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GABRIELLA McNICHOLAS

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OVERVIEW

Gabriella is a go-to junior whose busy practice includes high value contractual and other business disputes across a very broad range of industries, civil fraud and asset tracing claims, shareholder and partnership disputes, breach of fiduciary duty claims and insolvency-related claims and applications (corporate and personal).

Gabriella has extensive experience in dealing with jurisdictional challenges and conflicts of laws issues and the full range of applications arising in complex civil fraud and commercial disputes, including freezing orders and other injunctive relief, receivership applications, Norwich Pharmacal orders and other ancillary orders.

Gabriella is ranked in Legal 500 as a leading junior in Commercial litigation, Civil Fraud, and Insolvency.

Thanks in part to her international background, covering Sweden, the US, Spain and the Netherlands, Gabriella has a creative spark which enables her to bring fresh ideas to difficult problems. She is a strong and passionate advocate who regularly appears as sole counsel in the High Court and in arbitrations.

EXPERTISE

COMMERCIAL LITIGATION & ARBITRATION

Gabriella is regularly instructed to advise, draft pleadings, and appear both led and as sole counsel in relation to a variety of commercial disputes across a very wide range of industries in the Commercial Court and in the Chancery Division. She is also regularly instructed in arbitration claims under several arbitral rules, including LCIA and ICC, and attendant court applications.

Gabriella is experienced in dealing with the full range of issues and interim applications which substantial commercial disputes often involve, including:

- Urgent injunctive relief, including applications to obtain, continue, vary and discharge freezing injunctions and other injunctions
- Jurisdictional challenges and conflicts of laws issues
- Enforcement and recognition of foreign judgements
- Foreign law and forensic accountancy expert evidence
- Disclosure issues, including applications for specific disclosure, third party disclosure and issues relating to privilege

NOTABLE CASES

- ***Ralph & Russo (in administration) v Tamara Ralph*** (2021- 2025) – acted for the former creative director and co-founder of the renowned British fashion house, in the highly publicised £23 million claim, which included allegations of breach of contract and unjust enrichment (led by).
- ***Candy Ventures SARL v Tamara Ralph*** (2021- 2025) – acted for the Defendant in defending a £17 million claim brought by an investment company founded and substantially owned by Nicholas Candy and involved allegations of fraudulent misrepresentation and breach of contract (led by).
- ***Nimer v United Al Saqer Group & Others*** (2020-2021) [2021] EWHC 50 (QB) – acted for the Claimant in a 3-day jurisdictional dispute which centred on the nature and extent of the evidence required to demonstrate a serious risk of a denial of substantial justice, such that the natural forum is not the appropriate forum in which to try the claim (led by Andrew Ayres KC).
- ***LIA v Credit Suisse & Others*** (2021) – acting for the Libyan sovereign wealth fund in its £100 million claim against the Swiss bank, which included allegations of unjust enrichment, breach of fiduciary duty and undue influence (led by Roger Masefield KC and Andrew George KC).
- ***VTB v Mazurov*** (2020) – acting for Russian bank VTB in litigation in the Isle of Man stemming from its £146million world-wide freezing injunction, involving various associated applications including for disclosure, contempt of court and the appointment of a receiver.
- ***WMR Library Limited & Anor v World Media Rights Limited*** (2020) – contractual dispute arising out of the corporate restructuring of a TV production business.
- ***Vaimo v B&W Group Ltd*** (2020) – contractual claim against audio equipment manufacturer Bowers & Wilkins for services relating to the design and production of an e-commerce website.
- ***Jolison Limited v Ndiaye*** (2019) – successfully secured discharge of US$53 million world-wide Chabra injunction (led by).
- ***Blue Power Group & Others v ENI Norge AS & Others*** (2019) – €600 million claim for breach of exclusivity, confidentiality and best endeavours provisions related to compressed natural gas technologies (led by).
- ***LIA v SocGen & Others*** (2017) – US$2billion claim to set a side several trades and derivative options and including claims of breach of fiduciary duty and illegality (top 20 case of 2017 by The Lawyer, led by Roger Masefield KC, Craig Orr KC and Andrew George KC).
- ***Punjab National Bank (International) v Boris Shipping Ltd & Others*** – £20 million claim under contracts for guarantee; application relating to service under Hague Convention ([2019] EWHC1280(QB)) and successful application for summary judgment.
- ***Vaimo v Carraig Donn*** – contractual claim against the Irish lifestyle retailer for services to create an e-

commerce platform.

