



clerks@erskinechambers.com

Anna Scharnetzky

Call: 2011

Anna specialises in company law, corporate insolvency and corporate finance, as well as related areas of commercial law. Her practice is divided approximately equally between advisory work and litigation. She has a particular interest in work with a cross-border element.

Anna undertakes a mixture of high value, complex led work alongside unled work. She regularly appears in the High Court and before the ICC Judges (formerly Registrars) in the Companies Court. Her matters often involve applications for interim relief, including injunctions and freezing orders.

Anna is a bilingual German speaker and also admitted as a lawyer (Rechtsanwalt) in Germany.

Corporate

Anna advises on all aspects of company law including:

- Shareholder disputes / shareholders' rights
- Company meetings and resolutions
- Corporate governance and directors' duties
- Capital markets
- Drafting of and advice on shareholders' agreements and articles of association
- Reductions of capital and buy-backs
- Applications relating to information on the register at Companies House (removal of information, rectification of information, late registration of charges)
- Application for company restoration to the register
- Claims for rectification of the register of members

Restructuring & Insolvency

- Winding-up (incl. applications to set aside statutory demands, for injunctions to restrain advertisement, validation orders, rescission of a winding-up order)
- Administration

Anna Scharnetzky

- Conflicts of laws / Disputes as to jurisdiction (incl. advice on issues arising out of the Cross-Border Insolvency Regulations 2006 and the EU Insolvency Regulation)
- Reversal of transactions in insolvency (transactions at an undervalue, preference etc.)
- Restructurings, CVAs, creditor schemes

Significant cases include:

Re T & N Asbestos Trustee Company Ltd [2016] EWHC 2594 (Ch): Application by a trustee for directions (with Peter Arden KC)

Re Sanko Steamship Co Ltd [2015] EWHC 1031 (Ch): Application for the remission of funds to the debtor company in Japan under the Cross-Border Insolvency Regulations 2006 (with Edward Davies KC)

Re Commonwealth Institute (Setchim v Secretary of State for Foreign & Commonwealth Affairs) [2014] W.T.L.R. 1621: Application by the liquidators for directions in relation to (amongst other matters) a potential claim against the Government estimated to be worth in excess of £18m (with Peter Arden KC and Tim Akkouch)

Litigation & Arbitration

Anna is regularly instructed on corporate and commercial disputes, including:

- Shareholder disputes (incl. unfair prejudice petitions, derivative claims, joint venture disputes and personal claims)
- Claims by a company against its former directors / breach of directors' duties
- Directors' disqualification
- Claims arising out of unlawful distributions
- Breach of warranty claims in particular in relation to share sale agreements
- Civil fraud and asset recovery
- Disputes as to jurisdiction and service
- Applications for freezing and proprietary injunctions (and other interim remedies)

Significant cases include:

Instructed as a junior (together with Stephen Smith KC/Tim Akkouch) in connection with various interim applications in **JSC Mezhdunarodniy Promyshlenniy Bank v Pugachev**, a case involving civil fraud and insolvency claims against Sergei Pugachev arising out of the collapse of Mezhprombank in Russia (incl. applications concerning a search order, the lifting of confidentiality clubs and implied/express undertakings given in connection with a worldwide freezing injunction, the enforcement of a default judgment)

JSC Mezhdunarodniy Promyshlenniy Bank v Pugachev [2016] EWHC 258 (Ch) and [2016] EWHC 192 (Ch) (with Stephen Smith KC and Ben Griffiths) instructed as junior counsel in committal proceedings which resulted in a two-year prison sentence against Sergei Pugachev

Anna Scharnetzky

Memberships & Publications

Chancery Bar Association

COMBAR

British-German Jurists' Association

Education & Awards

2006 – 2009 BA (Hons) in Law, Corpus Christi College, Cambridge

- James William Squire Scholarship (Faculty of Law, University of Cambridge)
- Avory Scholarship (Corpus Christi College, Cambridge)

2009 – 2010 LLM (Distinction), University College London

2010 – 2011 BPTC (Very Competent), Kaplan Law School

- The Bacon Award (Gray's Inn)
- Avory Studentship (Corpus Christi College, Cambridge)

Ranked in

Legal 500–

Company and Partnership