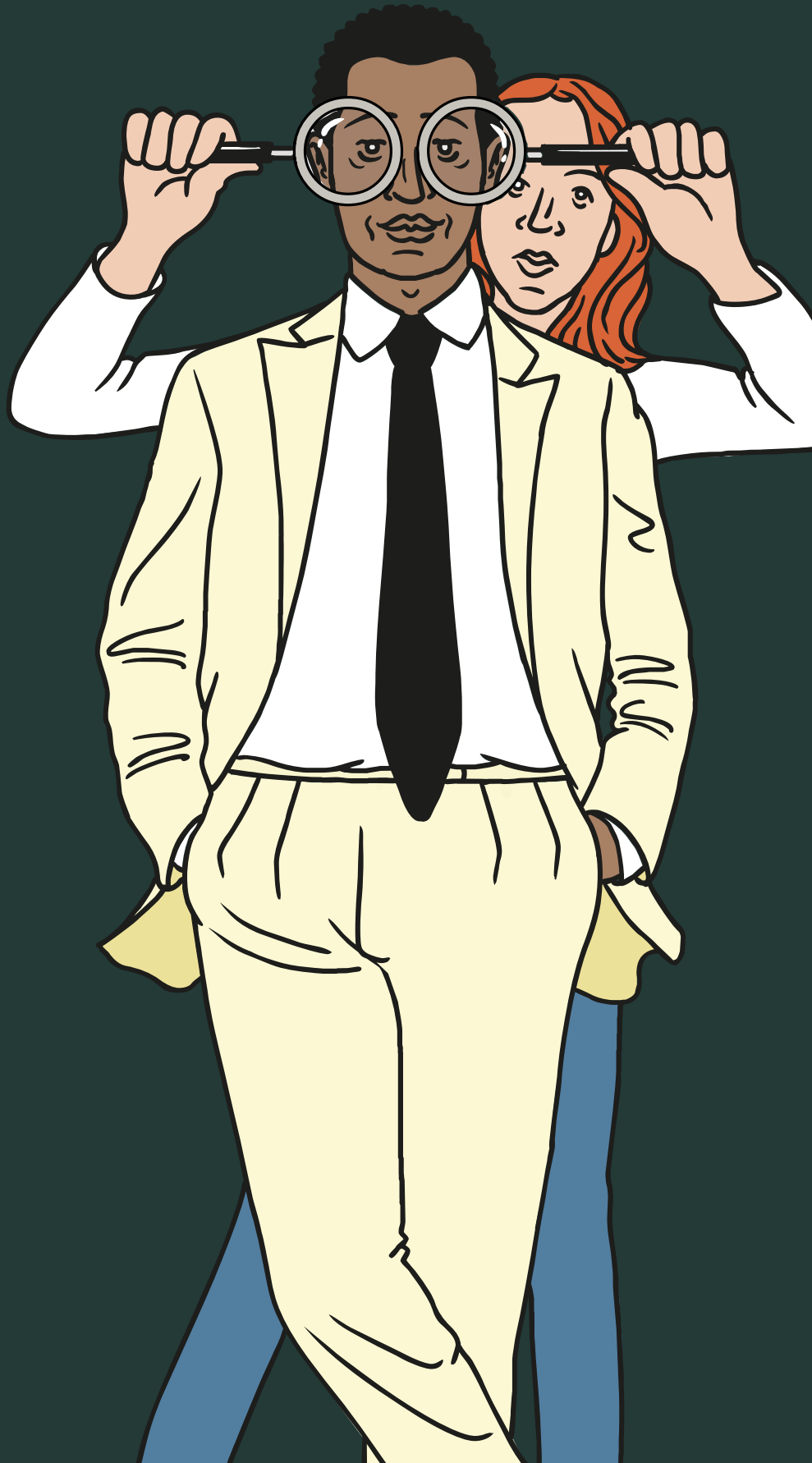


# Capital Law

---

## Restructuring and Insolvency



# We're here to help

We are a dedicated team, made up of specialist lawyers and consultants who sit within Capital Law, a market leading, boutique commercial law firm, which operates from offices in Cardiff, London and Paris. We work nationally and internationally, with businesses of all sizes, offering all the legal advice and services that organisations and companies need to run and trade successfully.

We deal with all types of recovery and insolvency work, and are committed to finding the best solution for our clients tailored to their specific circumstances. Whether you're a business grappling with financial difficulties, or navigating through solvency concerns, or a lender faced with a defaulting borrower, we can provide the support you need.

