

## REBECCA PAGE

CALL: 2001



### OVERVIEW

Rebecca specialises in commercial chancery litigation, including contractual disputes, company & insolvency, civil fraud and professional negligence matters.

Rebecca was awarded '**Chancery Junior of the Year**' at the Legal 500 Bar Awards 2022.

She was shortlisted for '**Company/Insolvency Junior of the Year**' at the Chambers UK Bar Awards 2020 and '**Commercial Litigation-junior of the year**' at the Legal 500 Bar Awards 2019. The directories have described Rebecca as '**A very persuasive advocate**',

**'Truly excellent—responsive, practical and strategic, she is at the top of her game'**.

Rebecca has substantial contentious insolvency experience including advising on the **Lehman Brothers 'Waterfall'** applications. Her practice has a particular emphasis on shareholder disputes and claims concerning the duties of directors and other fiduciaries. Rebecca appeared as junior counsel in the Supreme Court in **Bilta (UK) Ltd (in liquidation) v Nazir** (led by Christopher Parker KC), one of the leading authorities on corporate attribution, illegality, and the extra-territorial effect of the fraudulent trading provisions in the Insolvency Act.

Rebecca read law at Cambridge (Gonville & Caius) where she was a senior exhibitor. She was awarded a Bedingfield Scholarship by Gray's Inn. Rebecca has been admitted to the Bar of the Eastern Caribbean Supreme Court (BVI). She is currently recommended by the Legal 500 in the fields of Commercial Litigation, Company and Insolvency, by Chambers UK for Company and Restructuring/Insolvency, and by Chambers Global for Restructuring/Insolvency.

### EXPERTISE

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## COMMERCIAL LITIGATION & ARBITRATION

Business disputes involving contracts (including breach of warranty claims), agency, civil fraud, breach of fiduciary duties, conspiracy, misrepresentation, banking, loans, guarantees, sale of goods, mortgages and other securities. Her experience includes conflicts of law issues concerning jurisdiction and applicable law, applications for freezing orders, proprietary injunctions and other interim relief.

Rebecca appeared as junior counsel in the Supreme Court for the successful parties in ***Bilta (UK) Ltd (in liquidation) v Nazir*** [2016] AC1 (led by **Christopher Parker KC**) – confirming claims by an insolvent company for breach of fiduciary duty, dishonest assistance and conspiracy were not defeated by the illegality defence. Her experience includes claims against fiduciaries for secret profits and diversion of business opportunities, conspiracy and dishonest assistance/knowing receipt claims, acting for liquidators in several MTIC fraud cases, an LCIA arbitration concerning repayment of a loan and acting on claims arising from the supply of defective goods and services, including in the electrical engineering, manufacturing and offshore oil sectors.

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## COMPANY & PARTNERSHIP

Contentious matters including directors' liabilities, shareholder disputes (unfair prejudice petitions, derivative claims, just and equitable winding up), claims concerning unlawful distributions of capital and unlawful dividends, corporate insolvency, dissolution, restoration and directors disqualification. Rebecca has experience of companies in wide range of sectors including IT, biotech, offshore oil, electrical engineering, manufacturing, property and sport.

In addition to ***Bilta (UK) Ltd (in liquidation) (Supreme Court)*** on corporate attribution, Rebecca's experience includes appearing un-led in the Court of Appeal in ***Re Sprintroom*** [2019] EWCA Civ 932 in cross-appeals in a s.994 petition and in trials on liability and share valuation. Rebecca was instructed as junior counsel in ***Re Neath Rugby Club Ltd; Hawkes v Cuddy*** (trial on unfair prejudice petition) and in the Court of Appeal in ***Re Neath Rugby Ltd (No 2) Hawkes v Cuddy and others*** (No 2) - [2009] 2 BCLC 427 and ***Cuddy v Hawkes*** [2007] BPIR 1217. She also advised in relation to the Lehman "Waterfall" applications, involving an unlimited company (see above).

