

# Charlotte Ward

Called to the Bar 2023

+44 (0)20 7696 9900

charlotteward@southsquare.com



Charlotte joined South Square as a tenant in October 2024.

Charlotte welcomes instructions in Chambers' core areas of practice, including corporate restructuring and insolvency, commercial litigation and arbitration, civil fraud, company law, offshore litigation and banking and finance work, in which Charlotte takes a particular interest drawing from her previous experience working in investment banking.

During her pupillage, Charlotte assisted on a broad variety of matters spanning the full range of Chambers' areas of practice, including domestic and cross-border insolvency, civil fraud and commercial litigation engaging issues of contract, company, tort and trusts law. Charlotte has also assisted with numerous offshore matters including the **Three Arrows Capital** litigation in the BVI and **NMC Healthcare** in the ADGM as well as proceedings brought in this jurisdiction involving contested issues under a foreign law.

Charlotte has also gained extensive experience of Chambers' contentious restructuring work, assisting on matters including **Re CB&I UK (McDermott)**, **Re Project Leitzenburger (Aggregate)**, **Re AGPS Bondco Plc** and **Re Link Funds Solutions Ltd**.

Prior to joining South Square, Charlotte spent five years working for Citibank in both Switzerland and London.

In London, Charlotte worked in the Corporate and Investment Bank covering clients in the Industrials sector. She assisted with the origination and execution of a wide array of corporate debt transactions including acquisition financing facilities, bilateral and syndicated lending including UK Export Finance guaranteed facilities, emergency COVID bridge loans, investment grade and high yield bond issuances and private debt placements. During this time Charlotte also supported senior colleagues with a client going through a Chapter 11 restructuring.

In Switzerland, Charlotte worked in the Private Bank where she passed the CFA Level 1 exam and gained a broad exposure to investments across all asset classes including strategic solutions to diversify and extract liquidity from concentrated stock portfolios.

Charlotte has a first class degree in History from the University of Oxford where she graduated second in her year, winning the Gibbs Prize (Proxime Accessit) and the Robert Herbert Memorial Prize for the best undergraduate thesis in Global History.

After deciding to change career and come to the Bar, Charlotte gained Distinctions on the GDL and Bar Course at City, University of London. She was awarded the David Karmel and Bedingfield Scholarships by Gray's Inn (the Inn's most prestigious scholarships) in each year of her training and also won the Maitland Advocacy Prize.

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## Insolvency and Restructuring

### **Restructuring**

Conducted legal research to assist with the preparation for the contested restructuring plan sought under Part 26A of the Companies Act 2006 by **Re CB&I UK (McDermott)** (assisting Charlotte Cooke).

Conducted legal research to assist with the preparation for the contested restructuring plan sought under Part 26A of the Companies Act 2006 by **Re Project Leitzenburger (Aggregate)** (assisting Charlotte Cooke).

Assisted in drafting the skeleton argument for the convening hearing of a scheme of arrangement sought by **Re PlusHolding GmbH** under Part 26 of the Companies Act 2006 (assisting Charlotte Cooke).

Assisted with the preparation for the contested scheme of arrangement sought under Part 26 of the Companies Act 2006 by **Link Fund Solutions Ltd** (assisting Charlotte Cooke).

### **Corporate Insolvency**

Prepared a research note addressing obstacles to recognition of a Swiss silent provisional moratorium, including the public policy exception under Article 6 of the UNCITRAL Model Law as enacted under the Cross-Border Insolvency Regulations 2006 (assisting Clara Johnson).

Drafted a skeleton argument for an application seeking numerous directions and orders in the administration of an FCA-regulated company with more than 1.5 million potential consumer-redress creditors (assisting William Willson).

Prepared a research note addressing whether members could stay or end a creditors' voluntary liquidation on the grounds of solvency or change the appointed liquidators over an entity (assisting Richard Fisher KC).

Prepared a research note on numerous points of insolvency law to assist Adam Al-Attar KC representing the administrators of the UK plc and ADGM companies continued in the ADGM in **NMC Healthcare Limited & Others v Shetty & Others** [2024] ADGMCFI 0007 which concerned fraudulent and wrongful trading claims linked to systemic fraud and the concealment of more than \$4 billion of liabilities.

Drafted a skeleton argument seeking a stay of a members' voluntary liquidation to enable a Company to resume trading operations (assisting Clara Johnson).

Prepared a note addressing potential reviewable transactions under sections 238, 239 and 423 of the Insolvency Act 1986 (assisting Charlotte Cooke).

Drafted a skeleton argument seeking an administration order on the basis of insolvency (assisting William Willson).

Prepared a research note on the extent of the powers of an office-holder to obtain documents and

information under section 236 of the Insolvency Act 1986 (assisting Hannah Thornley).

Drafted a skeleton argument for an application seeking the remuneration of the special administrators of energy supply company **Re Bulb Energy Limited** (assisting Henry Phillips).

Wrote an opinion advising on the application of agency principles and insolvency set-off in relation claims arising under an insurance underwriting contract (assisting Charlotte Cooke).

### **Bankruptcy**

Produced a draft skeleton argument for **Sabbah v Abela** [2024] EWHC 1790 (Ch), a bankruptcy petition that was contested on the jurisdictional criteria of residence under section 265(2)(b)(i) of the Insolvency Act 1986 (assisting Marcus Haywood).