CIVIL FRAUD

Gabriella is regularly instructed in claims which involve allegations of civil or commercial fraud, including allegations of fraudulent misrepresentation, dishonest assistance, inducing breach of contract, unlawful means conspiracy and claims pursuant to the Insolvency Act 1986, including wrongful and fraudulent trading and claims under section 423 (transactions defrauding creditors).

NOTABLE CASES

- ***Zufi Alexander v (1) Century Financial Brokers LLC; (2) Century Financial Consultancy LLC; and (3) CMC Markets UK plc*** (2024-2025) – acted for CMC Markets UK plc in defending a claim under section 423 that a series of transactions by which D2 replaced D1 as the broker of investments on CMC's spread betting platform were transactions defrauding creditors.
- ***Transomas Ltd v Kheri Trading Ltd*** [2023] EWHC 3055 (Ch) – Gabriella (led by Mark Anderson KC and together with Jason Mitchell) represented the Defendants in this £20 million plus claim involving allegations of dishonest misrepresentation, breach of fiduciary duty, knowing receipt and unjust enrichment arising out of the sale of a hotel and associated transactions. The claim was abandoned on the first day of trial, and the Defendants successfully obtained a third-party indemnity costs order against the director of the Claimants ([2024] EWHC 1349 (Ch)). Gabriella appeared unled in a related, successful application for injunctive relief relating to privileged and confidential information.

- ***Candy Ventures SARL v Tamara Ralph*** (2021-2025) – acted for the Defendant in defending a £17 million claim brought by an investment company founded and substantially owned by Nicholas Candy and involving allegations of fraudulent misrepresentation and breach of contract (led by).
- ***McLeod and DP Limited v Donald and MacNiven*** (2021-2022) – £10 million claim for fraudulent misrepresentation relating to a novel ballistic technology for application in the oil and gas industry.
- ***Andoro Trading Corp and Uroco Ltd v Dolfin Financial (UK) Ltd & Ors*** (2021) – acted with for three of the Defendants in a US$ 10 million-plus claim, defending allegations of dishonest assistance, knowing receipt, inducing breach of contract, dishonest misrepresentation and unlawful means conspiracy arising out of the unsuccessful launch of private blockchain platform.
- ***(1) Natwest Markets PLC (2) Mercuria Energy Europe Trading Ltd v Bilta (UK) Ltd*** (2021) – assisted in the appeal against the judgment of the Court of Appeal in respect of the correct test ford is honesty in claims for dishonest assistance.
- ***Nimer v UAS Group & Others*** (2021) – £24 million unlawful means conspiracy claim against the owners of one of the largest conglomerates in the UAE.
- ***LIA v Credit Suisse & Others*** (2021) – acting for the Libyan sovereign wealth fund in its £100 million claim against the Swiss bank, which alleged the existence of a fraudulent and corrupt scheme that involved dishonest assistance and knowing receipt.
- ***Jolison Limited v Ndiaye*** (2019) – claim alleging that a declaration of trust in respect of a multi-million pound London property was a sham or a transaction to defraud creditors.
- ***LIA v SocGen & Others*** (2017) – acting for the Libyan sovereign wealth fund in its US$ 2billion claim

against the French bank and various other defendants, alleging that various trades and derivative options were procured by a fraudulent and corrupt scheme and involving allegations of bribery, claims in knowing receipt and damages for fraud.

COMPANY & PARTNERSHIP

Gabriella is experienced in advising on and appearing in a wide range of company and shareholder matters, including corporate governance disputes, unfair prejudice petitions and other shareholder disputes, claims of breach of duty against directors and director disqualification proceedings.

She also has experience in advising on claims arising out of joint ventures and partnership disputes (the majority of which settle on confidential terms), including breach of duty claims, issues regarding beneficial ownership and division of profits, disclosure, dissolution and associated relief, such as freezing injunctions to avoid dissipation of partnership assets.

NOTABLE CASES

- ***Albion Technology & General VCT Plc & Others v Mark Hardy*** (2025-) – acting for the Claimants in a contested claim under section 117 of the Companies Act 2006, seeking a no-access order in respect of their registers of members and relief in respect of future requests.
- ***Priest v Glover*** (2024 -) – acting for the Petitioner in an unfair prejudice petition in respect of a successful law firm, which includes allegations of unfair exclusion from management and seeks a buy-out order without a minority discount and associated relief.
- ***West Properties Holdings Limited v (1) Kaur and (2) Transomas Limited*** (2025) – acted for the successful Claimant in obtaining declaratory relief and retrospective rectification of the share register to reverse purported share transfers.
- ***Jetson Properties Limited v (1) Kaur and (2) West Properties Limited*** (2025) – acted for the successful Claimant in obtaining declaratory relief and retrospective rectification of the share register to reverse purported share transfers.

