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Cristin Toman

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Year of Call: 2004

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Clerk: Joanne Caunt

Clerk: Ellen McInall

PRACTICE AREAS

Insolvency & Restructuring

Commercial

Banking and Finance

Company

Company Directors Disqualification

Property

PROFILE

Cristin has a strong commercial chancery practice, with particular expertise in all aspects of insolvency law, commercial dispute resolution and property litigation. She is especially recommended for commercial injunctions.

Cristin is appointed to the Attorney General's Regional Panel of Junior Counsel to the Crown.

Insolvency & Restructuring

Cristín is known for her expertise in this area. She has a broad range of experience in corporate and individual insolvency matters and regularly acts and advises in proceedings concerned with all aspects of administration, liquidation and bankruptcy, including asset recovery proceedings, remuneration applications Berkeley Applegate applications and disputed debts.

She has particular expertise in matters concerning validity of office holders' appointments.

Commercial

Cristín regularly receives instructions in connection with high value commercial disputes and partnership disputes. She has acted for clients from a wide range of businesses including banking, manufacturing, the legal profession, litigation support services, insolvency practitioners and suppliers of food. She has particular experience and expertise in commercial injunctions.

Banking and Finance

Cristín has a strong practice in Banking & Financial Services. She regularly represents banks and their customers in connection with enforcement of mortgages, loans and guarantees. She is experienced in cases raising issues of undue influence, unconscionable bargain, constructive trust and unfair relationships.

Company

Cristín is experienced in Company disputes. She advises and represents Companies, directors and shareholders in relation to proceedings for breach of directors' duty, unfair prejudice petitions and shareholder disputes.

Company Directors Disqualification

Cristín acts for the Secretary of State and for Company directors in connection with disqualification applications.

Property

Cristín practises in all areas of real property and landlord and tenant, both residential and commercial. She is especially recommended for property injunctions. She contributes to the Business Tenancies Chapter of the *Landlord and Tenant Factbook* (Sweet & Maxwell Ltd). She regularly advises and represents landlords, tenants and other property owners in connection with a variety of property matters including trespass and interference with easements and rights of way, termination and renewal of business tenancies, forfeiture of commercial leases, rent review clauses, beneficial interests and co-ownership.

SIGNIFICANT CASES

Hughes-Jarvis v Searle [2018]

EWHC 2108, [2019] EWCA Civ 1 - Re NJM Clothing Limited [2018] B.C.C. 875

Montpelier Business Reorganisation Ltd v Armitage Jones LLP [2017] 5 Costs LO 659

Montpelier Business Reorganisation Ltd v Armitage Jones LLP [2017]

5 Costs LO 659

A non-party costs order was made against a company which had predominantly funded litigation brought by a dormant company in which it was a major shareholder.

Tackie v Morrison [2015]

EWHC 3980 (Ch)

Re Sofra Bakery [2015]

1 B.C.L.C. 338

Booth v Mond [2010]

BPIR 1111

Suggitt v Suggitt [2010]

2 FLR

Oakland v Wellswood Yorkshire Limited [2010]

B.C.C. 263

Furmans Electrical Contractors v Elecref [2009]

T.C.L.R. 6

Beechwood Construction v Afza [2009]

B.P.I.R. 7

CAREER AND ASSOCIATIONS

Appointed to the Attorney General's Regional Panel of Junior Counsel to the Crown 2018

Enterprise Chambers 2006-present

Pupillage 11 Stone Buildings 2004-2005

Called to the Bar, Lincoln's Inn, 2004

Admitted to practice of barrister & solicitor:

-Western Australia, 2000

-High Court Australia, 2000

-New South Wales, 2002

-Victoria, 2003

Atanaskovic Hartnell, Sydney 2002-2004

William & Hughes Perth, 2000-2002

Associate to The Honourable Justice Steytler, Supreme Court of Western Australia, Perth 1999- 2000

Freehill Hollingdale and Page 1997-2000

University of Western Australia, Bachelor of Science with Honours (Biochemistry) and Bachelor of Law

Member of the Chancery Bar Association

Member of the North East Circuit

PUBLICATIONS

Appointment of administrators out of court by directors: Can a customer speed up the process of removing a freeze on its account? (2019)

New Insolvency Rules create new uncertainties

When will Interim Relief be Appropriate in POCA Pt 7 Cases? (2018)

Overpayments By The Guarantor In On-Demand Guarantees: Is The Guarantor Entitled To Subrogation? (2017)

Tortious Duties of Care Owed in Letters of Credit between Parties to the Autonomous Contracts (2013)

Giving notice – redundancies after City Link

Liquidators Entitled to Costs pre-dating a Change of Liquidators [2016]

Liquidation Committees [2016]

Contributor to the Rural Law Notebook

Contributor to The Landlord & Tenant Factbook



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