Charlotte Cooke

Called to the Bar 2008
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Charlotte specialises in domestic and cross-border insolvency and restructuring, banking and financial services, commercial litigation and company law.

She has appeared in high profile cases at all levels, including three times as a junior in the Supreme Court and a number of times both as a junior and as sole counsel in the Court of Appeal.

She also has significant experience of a wide range of applications under the Insolvency Act and Rules, regularly appearing in Court in respect of such applications, as well as undertaking advisory and drafting work.

In the restructuring context, Charlotte has advised in relation to proposals for, and challenges to, IVAs and CVAs and has appeared in hearings to convene/sanction a number of schemes of arrangement and restructuring plans, including *DeepOcean*, *Nasmyth, McDermott, Aggregate and Thames Water*.

Charlotte is on the Attorney General's A Panel of Counsel and regularly acts for HMRC and the Secretary of State for Business and Trade, particularly in relation to directors' disqualification claims.

Charlotte is recommended for restructuring and insolvency in Chambers & Partners where she is "singled out as a junior who is well equipped to handle sophisticated cases" and described as "friendly, helpful" and "extremely impressive". She is also recommended for insolvency in Legal 500 where it is said she "knows her insolvency law inside out and is a great team player, very happy to do the heavy lifting on a case." Who's Who Legal has described Charlotte as "a rising star".

Charlotte has been shortlisted for Legal 500's Chancery Junior of the Year 2025. She was also shortlisted for Legal 500's Chancery Junior of the Year 2023 and Chambers & Partners' Company/Insolvency Junior of the Year 2024.

Insolvency and Restructuring

Recent cases include:

- ***Re Thames Water Utilities Holdings*** [2025] EWHC 338 (Ch)/ [2025] EWCA Civ 475 – Restructuring plan and expedited appeal (for the company)
- ***Re Enzen Global*** [2025] EWHC 852 (Ch) – Restructuring plan (for supporting creditors)
- ***Re Silverbird Group*** [2024] – Special administration order in relation to an e-money institution
- ***Re Chaptre Finance Plc*** [2024] EWHC 2908 (Ch) – Restructuring plan (for an opposing creditor)
- ***Re CB&I UK (McDermott)*** [2024] EWHC 398 (Ch) – Restructuring plan (for a supporting creditor)
- ***Re Project Leitzenburger (Aggregate)*** [2024] EWHC 563 (Ch) **–** Restructuring plan (for an opposing creditor)
- ***Re Link Fund Solutions Ltd*** [2024] EWHC 250 (Ch) – Scheme of arrangement (for the

Investor Advocate)

- ***Re PlusHolding GmbH*** [2023] EWHC 2915 (Ch) – Scheme of arrangement (for the company)
- ***Re Safe Hands Plans*** [2023] EWHC 2025 (Ch) – Administrators' application for directions regarding the construction of a trust deed and the *Berkeley Applegate* jurisdiction
- ***Re Yunneng Wind Power Co*** [2023] EWHC 2111 (Ch) – Restructuring plan (for the company)
- ***Re Prezzo Investco*** [2023] EWHC 1679 (Ch) – Restructuring plan (for HMRC)
- ***Re Nasmyth Group*** [2023] EWHC 696 (Ch)/[2023] EWHC 988 (Ch) – Acting for HMRC on a successful challenge to a restructuring plan
- ***Re Silverpail Dairy (Ireland)*** [2023] EWHC 895 (Ch) – Recognition of an Irish scheme of arrangement under s.426
- ***Re Sova Capital Limited*** [2023] EWHC 452 (Ch) – Application by special administrators for approval of an "unsecured credit bid"
- ***Re Debenhams Plc*** [2023] EWHC 3028 (Ch) – Appeal against dismissal of application to amend Particulars of Claim
- ***Citibank v Speciality Steel UK & Ors*** [2022] EWHC 1359 (Ch) – Hearing to determine if the "coronavirus test" was satisfied
- ***Re Smile Telecoms Holdings Ltd*** [2022] EWHC 387 (Ch)/[2022] EWHC 740 (Ch)– Restructuring plan
- ***Re Viola Money (Europe) Limited*** – First application for a special administration order under the Payment and Electronic Money Institution Insolvency Regulations 2021
- ***Re Smile Telecoms Holdings Ltd*** [2021] EWHC 395 (Ch)/[2021] EWHC 685 (Ch) – Restructuring plan
- ***Re DeepOcean*** [2020] EWHC 3549 (Ch)/[2021] EWHC 138 (Ch) – The first restructuring plan to use the cross-class cram down mechanism
- ***Re Terra Aviation Network*** – Recognition of French insolvency proceedings
- ***Re Nationwide Accident Repair Services*** [2020] EWHC 2420 (Ch) – Urgent administration application
- Acting for OFGEM on an application for a declaration of insolvency to enable the appointment of a supplier of last resort
- ***Re New Look Secured Issuer Plc*** [2019] EWHC 920 (Ch) – scheme of arrangement
- ***Interserve*** – Administration application
- ***Cannon Corporate v Primus Build*** [2019] EWCA Civ 29 – Acted for the appellant on an appeal concerning the interplay between the construction adjudication and insolvency regimes
- ***Re Nortel*** [2018] EWHC 2766 (Ch) – Acted for the administrators on applications for orders approving remuneration and terminating the administrations
- ***Mothercare*** (2018) – Advised in relation to CVA proposals
- ***London Trocadero (2015) LLP v Shinners & Others*** [2018] EWHC 3200 (Ch) – Acted for a landlord in relation to a claim for a rent deposit top up to be paid as a liquidation expense
- ***Re Lehman Brothers International (Europe)*** [2018] AC 465 – Acted as junior counsel for a creditor at all levels to the Supreme Court on an application by the administrators concerning issues including whether currency conversion claims rank as non-provable claims in an insolvency
- ***Mir v Jaafri*** LTL 2/2/2017– Acted for the respondent to an appeal against the dismissal of an application to set aside a statutory demand