- ***Re Transwaste Recycling and Aggregates Ltd*** [2024] EWHC 330 (Ch); [2024] EWHC 970 (Ch) – unfair prejudice petition involving wide-ranging allegations of unlawful dilution, breaches of directors' duties and breaches of shareholders' agreement. Gabriella appeared (led by Thomas Grant KC) in the 4-week trial and successfully defended transactions worth in excess of £45million and all pleaded allegations of unfair prejudice. Gabriella also appeared unled in the successful 3-day application to obtain summary judgment on the issue of quasi-partnership and other allegations, and successfully defended a post-judgment application for declaratory relief relating to the validity of a Part 36 Offer ([2024] EWHC 2019 (Ch) (2024))
- Substantial shareholder dispute arising out of the restructure and sale of a £200million plus corporate group operating within the hospitality industry, involving wide-ranging allegations of unfairly prejudicial conduct and breaches of directors' duties, with a variety of remedies sought, including injunctive relief, an account, and a buy-out order.
- ***Re Anglo-Austrian Patisserie Limited – Manolete Partners PLC v Steven Edler & Ors*** (2020-2022) –

proceedings against the former directors of a company and third parties arising out of a corporate restructuring and involving allegations of unlawful distribution of company assets, equitable compensation for breaches of duty and claims in knowing receipt (led by).

- ***Ralph & Russo (in administration) v Tamara Ralph*** (2021-2025) – acted for the co-founder and former creative director of the renowned British fashion house in the highly publicised £23 million claim brought by the Administrators, which included various allegations of breach of statutory and fiduciary duty (led by).
- ***Boca Limited v Volaw Trustee Limited & Anor*** (CHP 18/0065) – long-running partnership dispute in the Isle of Man, which culminated in a week-long High Court trial before Deemster Rosen KC in November 2019, in which allegations of fraud were successfully defended and a mandatory injunction secured to compel compliance with a partnership deed.
- ***Pejcinovic v Locker*** (2018) – unfair prejudice petition including allegations of breaches of shareholders' agreement, exclusion from management and unlawful dilution of shareholding.
- ***Campbell v Campbell*** (2017) EWHC 2747 (Ch) (led by John Machell KC) – freezing injunction to avoid dissipation of partnership assets.

INSOLVENCY & ASSET RECOVERY

Gabriella is instructed to advise in respect of a great variety of insolvency related matters and she appears regularly in the High Court in both corporate insolvency and bankruptcy proceedings.

- Advising on and appearing in contested winding-up and bankruptcy petitions, and applications for injunctions to restrain the presentation of a winding up petition
- Advising insolvency practitioners, directors, and others in respect of misfeasance, wrongful trading, and preference claims
- Advising on and appearing in applications under the Cross-Border Insolvency Regulations 2006
- Applications under s 236 of the Insolvency Act 1986 (inquiry into company's dealings)
- Advising on and appearing in applications for and against validation orders under s 127 of the Insolvency Act 1986
- Advising on and appearing in applications to lift the statutory moratorium upon administration under para 43(6)(b) of Schedule B1 to the Insolvency Act 1986
- Advising on and appearing in applications both challenging and supporting the appointment, conduct, remuneration and removal of insolvency practitioners.

NOTABLE CASES

- ***Re The Emissions Capture Company Group Limited*** (2025) – acted for the Petitioners, who were contingent and prospective creditors pursuant to multiple convertible loan notes, in successfully defeating an application to strike out their winding-up petition or restrain its advertisement and obtaining indemnity costs, and in ultimately securing a winding-up order.
- ***Zufi Alexander v (1) Century Financial Brokers LLC; (2) Century Financial Consultancy LLC; and (3) CMC Markets UK plc*** (2024-2025) – acted for CMC Markets UK plc in defending a claim under section 423 that a series of transactions by which D2 replaced D1 as the broker of investments on CMC's spread

betting platform were transactions defrauding creditors.

- ***Lewin v Brahma Finance (BVI) Limited*** (2024-2025) – acted for the successful Applicant in obtaining an order setting aside a statutory demand and securing indemnity costs.
- ***Silverwood Events Ltd (In Liquidation) v (1) Wilson, (2) Friend & Others*** (2024 -2025) – acted for the liquidators of a media representation company in a £5+million claim against directors and third parties, alleging misfeasance and challenging various transactions as transactions at an undervalue or preferences.
- ***Kheri Trading Limited v (1) Transomas Limited and (2) Transomas Investments Limited*** (2024) – acted for the company in its successful application for an interim and final injunction restraining the presentation of a winding-up petition and securing indemnity costs.

