

Roseanna Darcy

Called to the Bar 2016

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Roseanna has a broad practice across all of South Square's areas of expertise, including insolvency and restructuring (both domestic and cross-border), commercial litigation, company law, and banking and financial services.

Roseanna regularly appears as sole counsel in the High Court and in the County Court. She has experience in making insolvency related applications, as well as applications under the Company Act 2006 and the Civil Procedure Rules.

She has also acted as junior counsel to many of the silks in Chambers. Most recently, she was led on a jurisdictional challenge application acting for Etihad Airways in **Etihad Airways PJSC v Prof. Dr. Lucas Flöther** (on behalf of Air Berlin plc, in Administration) [2019] EWHC 3107 (Comm) (led by Robin Dicker QC). She has also worked with Daniel Bayfield QC on an urgent application to restrain presentation of a winding up petition, and assisted Felicity Toubé QC in giving advice to board members on issues arising out of an intercompany loan.

In addition, Roseanna also undertakes drafting and advisory work in all of Chambers' core areas. She has recently drafted a defence and mediation statement on a £4.7 million claim relating to an alleged payment of a dividend, drafted a witness statement in Part 8 claims for directions relating to an insolvent estate, and provided advice on a joint venture agreement. She also advises on matters arising in other common law jurisdictions, and has recently advised on and drafted documents for a Jersey based claim.

Roseanna is also currently supporting the Independent Third Party to address complaints from small business customer of RBS's Global Restructuring Group.

During her second year of practice Roseanna undertook a 6-month secondment in the litigation department at Shearman & Sterling. Here she gained invaluable experience working on a variety of commercial disputes, including an expert determination of a \$200 million closing account dispute in a M&A transaction, an arbitration of a multi-national construction dispute, competition law claims in the CAT, shareholder claims in a large-scale fraud, as well as a Part 8 claim involving issues of EU law and the nature of comfort letters.

Prior to joining Chambers, Roseanna obtained a first-class honours degree in History from King's College London, and a masters degree in medieval history from Oxford University. During her undergraduate, Roseanna also spent 6-months at Auckland University in New Zealand. Roseanna is a member of the Honourable Society of the Middle Temple, and is a recipient of their most prestigious award, the Queen Mother Scholarship.

Insolvency and Restructuring

Roseanna has experience in various applications under the Insolvency Act 1986 and the Insolvency Rules 2016 including:

- Appearing for creditors and debtors alike in winding up and bankruptcy petitions, including hearings on whether a petition is disputed on substantial grounds, and disputed debt petition hearings;
- Applications for injunctions to restrain presentation or advertisement of winding up petitions;
- Administration applications and extensions;
- Applications for the deferral of automatic discharge from bankruptcy;
- Applications for validation orders;
- Applications relating to IVAs;
- Office-holder actions against directors;
- Claims for transactions at an undervalue;
- Part 8 claims for directions on behalf of office holders.

Banking and Finance

Roseanna has advised on various banking and finance issues including the construction of ISDA Master Agreements and other financial contracts, and debt securitisation.

Commercial Litigation and Arbitration

- **Etihad Airways PJSC v Prof. Dr. Lucas Flöther** [2019] EWHC 3107 (Comm)

Roseanna also has experience in drafting statements of case and witness statements for use in both court proceedings and mediation. She has advised on matters including breach of contract claims, construction of agreements, and prospects of success of commercial claims. Roseanna has also acted on security for costs and specific disclosure applications.

Company

Roseanna has experience acting in and advising on various company law applications including unfair prejudice petitions, restoration applications, applications to register company charges out of time and claims against directors.

Civil Fraud and Asset Recovery

Roseanna has experience in advising on matters relating to civil fraud, and has advised on a claim for unlawful means conspiracy and fraudulent trading. She is able to advise on all means of civil

recovery and enforcement of judgments.

Offshore

Roseanna has advised on a variety of offshore matters, and has most recently advised on and drafted an Order of Justice for a claim compelling disclosure of certain documents pursuant to a contract governed by the laws of Jersey.

Insurance

Roseanna has assisted Glen Davis QC on matters arising out of regulatory interventions by the Gibraltar Financial Services Commission.

Other

Feb 2019-Sept 2019	Shearman & Sterling , Seconded Seconded to the litigation department working on a variety of commercial law disputes, including an expert determination of a \$200 million closing account dispute in a M&A transaction, an arbitration of a multi-national construction dispute, competition law claims in the CAT, shareholder claims in a large-scale fraud, as well as a Part 8 claim involving issues of EU law and the nature of comfort letters.	
Jan 2015- Feb 2017	Greenwich Housing Rights Represented tenants in possession hearings at Woolwich County Court	Duty Advocate
June 2016-Sept 2016	Hausfeld Provided assistance to the financial services team.	Paralegal
June 2015-Sept 2015	American Express- Office of the General Counsel Provided assistance to the litigation team, primarily in assessing and preparing for various s.75 Consumer Credit Act 1974 cases	Intern

Publications

Contributor to:

- Rowlatt on Principal and Surety, eds. David Marks QC and Gabriel Moss QC;
- Professional Negligence and Liability, ed. Mark Simpson;

- International Corporate Rescue;
 - LexisNexis RANDI blog;
 - Lexis PSL;
 - South Square Digest
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Memberships

Chancery Bar Association

Insolvency Lawyers' Association

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Education and Qualifications

2016 **Called to the Bar of England and Wales**

2015-2016 **BPP Law School Holborn:** BPTC

2014-2015 **City University London:** GDL

2013:2014 **University of Oxford:** MSt in Medieval History, Distinction

2010-2013 **King's College London:** BA History, First Class (Hons)

Prizes and Scholarships

- Queen Mother Scholarship, Middle Temple Inn
 - Blackstone Entrance Exhibition Award, Middle Temple Inn
 - Benefactors' Scholarship, Middle Temple Inn
 - Academic Excellence Award, BPP
 - Elizabeth Hewitt Memorial Prize, King's College London
 - Grade 8 Piano
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Interests

Medieval England, Piano, Theatre, Travelling, Wine Tasting