- ***WorldSpreads*** (2012-2017)– Acted for the special administers of Worldspreads
- ***Bowles v Trefilov*** LTL 1/6/16 – Acted for the trustee in bankruptcy on an application to suspend discharge from bankruptcy
- ***Gardner v Lemma Europe Insurance Company*** [2016] EWCA Civ 484 – Acted as sole counsel in the Court of Appeal for the liquidator on anappeal against the dismissal of an application to lift the stay on proceedings against a company in liquidation
- ***Re Powertrain*** [2016] BPIR 456 – Acted for the liquidator on an application to authorise the making of a distribution
- ***Re Codere Finance (UK)*** [2015] EWHC 3778 (Ch) – scheme of arrangement
- ***Re Privatbank*** [2015] EWHC 3299 (Ch) – scheme of arrangement
- ***Re DTEK Finance BV*** [2015] EWHC 1164 (Ch) –scheme of arrangement
- ***Javelin Wholesale v Waypharm*** LTL 9/9/2014 – Acted for the petitioner on a winding up petition raising cross-border issues in respect of a limited partnership
- ***Re Lemma Europe Insurance Company*** [2013] EWHC 389 (Ch) – Acted for the liquidator on an application for the recognition of foreign insolvency proceedings
- ***Re Digital Satellite Warranty Cover*** [2013] 1 AC 605 (SC) – Acted as junior counsel for the Financial Conduct Authority at all levels to the Supreme Court in relation to petitions to wind up entities carrying on unauthorised insurance business
- ***Official Receiver v Keelan*** [2012] BPIR 613 – Acted for the bankrupt on an application to annul a bankruptcy order
- ***Re Law for All*** [2011] BCLC 217– Acted for the directors on an application for a retrospective administration order
- ***Re SO Finance*** [2011] JCA 189 – Acted for the appellant on an appeal against the dismissal of a winding up petition
- Acting for the Financial Conduct Authority on applications to appoint administrators and provisional liquidators

Banking and Finance

Recent cases include:

- ***Mitchell v Royal Bank of Scotland Plc*** [2017] EWHC 1025 (Ch) – Acted for the applicant on an application to strike out a claim for unlawful means conspiracy
- ***Citicorp International v Castex Technologies*** [2016] EWHC 349 (Ch) – Acted for the trustee on a claim regarding construction of convertible bonds
- ***Black Diamond Offshore v Fomento de Construcciones y Contratas***[2015] EWHC 1035 (Ch), Acted for noteholders on a claim concerning the construction of loan notes and, in particular, jurisdiction clauses
- ***US Bank Trustees v Titan Europe 2007-1 (NHP)*** [2014] EWHC 1189 (Ch) – Acted for the "Back Up Advance Provider" on a claim concerning the construction of loan notes/servicing agreement
- ***Citicorp Trustee Co v Barclays Bank*** [2013] EWHC 2608 (Ch) – Acted for the issuers on a

claim concerning the construction of loan notes

- ***Highbury Pension Fund Management Co v Zirfin*** [2013] EWCA Civ 1283 – Appeared as sole counsel in the Court of Appeal on a claim concerning marshalling securities
- ***Re Digital Satellite Warranty Cover*** [2013] 1 AC 605 (SC) – Acted as junior counsel for the Financial Conduct Authority at all levels to the Supreme Court in relation to petitions to wind up entities carrying on unauthorised insurance business
- Acting for the directors and liquidators of various credit unions

Commercial Litigation and Arbitration

Recent cases include:

