

## Rachel Sleeman

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### Profile

Rachel Sleeman is an experienced Commercial Barrister at Five Paper specialising in Insolvency and Asset Recovery.

She aims to find workable, cost-effective solutions to achieve her client's commercial objectives.

### Description of Practice

Rachel Sleeman's practice encompasses:

- **Insolvency:** all issues arising out of personal and corporate insolvency and asset recovery. She has extensive experience of insolvency mechanisms and acts for and against office holders.
- **General Commercial and Costs Disputes:** Rachel has particular experience in asset finance/factoring agreements and surrounding litigation; consumer lending transactions; enforcement of charges, costs disputes and shareholder disputes. She is regularly instructed by the Legal Aid Agency's Debt Recovery Department in costs and debt recovery claims.

### Qualifications

King's College London – LLB; AKC. Leathes Prize.

### Important Cases

*Lord Chancellor v John Blavo* [2016] EWHC 126 (QB)

Application for a freezing order against a solicitor

*Moloobhoy and another v Kanani* [2013] Civ 600

Appeal about whether a summary judgment application can be heard at the same time as a jurisdictional challenge

*Legal Services Commission v Sham Loomba; Legal Services Commission v Ngozi Blessing Ulasi; Legal Services Commission v Simon Anthony Carter & others* [2012] EWHA 29 (QB)

Junior Counsel for the LSC in three 'test cases' brought against solicitors to recover overpaid legal aid payments.

*Marquis Francois-Eudes de Louville de Toucy v (1) Bonhams 1793 Limited (2) The Official Receiver* [2011] EWHC 3809 (Ch); (2011) All ER (D) 32 (Nov); Law Times Reports 10 December 2011

Appeal against a bankruptcy order where the court had made the incapacitated debtor bankrupt without appointing a litigation friend or representative to act on the debtor's behalf.

*Bright Asset Ltd v Simon Lewis* [2011] EWCA Civ 122

Appeal about the interpretation of an agreement entered into between a shareholder and managing director of a failing company and a company providing corporate debt solutions.

*Nicola Haworth v (1) Donna Cartmel (Trustee in bankruptcy of Nicola Haworth (2) The Commissioners of HM Revenue and Customs* [2011] EWHC 36 (CH)

Application to annul/rescind a bankruptcy order made over two years previously on the basis it should never have been made because the bankrupt lacked capacity and/or HMRC the petitioning creditor had breached its duties towards the bankrupt under the Disability Discrimination Act 1995.

## Recent Matters

Insolvency

Application for an administration order made by director and shareholder of a Company in his capacity as creditor of the Company.

Insolvency

Application to rescind a bankruptcy order immediately after it had been made in the absence of the debtor.

Insolvency

Challenge to trustee's application for order for sale on grounds that equity of exoneration applied.

Insolvency

Assertion of lien by company collecting liquidated company's debts against the liquidators.

Insolvency

Challenge to appointment of an administrator by a floating charge holder.

## Insolvency

Claim against former director and connected persons pursuant to sections 238 and 239 of the Insolvency Act 1986; enforcement of judgments obtained outside of the jurisdiction.

## Insolvency – Office Holder's Remuneration

Challenge to trustee's remuneration by bankrupt.

## Seminars

Rachel Sleeman regularly presents seminars to solicitors. She co-presents MBL's "A Practical Guide to Factoring and Invoice Discounting" and was part of the panel of speakers for the LexisWebinar "Restructuring Dissolved Companies for Pursuing Claims and/or Distributing Property". In 2016 she will be speaking at the R3 SPG Technical Reviews in London, Birmingham and Manchester.

## Mediation

Rachel is keen to promote alternative dispute resolution to her clients and has represented many of them in mediations. She has also acted as an assistant mediator.

## Professional memberships

She is a member of the Commercial Bar Association and the London Common Law and Commercial Bar Association. She is an Associate Member of R3 and on the Women's R3 London and South East Networking Group committee.