Prepared a draft opinion setting out the effect of discharge from bankruptcy on a creditors' security (assisting Marcus Haywood).

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### **Banking and Finance**

Drafted a skeleton argument addressing matters of Lebanese law in a case arising out of the current Lebanese banking crisis (assisting William Willson).

Prepared a note addressing the proper construction of interlocking security and facility agreements with an intercreditor deed and whether the relevant triggers for enforcement had been met (assisting Georgina Peters).

Drafted a skeleton argument seeking permission to appeal in a matter concerning the proper construction of an ISDA Master Agreement (assisting Henry Phillips).

Prepared a note addressing the impact of the sale of a company's subsidiary and the deed of release over the subsidiary's assets on the lender's overall security package, considering issues of charge classification and trust (assisting William Willson).

Drafted a defence to claims brought under Russian law against a financial institution (assisting Adam Al-Attar KC).

Assisted with research into a banking law matter in the Cayman Islands concerning the scope of the *Quincecare* duty and issues in unjust enrichment (assisting Toby Brown).

Drafted an opinion advising on the correct classification of a charge over the proceeds of a performance bond (assisting Marcus Haywood).

Drafted a skeleton argument for an application by special administrators to approve a client asset distribution plan and a related application by the company as client money trustee under CASS 7 to be able to distribute client money on assumed facts in the light of unknown claims (assisting Adam Al-Attar KC).

Prepared an opinion considering the mechanics of an interim distribution under a potential client asset distribution plan (assisting Adam Al-Attar KC).

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## Commercial Litigation & Arbitration

Drafted a defence to claims of tortious harm and conspiracy brought under Russian law (assisting Adam Al-Attar KC).

Assisted Henry Phillips in his ongoing involvement acting for the BVI liquidators of **Three Arrows Capital**, a cryptocurrency hedge fund that was placed into liquidation in June 2022 in the BVI. The fund appears to have lost in excess of US\$3 billion making its collapse one of the largest hedge fund trading losses of all time.

Assisted with legal research during the trial of **Mercy Global Consult Ltd v Adegbuyi-Jackson & Ors** [2023] EWHC 3203 (Ch) which involved claims brought by liquidators for fraudulent breach of trust, dishonest assistance and knowing receipt arising out of VAT fraud (assisting Clara Johnson).

Drafted particulars of claim alleging fraudulent misrepresentation, deceit and negligent misstatement in relation to false information provided to obtain a loan (assisting Hannah Thornley).

Drafted a skeleton argument seeking an interim prohibitory injunction in relation to shares transferred in breach of trust (assisting William Willson).

Conducted research into the effect of a successful appeal on steps taken pursuant to a first instance judgment that was not stayed (assisting Henry Phillips).

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## Offshore

Produced research notes on matters of insolvency, trust and company law to assist Henry Phillips in his ongoing involvement acting for the BVI liquidators of **Three Arrows Capital**.

Prepared a research note to assist Adam Al-Attar KC representing the administrators of NMC Healthcare's UK plc and ADGM companies continued in the ADGM in **NMC Healthcare Limited & Others v Shetty & Others** [2024] ADGMCFI 0007.

Assisted with research into a banking law matter in the Cayman Islands concerning the scope of the *Quincecare* duty and issues in unjust enrichment (assisting Toby Brown).

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## Company Law

Drafted particulars of claim alleging fraudulent breach of directors duties and fraudulent trading to support an application for a freezing injunction (assisting Clara Johnson).

Drafted a skeleton argument seeking the disqualification of a director who obtained a COVID bounceback loan on false information and subsequently misapplied the loan funds in for **Re Tundrill** [2023] EWHC 3241 (Ch) (assisting Charlotte Cooke)

Assisted with the preparation for a directors' disqualification application in **Re Two Bros** [2023] EWHC 3408 (Ch) (assisting Charlotte Cooke).

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## Career

2024 - Tenancy at South Square

2023 - 2024 - Pupillage at South Square

2019 - 2021 - Industrials Team, Banking, Capital Markets & Advisory, Citibank, London

2016 - 2019 - Citi Private Bank, Geneva, Switzerland

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## Education & Qualifications

2023 - Called to the Bar of England and Wales, Gray's Inn

2022 - 2023 - City, University of London, Bar Vocational Studies, Distinction

2021 - 2022 - City, University of London, Graduate Diploma in Law, Distinction

2015 - 2016 - University of Oxford, Master of Studies, History of Art and Visual Culture

2012 - 2015 - University of Oxford, MA, History, First Class (2<sup>nd</sup> in the Year)

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## Scholarships & Prizes

2022 - Bedingfield Scholarship, Gray's Inn

2022 - City Law School Academic Excellence Scholarship

2021 - Maitland Advocacy Prize

2021 - David Karmel Scholarship, Gray's Inn

2015 - Gibbs Prize (Proxime Accessit), University of Oxford

2015 - Robert Herbert Memorial Prize, University of Oxford

2013 - Academic Scholarship, Brasenose College, University of Oxford

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## Languages

Conversational French and Spanish

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## Interests

Travel, Cooking, Art, Reading