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Pearse Johnson

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Year of Call: 2019

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Clerk: Raj Lamba

PRACTICE AREAS

Insolvency & Restructuring

Property

Commercial

Company

Wills, Trusts and Probate

PROFILE

Pearse has developed a busy and varied practice accepting instructions across all of Chambers' core work areas with particular emphasis on insolvency work and property disputes. He gains praise for the clarity and practicality of his work; he is equally adept at providing a written solution to a complex matter as responding on his feet to changing circumstances in court. He appears regularly in both the County Court & High Court and has experience of handling all stages of a dispute.

The breadth of Pearse's practice is evident from the work he has recently undertaken including

successfully getting a statutory demand set aside, acting for Liquidators on a disputed winding-up petition which involved subrogation and cross-jurisdictional questions and advising in relation to varying a restrictive covenant.

Before studying law, Pearse read Modern History at the University of St Andrews and graduated with First Class Honours. He is also a Kennedy Scholar of Lincoln's Inn.

PRACTICE AREAS

Insolvency & Restructuring

Pearse works across all aspects of both corporate and individual insolvency and regularly appears on behalf of creditors, debtors and office holders alike. Pearse acts and advises in matters including winding up and bankruptcy petitions, applications to annul bankruptcies and to set aside statutory demands, injunctions to restrain presentation of winding up petitions, and claims against directors.

As a student Pearse gained early experience of the winding up list through his Pro-bono work with the Company Insolvency Scheme operated by City Law School.

Recent cases include:

- Acting and advising on behalf of a client seeking to set aside a statutory demand based on a personal guarantee.
- Advising on the implications on winding up of the new test under the Corporate Insolvency and Governance Act 2020 Schedule 10.
- During pupillage Pearse participated in the mediation of a claim by liquidators in restitution concerning a well-known high-street brand.

Property

Pearse accepts instructions across the breadth of property work and has experience of property proceedings in both the County Court and First-tier Tribunal. In addition to his regular work Pearse regularly acts and advises on property matters via Advocate and the Islington Legal Advice Centre with a particular focus on the law of Landlord & Tenant. This bolsters his wide-ranging experience of possession proceedings from his time as a solicitor's agent. He therefore has experience acting for clients in claims of vastly different values which informs his focus on achieving a practical and cost-effective result for each client.

Recent cases include:

- Advising in relation to an Assured Shorthold Tenancy concerning rent arrears, the impact of coronavirus and impact of non-protection of a deposit through multiple changes of tenant.
- Advising on a claim in trespass and nuisance against a small local restaurant.
- Successfully securing the release of a large tenancy deposit to the Landlord despite the existence of an ongoing disrepair claim.
- During pupillage Pearse attended multiple hearings in the First-tier Tribunal concerning the

reasonableness and validity of a service charge.

Commercial

Pearse acts and advises in a wide range of commercial disputes including issues of contractual construction and interpretation and is experienced in securing interim remedies such as default or summary judgment. Pearse has recent, pro-bono experience, of advising and drafting in relation to consumer credit claims and unfair trading practices.

Recent cases include:

- During pupillage, Pearse advised on the potential liability for bribery in relation to undisclosed commission payments.
- As a solicitor's agent, Pearse has both broad and in-depth experience of acting in relation to contractual disputes including credit hire agreements.

Company

Pearse accepts instructions in all areas of company law and is able to assist in relation to shareholders disputes, claims against directors and the tracing of assets. The growing depth of Pearse's experience is demonstrated by his recent work including: (i) advising on a misfeasance claim against a director who fraudulently dissipated a "Bounce Back Loan" for their own benefit; and (ii) assisting directors defend claims against them in relation to preferences and transactions at undervalue.

His experience extends beyond those cases with an insolvency element and includes drafting a defence & counterclaim in a claim relating to a complex and high-value asset purchase agreement as well as applications to make corrections at Companies House.

Wills, Trusts and Probate

Pearse welcomes instructions in all areas of wills, trusts and probate. During pupillage Pearse attended three mediations concerning the Inheritance (Provision for Family and Dependents) Act 1975 and is therefore unusually experienced in the formal law in this area as well in negotiations. Pearse gained further experience advising on whether a transfer was a valid donatio mortis causa and on the construction and validity of a will which attempted to create a bursary either for one year or indefinitely. Pearse is experienced and tactful in advising on matters involving difficult family relationships.

CAREER AND ASSOCIATIONS

Pearse regularly volunteers with Advocate and the Islington Legal Advice Centre

Kennedy Scholarship – Lincoln’s Inn

Bar Professional Training Course (Very Competent) – City Law School (2018-2019)

MA Modern History, 1st class – University of St Andrews (2013-2017)

Dean’s List award for academic excellence – University of St Andrews (2016-2017)

Dean’s List award for academic excellence – University of St Andrews (2015-2016)



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