

Overview

Commercial Disputes
Company
Insolvency
Partnership and Joint Ventures
Professional Liability
Property
Trusts
Wills and Estates

Mediation and Arbitration

Profile: Overview

Stephen has a busy commercial Chancery practice. He takes a meticulous but robust approach and has appeared in numerous reported cases, including several at Court of Appeal level and one in the House of Lords. He has acted increasingly in mediations in recent years.

Experience and Expertise

Stephen is a commercial chancery litigator of great experience and considerable standing.

His practice includes company and insolvency (corporate and personal), partnership, commercial and contractual disputes, all areas of property law and related areas (including party wall and estate agents' claims), commercial landlord and tenant work, trusts probate and estates, and related professional negligence matters.

As well as litigation and advocacy work, Stephen's has considerable amount of advisory and drafting work. He has, in particular, drafted many commercial documents, including repeat-use documents.

Cases and Work of Note

Stephen's reported High Court and court of appeal cases include cases which have addressed the following issues:

- *Cooper v Silverman* [2011] EWCA Civ 672 - Court of Appeal grant of permission to appeal following property dispute; application for condition to pay costs below; application for security for costs of appeal: extension of time for compliance and variation of order
- *Salt & Evans v Corris Developments Ltd* [2011] EWHC 3822 (Ch) - Appeal against application to set aside statutory demand; application for wasted costs order against solicitor
- *Re Salt* [2011] EWHC 2105 (Ch) - Enforcement of guarantee by statutory demand; whether liability under guarantee sounds in debt or damages
- the overlap between unfair prejudice and just and equitable winding up petitions;
- severance of a joint tenancy by act of bankruptcy;
- the discharge of interim undertakings in a commercial dispute concerning sale of large-scale coal business;
- mortgagee's duty of care in selling property;
- mortgagee's rights to add costs to security;
- rectification of land register under s 82 LRA 1925 in case of fraudulent sale of land under power of attorney, effect upon secured lender;
- extension of time to appeal granted by CA in above case, laying down applicable guidelines;
- winding up for unpaid rates; and
- extent of sheriff's duties when executing writs of possession on behalf of commercial lender.
- He also acted in the House of Lords case, *Woodar v Wimpey*, which is one of the leading cases on contractual repudiation.

Other notable work has included acting and advising in a shareholder dispute relating to substantial Russian commercial interests; against a substantial London bank and its valuers in relation to a large commercial property loan; against a major national parcel delivery service in substantial dispute with a major supplier to schools; for a golf club in complex negotiations with a Premier League football club and consequential drafting work; for a major oil company in relation to property, landlord and tenant and contractual issues; for a leading drinks company in relation to complex property questions; and for an overseas student recruitment agency against a UK university for substantial fees.

Seminars and Publications

Stephen Acton often delivers papers at seminars and has contributed to professional publications, particularly in the company, insolvency and contractual fields.

Qualifications

Trinity College, Cambridge; BA Law (double first, starred 1st in Pt 2), MA

Memberships

Chancery Bar Association; Professional Negligence Bar Association; COMBAR

Other Details

VAT Registration Number: 235372960

Bar Membership Number: 10262

For More Information

Please click on the links to the left or contact a member of the clerking team.