MAITLAND

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# EDLYN LIVESEY

**CALL:** 2020

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## OVERVIEW

Edlyn accepts instructions across all of Chambers' practice areas, including commercial, civil fraud, company, partnership, insolvency, real estate and private client. She is frequently instructed in multidisciplinary disputes spanning those practice areas and has appeared many times led and unled in the High Court and the County Court.

Edlyn is an excellent choice of junior for disputes involving technical businesses, as she worked at Rolls-Royce for six years before becoming a barrister and has commercial experience across the aviation, marine, oil and gas and nuclear construction industries. As a Commercial Manager, she negotiated and helped to deliver Rolls-Royce's flagship contracts for supply to Hinkley Point C nuclear power station, the UK's first nuclear new-build in a generation. She has a good understanding of a range of short and long-cycle technical businesses and is very comfortable dealing with technical experts where required. As a barrister, she has acted in disputes involving many industries including software development, power generation, property development, mining, motorway construction, banking, financial services, hospitality, retail, estate agency, security and media and entertainment. She has a pragmatic and robust approach and is focused on achieving the best commercial outcome for clients, whether that be settlement or hard-fought litigation.

Edlyn read English Language and Literature at Balliol College, Oxford. She completed her GDL and BPTC at City, University of London, and has taught Contract Law on the City GDL course. She was called to the Bar as a Stephen Chapman Scholar, the Inner Temple's second most prestigious award.

## EXPERTISE

## CIVIL FRAUD

Many of Edlyn's cases across all her practice areas include a civil fraud element. She has acted for clients making and defending serious allegations, including of breach of fiduciary duty, fraudulent breach of trust, unjustified dissipation, bribery, duress, undue influence, forgery and shams, and has advised and/or appeared on applications for interim relief based on this type of allegation, including on an urgent basis.

Examples include:

- Appeared in the trial of a preliminary issue in an ICC arbitration in a fraud claim against a major bank worth c. £1 billion (led by Andrew McLeod).
- Acted for the successful applicant in ***Foundation Stimm v King & Spalding International LLP and others*** [2025] EWHC 1067 (Ch), obtaining orders for disclosure of purportedly privileged documents on the basis that they were more likely than not on the material available to have been made as part of or in furtherance of iniquity (led by ***Siward Atkins KC***).
- Acted for a member of the Al-Sanea family, a prominent Saudi family, to assist with preparing the application for permission to appeal for the successful appeal in ***Al-Subaihi v Al-Sanea*** [2022] EWCA Civ 1349, including on issues of breach of fiduciary duty, duress, undue influence and contract construction (led by ***James Aldridge KC*** and***Duncan McCombe***).
- Represented the defendants in the long-running ***Koza*** litigation, opposing amendments to an interim regime governing the company's management during a dispute over its control and the grant of anti-suit and disclosure orders (led by ***Siward Atkins KC***).
- Advised on cost-effective options for attempting to recover a client's life savings, which appeared to have been transferred to a fraudulent investment scheme.
- Advised on an urgent basis on varying a without notice freezing injunction which had been obtained shortly before the start of a trial to enable the client to release sufficient funds to pay for legal representation at trial.

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## COMMERCIAL LITIGATION & ARBITRATION

Commercial litigation and arbitration are a core part of Edlyn's practice. Her experience includes:

- Appeared in the trial of a preliminary issue in an ICC arbitration in a fraud claim against a major bank worth c. £1 billion (led by Andrew McLeod).
- Acted in a long-running LCIA arbitration concerning a shareholders' dispute including wide-ranging commercial issues, which settled shortly before the start of a six-week trial (led by ***Andrew Westwood KC*** and ***Rebecca Page KC***).
- Drafted the permission to appeal application and skeleton arguments (led by ***Siward Atkins KC***) for the successful appeal in ***Midland Premier Properties Limited and another v Doal and others*** [2026] EWCA Civ 117.
- Assisted with a two-week trial in the BVI concerning the construction of a New York law agreement to purchase shares in a Caribbean energy company (led by ***David Mumford KC***).

## COMPANY & PARTNERSHIP

Company and partnership work is a significant part of Edlyn's practice. Her experience includes:

- M&A disputes.
- Unfair prejudice petitions.
- Disputes over the ownership of shares.
- Injunctions regulating the affairs of a company during a dispute over its control, in particular as part of the long-running ***Koza*** litigation (led by ***Siward Atkins KC***).
- Share valuation disputes, including challenging expert determination.
- Partnership disputes, including as to the identity of the partners and the winding up of the partnership's affairs.

## INSOLVENCY & ASSET RECOVERY

Edlyn has often been instructed in insolvency matters. Her experience includes:

- Cross-border insolvency.
- Corporate insolvency.
- Bankruptcy.
- Claims in insolvent estates, including transactions at an undervalue, preferences and misfeasance.

Edlyn appeared for the applicant shareholders in ***Re RAD Phase 1 Lease Co Ltd*** [2022] EWHC 3770 (Ch), an urgent application to rescind or stay winding up orders against 21 group companies involved in the development of the Royal Albert Dock in London (led by ***Siward Atkins KC***).

## OFFSHORE & TRUSTS

Edlyn is happy to assist with offshore work. Her cases often involve offshore corporate and trust structures and she has often had to research issues of BVI law. She assisted with a two-week trial in the BVI concerning the construction of a New York law agreement to purchase shares in a Caribbean energy company (led by ***David Mumford KC***).

## REAL ESTATE

Edlyn enjoys property work as part of a general chancery practice and is comfortable dealing with:

- Possession proceedings.
- Mortgage regulation issues.
- TOLATA proceedings.
- Dilapidations claims.
- 1954 Act lease renewals.
- Family, shareholder and partnership disputes, claims in insolvent estates and fraud claims where the underlying assets include property.
- Claims against conveyancing solicitors.

### PRIVATE CLIENT

Edlyn's experience includes:

- Disputes between family members concerning business and property interests.
- Removal / replacement of personal representatives under s.50 Administration of Justice Act 1985 and/or s.116 Senior Courts Act 1981.
- Dealing with issues of capacity, including appearing on an urgent application to adjourn a trial on the basis that her client might lack capacity and assisting with arranging a capacity assessment and appointing a litigation friend and appearing for an equity release finance provider opposing allegations that a trust deed was void or should be set aside because the deceased settlor had allegedly lacked capacity and/or had been unduly influenced.

## MEMBERSHIPS

- Chancery Bar Association
- COMBAR
- Property Bar Association
- Professional Negligence Bar Association
- Contentious Trusts Association

## QUALIFICATIONS

- MA (Oxon) English Language and Literature
- GDL (Distinction)
- BPTC (Outstanding)

## AWARDS

**Stephen Chapman Scholarship, Inner Temple (2019)**

**GDL Exhibition Award, Inner Temple (2018)**

## NOTABLE CASES