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## INSOLVENCY & ASSET RECOVERY

All aspects of contentious corporate and personal insolvency, office holder and asset recovery claims and investigations, including claims for breach of directors' duties, wrongful and fraudulent trading, transactions at an undervalue, transactions defrauding creditors and preferences. Cross-border insolvency issues including under the EC Regulation on Insolvency Proceedings.

Rebecca's experience includes advising in relation to the ***Lehman Brothers International (Europe) (in administration) Waterfall applications*** (Waterfall I, Waterfall IIA and Waterfall IIB), appearing as junior counsel in

the Supreme Court in **Re Bilta (UK) Ltd (in liquidation)** in which the Supreme Court confirmed the extra-territorial effect of s.213 Insolvency Act 1986 and advising liquidators of a retail company with a substantial pension deficit where action had been taken by The Pensions Regulator. Rebecca's insolvency experience spans a wide-range of sectors including, banking and finance, property holding and development, retail, legal, sports, music and entertainment and renewable energy. Clients have ranged from hedge-funds to HMRC, directors, office-holders and secured / unsecured creditors.

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## CIVIL FRAUD

Disputes concerning civil fraud, breach of fiduciary duties, conspiracy and misrepresentation. Her experience includes conflicts of law issues concerning jurisdiction and applicable law, applications for freezing orders, proprietary in junctions and other interim relief.

Rebecca appeared as junior counsel in the Supreme Court for the successful parties in **Bilta (UK) Ltd (in liquidation) v Nazir** [2016] ACI (led by **Christopher Parker KC**) – confirming claims by an insolvent company for breach of fiduciary duty, dishonest assistance and conspiracy were not defeated by the illegality defence. Her experience includes claims against fiduciaries for secret profits and diversion of business opportunities, conspiracy and dishonest assistance/knowing receipt claims, acting for liquidators in several MTIC fraud cases, an LCIA arbitration concerning repayment of a loan and acting on claims arising from the supply of defective goods and services, including in the electrical engineering, manufacturing and offshore oil sectors.

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## PROFESSIONAL NEGLIGENCE

Rebecca acts for claimants, defendants and professional indemnity insurers in professional negligence matters involving legal, insolvency, business and accountancy professionals.

Recent cases include **Harrington Scott Ltd v Coupe Bradbury Solicitors Ltd** [2022] EWHC 2275(Ch) in which Rebecca led **Emily Gailey** on a 5-day High Court summary judgment / strike out application successfully striking out a multi-million-pound claim for professional negligence against a firm of solicitors.

Her experience includes acting un-led for a firm of solicitors facing a multimillion-pound claim by an insolvency practitioner former client, acting for an insolvency practitioner and insurers defending claims of negligence and breach of fiduciary duty, advising liquidators on bringing claims against an insolvent company's former solicitors and former administrators, and acting on a negligence claim against a company's former administrators arising out of a pre-pack administration.

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## REAL ESTATE

Disputes concerning the legal and beneficial ownership of land, easements, restrictive covenants, adverse possession, boundary disputes and mortgages. Rebecca's practice also includes property related insolvency disputes including insolvency disclaimer, rent as an expense and issues concerning interests in property in an insolvency context.

## DIRECTORY QUOTES

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*"Rebecca is an impressive advocate who is very responsive and great with clients."*

**Chambers UK Company (2023)**

*"She is extremely thorough and well prepared."*

**Chambers UK Company (2023)**

*"She is really great at getting hold of the detail and being thoughtful about strategy without getting stuck in the weeds."*

**Chambers UK Restructuring/Insolvency (2023)**

*"Everything she does is excellent."*

**Chambers UK Restructuring/Insolvency (2023)**

*"Rebecca is a very reassuring and calm presence. She delivered concise and clear advice to agitated clients who were then felt empowered to take the right decision for them in difficult circumstances."*

**Legal 500 UK Commercial Litigation (2023)**

*"Rebecca is clever, organised and responsive. She inspires confidence in clients."*

**Legal 500 UK Company (2023)**

*"Rebecca is fantastic – very clever, very responsive, very commercial."*

**Legal 500 UK Insolvency (2023)**

*"She's very user-friendly, really knows her stuff, and helps navigate complex strategic decisions."*

