



clerks@erskinechambers.com

Lily Church

Call: 2022

Lily accepts instructions in Chambers' core areas of practice including company law, restructuring and insolvency, offshore litigation, commercial litigation and arbitration.

Lily is fast developing a busy practice. She regularly appears unled in the Insolvency and Companies Court and County Court and provides advice on a range of corporate and commercial matters.

Notable recent work includes: assisting Andrew Thompson KC on the appeal to the Supreme Court in THG Plc v Zedra Trust Company (Jersey) Ltd [2024] EWCA Civ 158; acting as junior in a multi-million pound arbitration concerning a breach of warranty in a share purchase agreement; and acting as junior in Alkhawaja v TPL Investment Management Ltd and TPL Reit Management Company Ltd [2024] ADGMCFI 0009, in what was the highest value claim ever heard in the Abu Dhabi General Market Court, Employment Division and successfully defending multi-million-dollar contractual claims on points of company law.

Upon obtaining tenancy, Lily undertook secondments to Freshfields (Financial Institutions Disputes Group), Slaughter and May (Corporate). Prior to pupillage, Lily spent time in Australia working as a research assistant to barristers in Sydney and Melbourne on two supreme court matters.

Lily studied on the Masters of Corporate Law programme at Cambridge University where she obtained a First Class postgraduate degree and ranked second in her year, winning several university prizes. During her time at Cambridge, Lily was the resident Richard Sykes QC Scholar at Pembroke College.

Lily obtained a First Class undergraduate law degree at the University of Durham and a Distinction in the Bar Course at the Inns of Court College of Advocacy, ranking third in her cohort. Lily was also the recipient of an Inner Temple Major Scholarship, Duke of Edinburgh Award and COMBAR Scholarship

Company

Regularly appears in the Insolvency and Companies Court on Companies Act applications.

- THG Plc v Zedra Trust Company (Jersey) Ltd [2024] EWCA Civ 158 – Currently assisting Andrew Thompson KC in the forthcoming appeal to the Supreme Court concerning the limitation period applicable to an unfair prejudice petition brought under section 994 of the Companies Act 2006.

- Boston Trust Company Limited & Anr v Szerelmey Limited & Ors – Appeared in the Insolvency and Companies Court unled in the successful application for a charging order over shares, following judgment in derivative claim proceedings.

- Alkhawaja v TPL Investment Management Ltd and TPL Reit Management Company Ltd [2024] ADGMCFI 0009 - Acted as junior to James Bickford Smith and James Green of Littleton Chambers in what was the highest value claim ever heard in the Abu Dhabi General Market Court, Employment Division. Successfully defended multi-million-dollar contractual claims on points of company law. The judgment is the first in the ADGM courts to consider a variety of company law issues, including a director's authority to enter into contracts on behalf of the company, warranty of authority, directors' duties, issues concerning directors' remuneration and Re Duomatic.

Advised parties to a prospective unfair prejudice petition under s.994 of the Companies Act concerning the terms of an O'Neill v Phillips offer.

- Appeared unled in the Insolvency and Companies Court in a successful application under section 306 Companies Act 2006 (application for a court ordered shareholders meeting).

- Advised shareholders of a publicly listed mining company, representing Mexican communities alleging environmental and humanitarian claims against local subsidiaries (pro bono).

- Carillion director's disqualification proceedings – provided research support in advance of the pre-trial review hearing (during pupillage).

- ClientEarth v Shell Plc [2023] EWHC 1897 (Ch) – provided assistance and research support during the preparation of written submissions concerning an application for permission to continue a derivative claim (during pupillage).

- ENRC v Dechert [2023] EWHC 3280 – Provided assistance and research support during the causation and loss phase of trial (during pupillage).

- Advised in connection with the negotiation and signing of Johnson Matthey Plc's sale of its Medical Device Components business to Montagu Private Equity (during secondment at Slaughter and May).

Commercial

- Acted as junior to Andrew Thompson KC and Philip Morrison on a multi-million-pound arbitration concerning a breach of warranty claim in a share purchase agreement in respect of a leading global medical devices company.

- Assisted Andrew Thompson KC with advice concerning prospective claims under s.90 and s.90A FSMA, section 2(1) Misrepresentation Act 1967 and the common law tort of negligent misstatement concerning directors in a publicly listed company.

- Alkhawaja v TPL Investment Management Ltd and TPL Reit Management Company Ltd [2024] ADGMCFI 0009 - Acted as junior to James Bickford Smith and James Green of Littleton Chambers in what was the highest value claim ever heard in the Abu Dhabi General Market Court, Employment Division. Successfully defended multi-million-dollar contractual claims.

- Acted as junior to Nigel Dougherty in an LCIA Arbitration concerning a contractual claim under a share purchase agreement.

Lily Church

- Acted as junior to Nigel Dougherty for the claimant in a contractual claim for breach of a management and services agreement. Drafted the particulars of claim.
- Assisted in connection with the Competition and Markets Authority's first investigation into 'greenwashing' with environmental claims brought against ASDA, Boohoo and ASOS (during secondment at Slaughter and May).

