

## Restructuring and Insolvency

Whenever a company or an individual faces financial difficulties they turn to legal firms for advice.

Our specialist restructuring and insolvency team is experienced in dealing with all aspects of insolvency in a highly professional manner.

Whether you have been forced into insolvency or you have entered into insolvency voluntarily, insolvency can have a dramatic impact upon business owners, creditors, directors, individuals and lenders.

The misconception associated with corporate insolvency is that a company and its business cannot be saved.

However, liquidation or administration is not the only options. At Sydney Mitchell, our understanding of businesses and our professional legal service means we can put strategies into place in order to bring the matter to a rapid and painless conclusion, advising the company, its creditors and other stakeholders on the most appropriate course of action.



When you need  
Strength and power ...

...we are with you all the way

### Range of services

Our team at Sydney Mitchell can provide a comprehensive range of services for companies going through insolvency, including:

- Advising directors on the Administration process
- Dealing with the purchase of a business and assets from an Administrator and or Liquidator
- Assisting in all aspects of the Administration process to include placing companies into Administration
- Issuing (on behalf of creditors) and defending (on behalf of the company and or its Directors) winding up petitions
- Serving Statutory Demands and issuing injunctions preventing a winding up petition being issued after the service of a statutory demand
- Defending preference and undervalue claims issued by an Administrator or Liquidator
- Acting for creditors enforcing their rights under retention of title clauses against their assets in the hands of an insolvent entity
- Applying for validation orders on behalf of Companies whose assets have been frozen by the presentation of a winding up petition
- Dealing with any claims made against directors.

If you are in difficulty, then we recommend that you seek advice at the earliest opportunity.

## Corporate Insolvency Team

Kamal Majevardia and Leanne Schneider-Rose are Associates of R3 - the Association of Business Recovery Professionals. Leanne is a member of the Association of Fixed Charge Receivers. They will provide you with impartial decisive advice.



[Kamal Majevardia](#)

Partner

Kamal specialises in all types of insolvency, commercial disputes, commercial litigation and financial recoveries.

Helping clients to:

- Carry on in business
- Restructure in order to carry on trading
- Resolve Commercial and Contractual Disputes by dealing with third parties and/or suppliers
- Financial recoveries of money when companies:
  - Default on terms and conditions
  - Default on loan agreements
  - Breach mandates or conditions
- Realising assets
- Saving companies as a going concern
- Advising directors on personal liabilities and consequences of insolvency
- Defending and bringing claims against directors
- Multi-jurisdictional claims.



[Leanne Schneider-Rose](#)

Partner

Leanne assists companies and individuals in the insolvency process; creditors seeking to obtain payment through the insolvency process, such as the presentation of winding up or bankruptcy petitions and/or statutory demands. Leanne also acts for directors in dealing with claims against them following company insolvency, either under the Insolvency Act or director disqualification claims by the Secretary of State.

Leanne acts for banks in asset recovery and the restructuring of loan facilities and has a plethora of experience in dealing with the Administration process, or the appointment of Fixed Charge or Law of Property Act Receivers.

Leanne specialises in insolvency including:

- Bankruptcy
- Administrations
- Liquidations
- Asset sales
- Helping creditors to obtain payment
- Receiverships
- Business restructuring

Leanne also deals with:

- Breach of directors' duties
- Wrongful trading
- Defending statutory demands
- Bankruptcy proceedings
- Winding up companies
- Injunctions preventing winding up petitions
- Annulment of bankruptcy orders
- Applications extending the term of office of an Administrator
- Personal guarantee claims

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