### **Chambers UK Company (2022)**

*"Excellent both on her feet and on paper." "She is very user-friendly and her advice is excellent - she's very good."*

### **Chambers UK Restructuring/Insolvency (2022)**

*"A sharp and analytical junior who is not afraid to get stuck into difficult drafting and advice issues. Very hard working and a real team player."*

### **Legal 500 UK Commercial Litigation (2022)**

*"Always pleasure to work with, personable, unfazed by complex legal issues and a persuasive advocate."*

### **Legal 500 UK Company (2022)**

*"She has a fantastic ability to simultaneously grasp all the detail whilst being able to step back, see the bigger picture and advise on strategy more broadly."*

### **Legal 500 UK Insolvency (2022)**

*"She has a brilliant mind and is very thorough. She will go the extra mile for clients and is fantastic in court."*

### **Chambers UK Company (2021)**

*"She is very bright, academic and comes at problems from a clever angle." "She's very smart and a practical and lateral thinker."*

### **Chambers UK Restructuring/Insolvency (2021)**

*"A brilliant mind, very thorough, fantastic advocate, personable and down to earth."*

### **Legal 500 UK Commercial Litigation and Company and Partnership (2021)**

*"A go-to junior willing to get into the details and who understands wide ranging, complex disputes."*

### **Legal 500 UK Insolvency (2021)**

*"Her wise strategic input and commercial acumen have been critical to the successful resolution of several claims."*

### **Legal 500 UK Commercial Litigation (2020)**

*"Her strengths include attention to detail; drafting; and her client manner."*

**Legal 500 UK Company & Partnership (2020)**

*"Her strengths are attention to detail and drafting; good with clients."*

**Legal 500 UK Insolvency (2020)**

*"She's clever, very careful and someone who has meticulous attention to detail. She delivers a great service."*

**Chambers UK Company (2020)**

*"She's good at formulating impressive legal arguments and is very client-focused. She's extraordinarily easy to deal with and is highly responsive." "She provides sound, commercial advice and is a confident advocate."*

**Chambers UK Restructuring/Insolvency (2020)**

*"Truly excellent – responsive, practical and strategic, she is at the top of her game."*

**Legal 500 UK Commercial Litigation (2019)**

*"She is bright and concise."*

**Legal 500 UK Company & Partnership (2019)**

*"A very persuasive advocate."*

**Legal 500 UK Insolvency (2019)**

*"Rebecca is an excellent lawyer. She's user-friendly, responsive and someone with strong advocacy skills."*

**Chambers UK Company (2019)**

*"She is easy to work with and has a great eye for detail." "She provides sound commercial and technical advice."*

**Chambers UK Restructuring/Insolvency (2019)**

*"A confident advocate who provides sound commercial and technical advice."*

**Chambers UK Company (2018)**

*"She's very dependable, great at distilling complex and voluminous issues and extremely thorough." "She provides thorough commercial and technical advice. She is a sound and very careful all-round advocate."*

## Chambers UK Restructuring/Insolvency (2018)

*"She is thorough and has incredible attention to detail."*

## Legal 500 UK Commercial Litigation (2017)

*"She has an eye for detail."*

## Legal 500 UK Company & Partnership (2017)

*"She is able to get to the heart of the matter quickly."*

## Legal 500 UK Insolvency (2017)

*"Provides sound commercial and technical advice. She is a confident advocate."*

## Chambers UK Company (2017)

*"Rebecca is quick to grasp the issues and to turn around written advice. She is excellent, both in conference and on her feet in court." "She's industrious and reliable - a rising star."*

## Chambers UK Restructuring/Insolvency (2017)

## AWARDS

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Legal 500 UK Bar Awards 2022 'Chancery Junior of the Year'

## MEMBERSHIPS

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- Chancery Bar Association
- COMBAR
- Insolvency Lawyers Association

# QUALIFICATIONS

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- MA (Cantab)