



## Adam Deacock

Call: 1991

### Barrister

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**Adam Deacock** is a commercial litigator specialising in insolvency, company, fraud, banking and real estate disputes. He regularly deals with freezing injunctions and other urgent applications. Clients appreciate that he understands the business issues as well as the legal aspects. Adam has been recommended by *Legal 500 UK Bar* and *Chambers UK Bar* as a leading insolvency barrister for a number of years and has extensive experience in all aspects of corporate insolvency and associated recovery. He regularly gives seminars for solicitors and insolvency practitioners and writes articles in specialist journals.

#### RESTRUCTURING AND INSOLVENCY

Adam is experienced in all aspects of insolvency and bankruptcy giving both litigious and non-litigious advice and acts for insolvency practitioners, creditors and debtors.

He is particularly experienced in both drafting and enforcing security documentation and advising in relation to restructuring.

He has an impressive track record for dealing with complex cases requiring multi-disciplinary expertise because of his ability to cover insolvency as well as company and/ or fraud aspects.

For example, he has special expertise on both sides of misfeasance and fraud actions as well as in dealing with the problems of defective administration appointment and cross border issues under the EC Directive on Insolvency and UNCITRAL. In addition to pieces for Practical Law, he is the author of various practice notes on CVAs within the Lexis PSL insolvency chapter.

His recent cases include:

- Acting for a bankrupt former city trader with multi million tax liabilities in ongoing cases concerning his former mistress, against whom a worldwide freezing injunction has been obtained, followed by judgment and post judgment freezing order, and his former wife, who received £5 million of assets on their divorce just before bankruptcy (ongoing)
- Representing the first and second defendants in an unusual and complex case concerning allegations of unlawful means conspiracy against

administrators, directors, accountants and insolvency advisors of company for having placed allegedly solvent company into administration with a view to selling it at an undervalue

- Advising on a complex administration application relating to six companies in a substantial haulage group involving the novel and somewhat controversial question of whether an application may be made in advance of a proposed pre-pack administration in order to make use of the statutory moratorium in the interim
- Representing a trustee in bankruptcy in a claim for recovery of the proceeds of sale against a bankrupt property developer with a substantial portfolio of property who had failed to submit to the bankruptcy, and against the family company through which he had sold property
- Appearing in a high value claim against directors and holding company arising out of the purchase by the company of loan notes from trusts controlled by directors and involving issues relating to fiduciary duties, misfeasance and unlawful dividends.

## **COMPANY**

Adam deals with all aspects of advice, litigation and drafting including capital maintenance, restructuring, company sale agreements, directors' duties, financial assistance and minority shareholders' rights.

He is particularly experienced in shareholder disputes including claims for minority shareholder oppression and disputes over the sale of companies.

He also has experience of advising in relation to fiduciary duties, fraud and insolvency in relation to pension schemes and has acted for the Pensions Ombudsman.

Recent experience includes:

- Representing the first and second defendants in an unusual and complex case involving unfair prejudice and derivatives claims relating to a restaurant chain
- Defending a difficult and high value claim against the former director of fashion company accused of fraud and false accounting, including worldwide freezing injunction
- Successfully obtaining freezing injunctions against seven defendants in a case involving directors' duties and constructive trusts concerning the diversion of option land with development potential.

## **CIVIL FRAUD**

Fraud plays major role in Adam's commercial, insolvency and property practices. He has wide-ranging expertise in all manner of fraud cases, from VAT fraud to Ponzi schemes.

His recent experience includes:

- Acting in a case involving a tracing claim against the former director of property development company in respect of misappropriated funds and requiring urgent ex parte proprietary freezing relief
- Successfully obtaining possession for company owning land with development potential in a case involving a forged option agreement and lease, as well as forged emails, diaries, letters, and attendance notes, and even a forged witness statement from a dead person
- Acting in a £6 million tracing claim involving the transfers of assets out of a building company to avoid paying tax.

## **COMMERCIAL DISPUTES**

Adam has a strong commercial dispute practice relating to many different types of commercial contracts including banking and other finance agreements, sale and

carriage of goods, IT, business sale agreements and joint ventures. He specialises in disputes involving securities, fraud and/or real property elements. He is particularly experienced in dealing with cases involving cross-border issues, injunctive relief and complex asset recovery issues.

