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Tom Hall

Call: England and Wales: 2021

Tom is a busy company and insolvency law junior.

He is currently instructed on a number of substantial corporate and insolvency disputes, both in this jurisdiction and offshore. Recent highlights of his practice include acting for the joint provisional liquidators in *Re Northstar Financial Services (Bermuda) Ltd.* [2023] SC (Bda) 57 Civ (with Michael Todd KC), a landmark decision on Bermuda's segregated accounts regime. More recently, Tom has acted on an LCIA arbitration (London seat) between the shareholders of a £1bn family-owned business (with James Potts KC and Chantelle Staynings), which settled before a six-week trial.

Tom also regularly appears unled in the Insolvency and Companies Court. He is experienced in navigating the full range of corporate and insolvency applications.

A substantial proportion of Tom's practice relates to offshore matters. His recent instructions include disputes in Bermuda, Jersey and the TCI, and he has recently co-authored expert evidence on BVI law for a confidential arbitration (with David Chivers KC).

Alongside his disputes practice, Tom regularly provides advice (both led and unled) on a range of transactional matters, including schemes of arrangement, demergers and listing requirements.

Before coming to the Bar, Tom graduated top of his year both at undergraduate level (BA Classics, Oxford) and on the GDL (City, University of London).

Corporate (contentious)

Recent shareholder disputes on which Tom has been instructed include:

- LCIA arbitration (London seat): shareholders' dispute between holders of £1bn family-owned business (with James Potts KC and Chantelle Staynings). Settled before a six-week trial.
- Confidential dispute between shareholders of a family-owned property business (ongoing, with Nigel Dougherty).

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- Confidential dispute between founders and investors of a telecoms company (ongoing, with Nigel Dougherty).
- Confidential dispute concerning control of a substantial Jersey-incorporated property business and related claims (ongoing, with Jersey Counsel).

Other recent and ongoing corporate disputes include:

- Dispute concerning compliance with s. 552 of the Companies Act 2006 (ongoing, with Andrew Thornton KC).
- Dispute concerning statutory guarantee under s. 479 of the Companies Act 2006 (ongoing, with Andrew Thornton KC).
- Multiple corporate derivative claim concerning valuable offshore hospitality business (ongoing, with offshore Counsel).
- Acting for the successful party in an independent adjudication on the scope of a director's indemnity in respect of multinational data and software company (with James Potts KC).

Corporate advisory

Recent led instructions include advice on:

- The validity of a complex capital reduction demerger (with James Potts KC)
- Compliance with the Listing Rules requirements applicable to a premium-listed company (with Andrew Thornton KC)
- A challenge to a multi-billion-dollar overseas takeover scheme of arrangement (with Andrew Thornton KC)
- Advice on construction of articles of association for the purposes of an inheritance tax dispute (with Francis Fitzpatrick KC)

Recent unled instructions include:

- Advice on the validity of a solvency statement reduction of capital.
- Drafting rule changes to remedy share capital issues affecting a community benefit society.
- Regular advice on defective corporate registers and corrective steps.

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Restructuring & Insolvency

Recent and ongoing led instructions include:

- Re Northstar Financial Services (Bermuda) Limited and Omnia Ltd: advising joint provisional liquidators on all aspects of the liquidations (with Michael Todd KC and Philip Morrison), including the operation of the statutory segregated accounts regime (2023] SC (Bda) 57 Civ), claims in respect of historical fraudulent activity and the valuation and priority of claims.
- Successful application for service out of multi-million euro claim by a company in liquidation for the return of unexplained payments.

Recent unled instructions include:

- Payerise Ltd (in liquidation) v Clements and Howe: acted (unled) for the company in a six-figure claim to recover pre-liquidation payments. Settled before trial for a confidential sum.
- Re WSC World Sporting Consulting Ltd: successful defence of an application to restrain advertisement of a winding-up petition in respect of a motorsport event organisation.

Arbitration

LCIA arbitration (London seat): shareholders' dispute between holders of £1bn family-owned business (with James Potts KC and Chantelle Staynings). Settled before a six-week trial.

Schemes of arrangement

Tom has acted on the following matters (with Andrew Thornton KC):

- Re West African Gas Pipeline Co Ltd [2022] EWHC 296 (Ch): novel members' scheme of arrangement of a Bermudian company. Convening hearing judgment reported at [2022] BCC 524.
- Advice on class issues relating to proposed members' scheme of an offshore telecoms company.
- Advice on challenge to multi-billion-dollar overseas takeover scheme.

Offshore

Recent and ongoing instructions include:

- Re Northstar Financial Services (Bermuda) Limited and Omnia Ltd: advising joint provisional liquidators on all aspects of the liquidations (with Michael Todd KC and Philip Morrison), including the operation of the statutory segregated accounts regime (2023] SC (Bda) 57 Civ), claims in respect of historical fraudulent activity and the valuation and priority of claims.

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- Confidential dispute concerning control of a substantial Jersey-incorporated property business and related claims (ongoing, with Jersey Counsel).
- Multiple corporate derivative claim concerning valuable offshore hospitality business (ongoing, with offshore Counsel).
- Acting for the successful party in an independent adjudication on the scope of a director's indemnity in respect of multinational data and software company (with James Potts KC).
- Advising beneficiaries of a substantial family trust for the purpose of litigation on multiple fronts in Bermuda and the Cayman Islands.
- Drafting expert evidence on BVI law for a confidential arbitration (with David Chivers KC).

Education and Publications

BPTC (City, University of London) – Outstanding

GDL (City, University of London) – Distinction, top in year

MPhil Classics (University of Cambridge) – Distinction

BA Classics (University of Oxford) – First, top in year

Tom is a contributor to the forthcoming edition of *Lightman and Moss on the Law of Receivers and Administrators*

Prizes and Scholarships

Lord Mansfield Scholarship (Lincoln's Inn) - Inn's top BPTC scholarship

GDL prizes for best overall performance and highest marks in contract and criminal law (City, University of London)

Lord Haldane Scholarship (Lincoln's Inn)

BA Classics: first in year; Gibbs Prize for best performance in Greek literature papers; proxime accessit Honour Moderations (University of Oxford)