- ***BMF Assets No 1 Ld & Ors v Sanne Group Plc & Ors*** [2022] EWHC 140 (Ch) – Strike out applications
- ***Mansard Mortgages 2007-2 PLC & Anor v Beyat Holdings Ltd & Ors*** [2021] EWHC 3355 (Ch) – Claim for declaratory and relief
- ***Clavis Securities Plc & Ors v Hussain & Ors*** [2021] EWHC 2003 (Ch) – Claim for declaratory and injunctive relief
- ***Black Diamond Offshore v Fomento de Construcciones y Contratas***[2015] EWHC 1035 (Ch), Acted for noteholders on a claim concerning the construction of loan notes and, in particular, jurisdiction clauses
- ***Smithton v Naggar*** [2013] EWHC 1961 (Ch) – Acted for the Defendant to a claim concerning the test for de facto directorship, directors duties and misrepresentation
- ***AI Airports International v Pirrwitz*** [2013] JCA 177 – Acted for the Defendant to claim concerning whether certain exit payments were made in breach of directors' duties
- ***Ilott v Williams*** [2013] EWCA Civ 645 – Acted as junior counsel in the Court of Appeal on a claim concerning what constitutes a partnership and when a partner can be removed
- ***SerVaas v Rafidain Bank*** [2013] 1 AC 595 (SC) – Acted as junior counsel in the Supreme Court on a claim concerning state immunity in the context of the enforcement of a judgment
- Acting for the claimant in a claim concerning fraud and breach of warranties in relation to the acquisition of a business
- Acting for a mining company in a claim relating to the assignment of a mining lease
- Acting for the claimant in a claim concerning the level of a banker's bonus
- Acting for the defendant to a claim concerning allegedly mis-sold payment protection insurance

Company

Recent cases include:

- Acting for the Secretary of State on various directors' disqualification claims including ***Re Tundrill*** [2023] EWHC 3241 (Ch) and ***Re Two Bros*** [2023] EWHC 3408 (Ch)

- Acting for the petitioner in relation to a just and equitable winding up
- ***Re New Look Secured Issuer Plc*** [2019] EWHC 920 (Ch) – scheme of arrangement
- ***Re Codere Finance (UK)*** [2015] EWHC 3778 (Ch) – scheme of arrangement
- ***Re Privatbank*** [2015] EWHC 3299 (Ch) – scheme of arrangement
- ***Re DTEK Finance BV*** [2015] EWHC 1164 (Ch) –scheme of arrangement
- ***Smithton v Naggar*** [2013] EWHC 1961 (Ch) – Acted for the Defendant to a claim concerning the test for de facto directorship, directors duties and misrepresentation
- ***AI Airports International v Pirrwitz*** [2013] JCA 177 – Acted for the Defendant to claim concerning whether certain exit payments were made in breach of directors' duties
- Acting for the applicant on an application under the Companies (Cross Border Merger) Regulations
- Acting for the executors of a deceased sole shareholder/director's estate on an application to rectify the register of shareholders
- Acting for the applicant company (by its liquidator) in a claim against directors in respect of unlawful dividends

International & Offshore

Recent cases include:

- ***Re Lemma Europe Insurance Company*** (Gibraltar)
- ***Re a Company*** (BVI, Cayman Islands)
- ***AI Airports International v Pirrwitz*** [2013] JCA 177 (Jersey)
- ***Re SO Finance*** [2011] JCA 189 (Jersey)

Insurance

Recent cases include:

- ***Re Lemma Europe Insurance Company*** (Gibraltar) – Acting for the liquidator on various applications
- ***Re Digital Satellite Warranty Cover*** [2013] 1 AC 605 (SC) – Acted as junior counsel for the Financial Conduct Authority at all levels to the Supreme Court in relation to petitions to wind up entities carrying on unauthorised insurance business

Career

2008	Called to the Bar of England and Wales

Memberships

Insolvency Lawyers Association
Chancery Bar Association
Commercial Bar Association

Publications

- Contributor to and editorial board member of ***International Corporate Rescue***
- Contributor to ***Corporate Rescue and Insolvency***
- Contributor to ***Insolvency Intelligence***
- Contributor to ***Journal of International Banking and Financial Law***
- Contributor to ***CPDcast*** (Podcast, *The Minmar Muddle*)
- Contributor to ***Company Directors: Duties, Liabilities and Remedies*** (OUP, 2017)
- Contributor to ***Ranking and Priority of Creditors*** (OUP, 2016)
- Contributor to ***Treatment of Contracts in Insolvency*** (OUP, 2013)
- Contributor to ***Totty and Moss on Insolvency*** (Sweet and Maxwell, 2012)
- Contributor to ***Rowlatt on Principal and Surety*** (OUP, 2011)

Education and Qualifications

2009	Balliol College, Oxford University, BCL
2007	City University, GDL, Distinction
2006	St Catharine's College, Cambridge University, MPhil Philosophy of Science, Distinction
2005	St Catharine's College, Cambridge University, MA Philosophy, First Class

Prizes and Scholarships

- Busfield Prize for Excellence in Legal Research (Inns of Court School of Law)
- 3 Verulam Buildings Prize for Best Performance on the GDL (City University)
- Queen Mother Scholarship (Middle Temple)
- Graduate Scholarship (St Catharine's College, Cambridge University)
- Senior Scholarship (St Catharine's College, Cambridge University)
- Lacey Prize (St Catharine's College, Cambridge University)
- College Book Prize (St Catharine's College, Cambridge University)
- Mrs Julian Stafford Scholarship (St Catharine's College, Cambridge University)