His recent experience includes:

- Acting in a high value case concerning the construction of a royalty provision in the energy sector
- Advising an Italian Bank in relation to the construction of the ISDA Master Agreement in an interest rate swap case
- Acting in a £6 million tracing claim involving the transfers of assets out of a building company to avoid paying tax.

## **REAL ESTATE**

Adam has built up extensive experience in dealing with real estate litigation and specialises in the crossover of property, insolvency and/or fraud matters where his knowledge of contracts for sale of land, landlord and tenant (including rent review and leasehold enfranchisement), mortgages, restrictive covenants, easements, boundary disputes is invaluable.

His recent experience includes:

- Acting in a case involving a tracing claim against the former director of property development company in respect of misappropriated funds and requiring urgent ex parte proprietary freezing relief
- Successfully obtaining possession for company owning land with development potential in a case involving a forged option agreement and lease, as well as forged emails, diaries, letters, and attendance notes, and even a forged witness statement from a dead person
- Successfully obtaining freezing injunctions against seven defendants in a case involving directors' duties and constructive trusts concerning the diversion of option land with development potential.

## **BANKING AND FINANCIAL SERVICES**

Adam advises and represents financial institutions in all areas especially securities, fraud and asset recovery. He is particularly experienced in both drafting and enforcing security documentation and advising in relation to restructuring. He regularly advises factoring companies and asset-based lenders in relation to security, insolvency and fraud issues including fresh air invoicing, and inflation of work in progress.

## **RECOGNITION**

Adam has been recommended by *Chambers UK Bar* and *The Legal 500 UK Bar* as a leading insolvency barrister for a number of years. His recent editorial includes:

- *"He is immensely experienced in insolvency litigation, has a wealth of expertise and is a real specialist in the area."* and *"A very technical and cerebral advocate – he's great."* (Restructuring/Insolvency, *Chambers UK Bar 2022*)
- *"A forceful and firm advocate who is a pleasure to work with."* (Insolvency, *Legal 500 UK Bar 2022*)
- *"A very safe pair of hands who takes a no-nonsense approach."* *"He is a real lateral thinker, extremely bright and a very good advocate."* (Restructuring/Insolvency, *Chambers UK Bar 2021*)
- *"A clear expert in his field and demonstrates a strength in depth in insolvency and restructuring work."* (Insolvency, *Legal 500 UK Bar 2021*)
- *"He's very reliable, very strong and always painstakingly thorough."* *"He is very knowledgeable, well liked by clients and has a calm demeanour."* (Restructuring and Insolvency, *Chambers Bar 2020*)
- *"Extremely bright with a mastery of his brief and very knowledgeable on*

- complex issues.*" (Insolvency, *The Legal 500 UK Bar 2020*)
- *"He provides good technical advice and is very effective in court." "He is very commercial and technically very competent."* (Restructuring/Insolvency, *Chambers UK Bar 2019*)
  - *"He has an eye for detail and deals well with technical matters."* (Insolvency, *The Legal 500 UK Bar 2019*)
  - *"Highly recommended."* (Insolvency, *The Legal 500 UK Bar 2017*)
  - *"Adam is great with complex litigation and has a very commercial approach."* (Restructuring/Insolvency, *Chambers UK Bar 2017*)
  - *"Excellent technically and very client friendly."* (Insolvency, *The Legal 500 UK Bar 2016*)
  - *"He gives firm, robust advice, and picks up issues very quickly." "His attention to detail is second to none, and he has an impressive ability to grasp issues immediately."* (Insolvency, *Chambers UK Bar 2015*)
  - *"A highly competent and extremely technical advocate."* (Insolvency, *The Legal 500 UK Bar 2014*)
  - *"Has a broad insolvency practice with key strengths in fraud actions and cases concerning defective administration appointments."* (Restructuring/Insolvency, *Chambers UK Bar 2014*)
  - *"Uncanny ability to assimilate information quicker than most."* (Insolvency, *The Legal 500 UK Bar 2013*)
  - *"A master of detail and a meticulous advocate."* (Restructuring/Insolvency, *Chambers UK Bar 2013*)
  - *"Very diligent and fantastic when dealing with all of his many clients."* (Restructuring/Insolvency, *Chambers UK Bar 2012*)

## **PUBLICATIONS**

Adam is the co-author of "Insolvency Litigation: A Practical Guide", published by Sweet & Maxwell. He regularly speaks and writes on his areas of expertise.

## **POLICIES AND OTHER DETAILS**

- Read Adam's [Privacy Notice](#), [Data Protection Policy](#) and [Disposal Policy](#)