We can assist with both advisory and transactional work, and help with areas such as wrongful trading, restructuring options, and advising creditors on their security documents, as well as more contentious issues, such as liquidity, disqualifications and debt recovery.

With many years' experience across diverse sectors and deep industry and specialist knowledge, we are well equipped to guide you through the statutory provisions and challenges facing evolving businesses today.

We understand the need for commercially astute advice and pragmatic solutions, and can provide clear and comprehensive advice to you and your business across a range of specialised areas:

---

Corporates & Directors

---

Personal Insolvency

---

Insolvency Office Holders

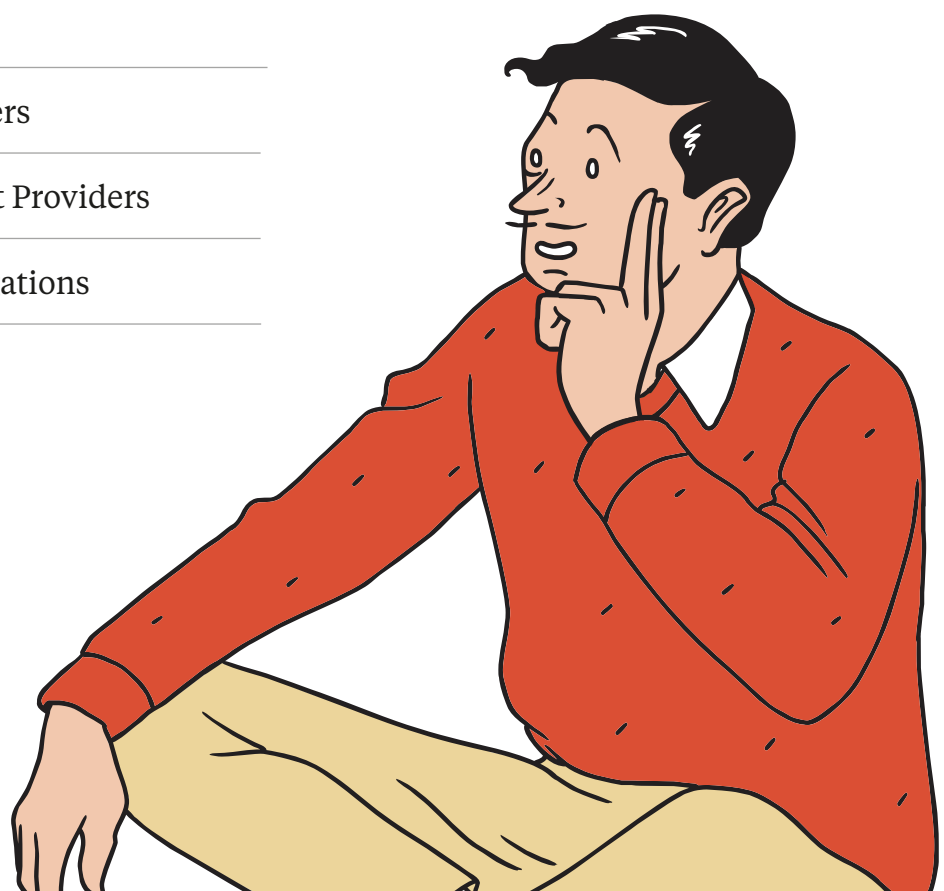
---

Creditor Services & Debt Providers

---

Business Crime Investigations

---



# How can we help you?

## Corporates and directors

In today's dynamic business environment, companies are faced with a range of challenges, compelling them to actively seek strategies to restructure their operations to ensure financial resilience.

Our in-depth knowledge of corporate, commercial and insolvency law allows us to provide clear advice on every step of the process to ensure the most advantageous outcome for your business.

This also extends to boards of directors who face potential personal liability for the debts of a company if it later goes into administration or liquidation.

### What we do

---

Advising businesses on potential investments in, or acquisitions of, distressed businesses such as pre-pack sales after insolvency.

---

Acting on formal insolvency processes such as administration, receiverships, liquidations, company voluntary arrangements and insolvency moratoriums.

---

Working with stakeholders and management on restructuring a business including advice on debt finance options, security, corporate restructuring and turnaround strategies.

---

Providing advice in connection with winding up petitions, including the preparation of or contesting of a petition, and where applicable advising on the necessary steps to restrain advertisement.

---

Regularly advising boards of directors on their statutory responsibilities and duties.

---

Assisting businesses on lender covenant compliance issues.

