cross-border issues, such as service out of the jurisdiction and the application of the Judgments Regulation. He has been led by Robert Hildyard QC and Orlando Fraser in a dispute between a protector and trustee of a trust settled in St. Christopher and Nevis (which included the successful application for a freezing order).

Company Law

In the field of company law, Donald's advisory and litigation work is diverse, ranging from complications arising out of the rectification of a members' register to appearing in applications under the Companies Cross-Border Merger Regulations 2007. He regularly appears in the Companies Court in applications and trials pursuant to the Companies Acts, such as extensions of time to register charges and unfair prejudice petitions. He was led by Christopher Harrison in a significant trial of an unfair prejudice petition.

Financial Services

Recently Donald has been led by John Brisby QC and Jonathan Brettler, giving advice on the scope of the FSA Principles and Guidelines and their enforcement upon the sale of asset-backed securities. He has also advised upon the impact of financial services regulations, such the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001 and the consequences of "regulated activity" upon the distribution of assets in a liquidation.

Public Law

Issues of public law touch upon many of Donald's areas of practice. For example, he has experience in relation to directors' disqualification, having advised former directors on liability arising from alleged trading to the detriment of the Crown, and is presently being led by Malcolm Davis White QC and Anna Markham in the early stages of substantial director disqualification proceedings. Donald also has experience with civil recovery under Parts 5 and 8 of the Proceeds of Crime Act 2002 and is presently being led by leading counsel outside chambers in relation to a substantial cross-border civil recovery investigation.

Cases of Interest

Oak Investment Partners XII, Limited Partnership v Martin Boughtwood and others [2009] 1 BCLC 453

Academic

BA and BCL: Wadham College, Oxford (Scholar)

Middle Temple: Astbury Scholar and Harmsworth Entrance Exhibitioner

Oxford: The Linklaters Prize in EC Competition Law (BA) and the Monckton Prize in Competition Law (BCL)

Professional

Areas of Practice

- Insolvency & Reconstruction
- Commercial Litigation
- Company Law
- Financial Services
- Public Law

Notes

Before joining 4 Stone Buildings, Donald spent a year working with an international property development company based in Canada.



© 4 Stone Buildings 2009

4 Stone Buildings

Lincoln's Inn, London WC2A 3XT

tel: 020 7242 5524

fax: 020 7831 7907

DX: 385 Chancery Lane