

Jonathan Lopian

Call: 1994
 Education: MA PhD (Cantab)
 Appointments: Junior Counsel to the Crown
 Email: lopian@11sb.com
 Telephone: 020 7831 6381



Jonathan was awarded a senior scholarship followed by a research scholarship by Gonville & Caius College, Cambridge, where he took a double First in History and gained his doctorate. He was awarded a Queen Mother's Scholarship by Middle Temple and gained a Distinction in the Diploma in Law at City University, London.

Before coming to the Bar he had seven years' commercial and financial experience first as a corporate finance executive at leading UK merchant bank Morgan Grenfell specialising in mergers and acquisitions and then as manager of the corporate finance division of the major international corporation Olympia & York, working in New York, Toronto and London.

Jonathan practises in corporate and commercial litigation and advisory work and commercial chancery, specialising in company law, partnership law, corporate and personal insolvency, director disqualification, contract, commercial fraud, asset tracing, trusts, charities and professional negligence.

He was appointed as Junior Counsel to the Crown in 1999 and is currently on the Attorney-General's 'B' Panel. In that capacity has been instructed widely on behalf of the Secretary of State for Business, Enterprise and Regulatory Reform in directors' disqualifications and public interest winding-up proceedings, by HM Revenue and Customs in insolvency matters, by the Attorney-General in charity and probate proceedings and by the Department for Work and Pensions, the Environment Agency and the Rural Agency.

Jonathan is recommended in both the Legal 500 as a leading junior in insolvency and also in Chambers Guide to the Legal Profession:

"Clients describe him as 'an easy choice - he's committed, diligent and a consummate professional'". (Chambers & Partners 2007)

"A clear and compelling advocate who always arrives at court raring to go." (Chambers & Partners 2009)

"A well-regarded Treasury Counsel practitioner, Jonathan Lopian acted for the Secretary of State in the British Coal respiratory disease litigation and represented HMRC in the Farepak Limited administration. Peers describe him as 'a good, forceful litigator.'" (Chambers & Partners 2009)

Insolvency

Jonathan deals with all aspects of corporate and personal insolvency law. He has extensive experience in cases involving transactions at an undervalue, preferences, fraudulent and wrongful trading, misfeasance and breach of duty, company and individual voluntary arrangements.

Cases of interest include:

- *Alistair Ross and Darrell Holmes v Commissioners for HM Revenue and Customs* [2010] 2 AER 126, [2010] STC 657
- *Trustee in Bankruptcy of St John Poulton v Ministry of Justice* [2009] BPIR 1512, [2010] EWCA Civ 392
- *Tradition (UK) Limited v Ahmed* [2009] BPIR 627
- *Appleyard v Ritecrown Ltd* [2009] BPIR 235
- *Monecor (London) Ltd v Ahmed* [2008] BPIR 458
- *Re Farepak Food & Gifts Ltd (in administration)* [2007] 2 BCLC 1, [2008] BCC 22

- *Doltable Ltd v Lexi Holdings Plc* [2006] 1 BCLC 384, [2006] BCC 918
- *Re Unigreg Ltd (In Administration)* [2005] BPIR 220
- *Glaxosmithkline Export Ltd v UK (Aid) Ltd* [2003] 2 BCLC 351, [2003] BPIR 1206, [2004] BPIR 528
- *Fender v Commissioners of Inland Revenue* [2003] BPIR 1304
- *Nejad v City Index Ltd* [2001] GCCR 2461 (CA)
- *Commissioners of Inland Revenue v Bielecki* [2001] BPIR 975

Commercial and Commercial Chancery

Jonathan's commercial and commercial chancery practice covers all types of contractual disputes, guarantees, undue influence and duress, tracing, restitutionary claims, commercial fraud and the law of agency and fiduciaries.

Cases of interest include:

- *Imageview Management Ltd v Jack* [2009] 2 All ER 666 (CA), [2009] 1 All ER (Comm) 921, [2009] Bus.LR 1034, [2009] 1 BCLC 724, [2009] 1 Lloyd's Rep 436, Times Law Reports, 24 March 2009
- *Seray-Wurie v Charity Commissioners for England & Wales & the Attorney General* [2007] 3 All ER 60, [2007] 1 WLR 3242
- *Imaghdor v Secretary of State for Trade & Industry* [2007] All ER (D) 47
- *Lexi Holdings plc v Stainforth* [2006] EWCA Civ 988
- *Stone and Rolls Ltd v Micro Communications Inc* [2005] EWHC 1052
- *Amin v Brown* [2005] EWHC 1670; Times Law Reports, August 24 2005
- *UCB Corporate Services Ltd v Kohli* [2004] 2 All ER (Comm) 422

Company

Jonathan's experience includes shareholder and partnership disputes, directors' duties, directors' disqualification, reductions of capital, financial assistance and public interest winding-up proceedings.

Cases of Interest include:

- *Hennelly v Secretary of State for Trade and Industry* [2005] BCC 542
- *Smith v Secretary of State for Trade & Industry* [2003] All ER (D) 72
- *Official Receiver v Zwirn, Re Windows West Ltd* [2002] BCC 760
- *Re Derek Colins Associates Limited* [2002] All ER (D) 474