---

# Personal Insolvency

Going through financial difficulties as an individual is daunting. Whether you are dealing with an insolvency related claim, are a director seeking advice on your responsibilities, or you are contesting disqualification, we can help.

## What we do

---

Advising on all legal issues relating to personal insolvency, from preparing and contesting statutory demands and bankruptcy petitions, to applying to annul a bankruptcy order made against you or a third party.

Advising on financial crisis and debt management, financial planning for the future, individual voluntary arrangements, debt disputes and settlement negotiations and claims brought by insolvency practitioners.

# Insolvency Office Holders

Our team is highly regarded in the market and collaborates with insolvency practitioners on all aspects of both the informal and formal aspects of insolvency. We're fully equipped with extensive experience, the necessary resources and an in-depth knowledge of the legislation and statutory requirements. This enables us to act quickly for you within the legal framework.

## What we do

---

Advising insolvency office holders on a whole range of formal insolvency appointment related matters including appointment issues, business and asset sales, priority of security, creditor claims and recovery of assets.

Pursuing unlawful dividend and breach of director duty claims, claims against third parties in dishonest breach of trust and related claims.

Investigating the causes of insolvency and pursuing claims for antecedent transactions, wrongful and fraudulent trading claims.

Assisting with applications to the Court, including for directions and approvals, such as Berkeley Applegate relief.

---

## Creditor Services and Debt Providers

We can provide you with support on loan and security documentation and priority documentation to ensure that your lending and security position remains adequately protected and is not compromised.

### What we do

---

Assisting creditors on security interests, retention of title, liens or other proprietary interests in the assets of an insolvent or distressed business.

---

Security reviews to highlight any potential weaknesses and recommending appropriate remedial actions.

---

Advising on covenant breaches under loan agreements and formalising of any waivers granted and handling all aspects in connection with a refinancing and/or restructuring of loan facilities.

Advising on enforcement on a borrower default including formal insolvency processes such as administration, LPA receiverships and liquidations.

## Business Crime and Investigations

Comprising of lawyers and investigators, our team provides additional support and advice to insolvency practitioners, directors and companies facing insolvency. From previous experience within the Serious Fraud Office, we have extensive experience of running large-scale investigations, often with an international element, unravelling complex transactions, and analysing large datasets.

### What we do

---

Receivership investigations and the utilisation of powers of compulsion and how to appropriately respond to such requests.

Assisting with inquiries into a company's dealings.

Running investigations into the cause of suspected failures of a company and the conduct of its directors.

---

# Our clients

Our expertise sees us working with a diverse client base, consisting of lenders, debt providers, financial advisors, investment funds, private equity firms, insolvency practitioners, regulatory bodies, directors and individuals, including:

**MENZIES**  
BRIGHTER THINKING

 **Teneo**<sup>®</sup>

**Deloitte.**

 **HODGE**

**Banc** 

 **RAMRE**  
PROPERTY ADVISORS

  
WestBridge Capital

**Quantuma**

“

*One of the reasons we use them so much, is that they do not sit on the fence like other firms do. They give clear, pragmatic, commercial advice, and always ultimately with a clear steer. Very much no nonsense, is how I'd describe them as a firm.*

**Legal 500 | 2023**

“

*The team are very diverse but operate as one so it is a one stop solution. Everyone seems to have different talent and work well together.*

**Legal 500 | 2024**

# Recent work

---

## **Liquidators of Walsham Chalet Park Limited**

Acting for the Liquidators in respect of various claims against the company's former directors and officers, which resulted in the disqualification of all directors.

## **FCA authorised and regulated wholesale insurance broker**

Providing advice to the joint liquidators on various client monies held by it on trust. This involved consideration of the nuances of the CASS Rules and their interplay with insolvency legislation.

## **WestBridge Capital**

Advising on the provision of a committed standby liquidity facility to one of the UK's leading providers of multi utility services. This came as a result of the borrower struggling to meet financial covenants set out in the senior facility agreement.

## **Administrators of a property development sale**

Obtaining court approval, ensuring the title to a large residential development site was unencumbered, and acting for the Administrators on the subsequent conditional sale.

---

# Get in touch



## **Reshma Jogia**

*Partner  
Debt Finance*

+44 (0)7966 551640  
r.jogia@capitallaw.co.uk



## **Philip Jones**

*Partner  
Commercial Disputes*

+44 (0)7894 539267  
p.jones@capitallaw.co.uk

---

# Capital Law

[capitallaw.co.uk](http://capitallaw.co.uk)  
[info@capitallaw.co.uk](mailto:info@capitallaw.co.uk)