Insolvency

- Regularly appears unled in the Insolvency and Companies Court in respect of winding-up and bankruptcy petitions.
- Currently acting as junior to Michael Todd KC, Ben Griffiths and Jack Rivett in a Cayman Islands winding-up petition brought on the just and equitable ground in respect of a middle-eastern aviation group.
- Drafted all documentation in advance of the convening hearing of a proposed creditors scheme of arrangement, concerning a leading German telecommunications company (during secondment at Freshfields).
- Appeared unled in Court for the joint liquidators of the former Arcadia Group in a successful application concerning the payment of distributions in the liquidation (during secondment at Freshfields).
- Advised the joint liquidators of two Russian-owned and sanctioned entities operating in the aviation industry (during secondment at Freshfields).

Partnership

- Assisted Andrew Thompson KC with advice concerning complex and high-value claims against LLP partners for breach of fiduciary duty, accessorial liability and knowing receipt. Advice concerned the allocation of losses, the law of contribution and group litigation.

Arbitration

Lily has successfully obtained a Certificate in International Arbitration accredited by the Chartered Institute of Arbitrators (CIArb). She is proficient in all aspects of the arbitral process and has experience acting in several arbitrations under both the UNCITRAL and ICC rules.

- Acted as junior to Andrew Thompson KC and Philip Morrison on a multi-million pound arbitration over a breach of warranty claim in a share purchase agreement involving a leading global medical devices company.
- ICC Arbitration (London seat) involving a multi-party investor dispute relating to share rights. Involvement included drafting of the statement of defence (during secondment at Freshfields).
- UNCITRAL Arbitration (London seat) involving a banking dispute and relating to entitlement to the payment of a dividend. Involvement included drafting the response to notice of arbitration.
- UNCITRAL Arbitration (London seat) involving a disputed M&A transaction and claim under the warranties of a share purchase agreement.
- Provided research assistance on a Hong Kong matter concerning the construction of an arbitration clause in a dispute concerning Hong Kong and PRC incorporated companies.

Offshore

- Currently acting as junior to Michael Todd KC, Ben Griffiths and Jack Rivett in a Cayman Islands winding-up petition brought on the just and equitable ground in respect of a UAE-based aviation group.
- *Alkhwaja v TPL Investment Management Ltd and TPL Reit Management Company Ltd* [2024] ADGMCFI 0009 - Acted as junior to James Bickford Smith and James Green of Littleton Chambers in what was the highest value claim ever heard in the Abu Dhabi General Market Court, Employment Division. Successfully defended multi-million-dollar contractual claims on points of company law. The judgment is the first in the ADGM courts to consider a variety of company law issues, including a director's authority to enter into contracts on behalf of the company, warranty of authority, directors' duties, issues concerning directors' remuneration and *Re Duomatic*.
- Provided research assistance on a Hong Kong matter, concerning the construction of an arbitration clause in a dispute concerning Hong Kong and PRC incorporated companies.
- Advised a Bermudan segregated accounts company in the context of a winding up petition, gaining experience in the global insurance and reinsurance industries (during secondment at Freshfields).

Insurance

- Spent time at Mactavish on secondment assisting in providing advice to insured parties and underwriters primarily in respect of breach of warranty claims under W&I policies. Work also involved advising in relation to the placement and negotiation of W&I policies in connection with high-value M&A transactions.

Secondments

- **Mactavish (May – August 2024)** - assisted in providing advice to insured parties and underwriters primarily in respect of breach of warranty claims under W&I policies. Work also involved advising in relation to the placement and negotiation of W&I policies in connection with high-value M&A transactions.
- **Freshfields (October – December 2023)**
 - Appeared unled in Court for the joint liquidators of the former Arcadia Group in a successful application concerning the payment of distributions in the liquidation.
 - Advised a Bermudan segregated accounts company in the context of a winding up petition, gaining experience in the global insurance and reinsurance industries.
 - Advised the joint liquidators of two Russian-owned and sanctioned entities operating in the aviation industry.
 - Drafted all documentation in advance of the convening hearing of a proposed creditors scheme of arrangement, concerning a leading German telecommunications company.
 - Drafted a statement of defence in an arbitration governed by the Rules of the International Chamber of Commerce.
- **Slaughter & May (January – March 2024)**

- Advised in connection with the negotiation and signing of Johnson Matthey Plc's sale of its Medical Device Components business to Montagu Private Equity (during secondment at Slaughter and May).
- Assisted in connection with the Competition and Markets Authority's first investigation into 'greenwashing' with environmental claims brought against ASDA, Boohoo and ASOS.
- Provided a broad range of corporate advice including in the areas of company distributions, audit and disclosure requirements and share class structures.

Education & Awards

Education

BTC – Inns of Court College of Advocacy (Distinction – Ranked 3rd in the year).

Masters of Corporate Law (MCL) – University of Cambridge (First Class – Ranked 2nd in the year).

LLB Law – Durham University (First Class).

Prizes and Awards

Major Scholarship, Inner Temple (Top 20 of c.450 applicants).

Duke of Edinburgh Award, Inner Temple.

Richard Sykes QC Scholarship, University of Cambridge.

The Foundress Prize, University of Cambridge.

The Foundation Award, University of Cambridge.

Academic Honours List, Durham Law School.

Future Queens Council of the Year Award, Durham Law School.

COMBAR Scholarship.

Inner Temple PASS Scholarship.

Advocate of the Year Winner 2018, BPP Leeds.