- ***Re Broadsheet LLC*** (2022). Manx dispute relating to the ownership and distribution of US$30million recouped by a company in liquidation from the Government of Pakistan and the order of priority of four rival claims (totalling US$56.4million) by litigation funders, lenders, solicitors and the liquidator.
- ***Re Anglo-Austrian Patisserie Limited – Manolete Partners PLC v Steven Edler & Ors*** (2020-2022) – proceedings against the former directors of a company and third parties arising out of a corporate restructuring and involving allegations that company assets were transferred at an undervalue and that creditors were unlawfully preferred (led by).
- ***Hunt v Down*** (2020) 4 WLUK 474 – application under the block transfer regime, which raised issues of standing and the extent to which the cooperation of the outgoing officeholder is required.
- ***Re TRIAP Limited*** (2020) – claim pursuant to s 127 arising out of the winding up of a company providing insolvency and restructuring services.
- ***Portland Stone Firms Limited & Ors v Barclays Bank Plc, KPMG LLP & Ors*** (2018) EWHC 2341 (QB) – £20 million claim for unlawful means conspiracy, in respect of which Gabriella was instructed to assist on the allegations that Administrators wrongfully pursued a fire sale and failed to genuinely consider rescuing the company as a going concern.
- ***LF2 Ltd v Supperstone*** – application by a creditor under paragraph 74 of Schedule B1 to challenge the refusal of administrators to consider an offer to purchase a chose in action.
- ***David Rocker v Full Circle Asset Management Limited*** – successful application before Birss J to lift the statutory moratorium and allow Part 7 proceedings to continue, and successful application before Rose J to oppose the appointment of administrators chosen by the directors and to appoint the office-holders preferred by the majority creditor.

MEMBERSHIPS

- Chancery Bar Association
- COMBAR
- Young Fraud Lawyers Association

QUALIFICATIONS

- BCL (Oxon)
- BA (Jurisprudence) Magdalen College, Oxford: First Class
- BPTC, City University

LANGUAGES

- Swedish (native)
- Spanish (intermediate)

AWARDS

Denning Scholarship
Lincoln's Inn

Hardwicke Entrance Scholarship
Lincoln's Inn

Demyship and Scholar
Magdalen College, Oxford

Cum Laude
Department of Moot Court and Advocacy at Leiden University

DIRECTORY QUOTES

"Gabriella is a fantastic barrister. Her sharp mind, excellent drafting skills, and willingness to go the extra mile set her apart from others."

Legal 500 UK Company (2027)

"Gabriella is an effective advocate who is very calm and measured. She is very good in front of the judge, delivering confidently even when under great pressure."

Chambers UK Chancery: Commercial (2027)

"Gabriella is very sensible, hardworking and clear in her advice."

Chambers UK Chancery: Commercial (2027)

"Impressive advocate. Very calm and persuasive. Technically excellent."

Legal 500 UK Commercial Litigation (2027)

"Gabriella is extremely bright, shows great attention to detail and is pleasant to work with."

Chambers UK Chancery: Commercial (2027)

"I worked with Gabriella last year. She is easy going, bright, responsive, and hardworking. Definitely someone you want in your corner on a tough case."

Legal 500 UK Insolvency (2027)

"Gabriella dealt with a difficult situation well and was tough and willing to get stuck in. She is great at finding a way to get good results".

Chambers UK: Chancery Commercial (2026)

"A stellar choice for company advice or corporate disputes. Extremely responsive and wholly supportive".

Legal 500: Company (2026)

"Gabriella McNicholas is an outstanding barrister who always provides user- friendly, often time-critical advice".

Chambers UK: Chancery Commercial (2026)

"Gabriella McNicholas is absolutely fantastic. She's the person I would go to for company, insolvency or civil fraud work".

Chambers UK: Chancery Commercial (2026)

"A stellar choice for company advice or corporate disputes".

Legal 500: Commercial Litigation (2026)

"Gabriella has excellent advocacy skills. She is incredibly thorough in her analysis and has very good attention to detail".

Legal 500: Insolvency (2026)

"Gabriella is excellent - incredibly bright and easy to work with. She is able to get to grips with complex material very swiftly. She is focused and incisive, both advising on documents and in her advocacy."

LEGAL 500 COMMERCIAL LITIGATION (2025)

'She is a very tenacious advocate, always well prepared and clear and persuasive in her delivery.'

LEGAL 500 COMMERCIAL LITIGATION (2024)

"Gabriella is excellent."

LEGAL 500 INSOLVENCY (2024)

"She is an extremely thorough and diligent junior."

LEGAL 500 FRAUD: CIVIL (2024)

NOTABLE CASES

- *Transwaste Recycling and Aggregates Limited*