



Conn MacEvilly

Call: 1997

✉ conn.macevilly@newsquarechambers.co.uk

☎ +44 (0) 20 7419 8000

<https://uk.linkedin.com/in/connmacevilly>

"Very responsive and user-friendly."

Legal 500 UK Bar 2020

"An experienced junior in insolvency cases."

Legal 500 UK Bar 2019

Practice Overview

Ranked in the Legal 500 as a leading junior, Conn is described as *"a real pleasure to work with – a very proactive, hands-on barrister with in-depth knowledge of the law."*

Conn is an experienced junior in commercial, company and insolvency cases, particularly those with multijurisdictional and offshore aspects. He is a contributor to International Corporate Rescue and is called to the Bar in England, Ireland and Gibraltar.

An adviser and litigator with a strong sense of clients' real strategic objectives, he brings commercial understanding from his experience as an employed barrister at Linklaters in London and as Head of Legal Services for PricewaterhouseCoopers Gibraltar. A former Government fast-streamer, Conn has also worked for the EC Legal Service in Brussels.

Having served as a troop leader in the 2003 Iraq war and as a mentor to the Afghan National Army in 2008, Conn is adept at working as part of a team under real pressure.

Commercial Litigation

Conn's commercial chancery work includes contractual claims, claims based on breaches of fiduciary duty and claims by and against directors. He is also a trusted advisor in non-contentious commercial matters, drawing on his experience from the Department of Trade and Industry and Linklaters.

Conn acted as junior in *Global Energy Horizons Corporation v Gray* [2015] EWHC 2232 (Ch) (28 July 2015), a factually complex claim initially valued at hundreds of millions of pounds for breach of fiduciary duties in relation to an opportunity which the Claimant had been pursuing to exploit ultrasound technology to increase the production and recoverability of oil and gas reserves.

Conn is regularly instructed in commercial disputes at an early stage, enabling him to provide timely input to produce a cost-effective result for the client. For example, he acted under Direct Access on behalf of a newspaper publisher in a multi-million pound commercial dispute concerning misrepresentation in the sale of a business which settled very successfully.

Conn has substantial experience, both acting as junior to leading counsel and as sole counsel, in obtaining and resisting various forms of interim relief, including:

- Norwich Pharmacal/third party disclosure orders
- Freezing and ancillary disclosure orders
- Search orders
- Summary judgment/strike out applications

Company & Partnership

Conn has wide experience in company matters, including:

- Claims against directors
- Shareholder disputes
- Claims by and against directors
- Claims to set aside transactions of insolvent companies
- Disputes relating to share sale agreements

He also has plentiful experience as an advisor in non-contentious company-related matters, including advising on:

- Regulatory matters
- Shareholder agreements
- Share sale agreements

Insolvency

Conn is recommended by Legal 500 as a leading junior in insolvency. He is a contributor to International Corporate Rescue.

"A real pleasure to work with – a very proactive, hands-on barrister with in-depth knowledge of the law" **Legal 500 2015 -**

Insolvency

He has a particular interest in cross-border insolvency matters, advising on and appearing in applications relating to overseas insolvency proceedings.

Among his recent cases of note are:

- *Re Hellas Communications (Luxembourg) II SCA* [2014] B.P.I.R. 179. An important decision on the powers of administrators to agree the fees of professional advisors
- *Re MG Engineering & Consultancy Limited* (2014 – unreported). The first time the Cross-Border Insolvency Regulations was availed of, rather than section 426 of the Insolvency Act 1986, to achieve recognition by the English High Court of Gibraltar insolvency proceedings
- *Popham v Information Governance Limited* [2013] EWHC 2611 (Ch). An application for administration by a director of a company which involved day-long argument about the solvency of the company. The judge ultimately accepted Conn's arguments as to the insolvency of the company, only declining to order administration on the basis of assurances from very recently re-appointed directors that they would fund the company.

Offshore

Conn has acted as junior and alone in a number of disputes involving offshore jurisdictions, including two as a junior before the Privy Council. He was called to the Bar of Gibraltar in 2005 and practised there for five years – two as a litigator and three as in-house counsel. He has managed large-scale defensive Madoff-related litigation in New York and Gibraltar. He also led the Gibraltar end of negotiations and drafting of a US\$17bn debt standstill agreement for a Russian entity with Cyprus, Gibraltar and BVI involvement.

He has been called to the Bar of Ireland and took his undergraduate degree there.

A French and German speaker, he has studied law at the University of Paris and worked at the European Commission in Brussels; he is completely at home working in a multinational team and dealing with foreign experts (including experts on foreign law).

Additional Information

Qualifications / Education

Dual Qualifications

Bar of Ireland (1999)

Bar of Gibraltar (2005)

Education

1994 – LL.B. (Trinity College Dublin)

1995 – LL.M. (London School of Economics)

1996 – BVC/BPTC (Inns of Court School of Law)

Professional Appointments

Lieutenant Colonel in the Army Reserve

Trustee of the Household Cavalry Museum Trust

Languages

German – fluent

French – fluent

Public Access

Yes

ADR

No

Cases

Re MG Engineering & Consultancy Limited

Reference: (to follow)

Date: 21 Apr 2016

Court: Court of Appeal, Gibraltar

The appeal was against an order of Jack J in the Supreme Court of Gibraltar allowing the remuneration of joint liquidators on the basis claimed, but only from the date of the order rather than the date of their appointment. The forward-looking effect of the order deprived the liquidators of over £270,000 in remuneration for past work, despite Jack J's finding that the remuneration was justified given that the liquidators had recovered over £900,000 for the insolvent estate and were still engaged in recovering more.

Judge: Sir Colin Rimer P, Dame Janet Smith JA and the Hon Dudley CJ
Offshore

Practice Area: Insolvency
Civil Fraud

New Square Chambers

12 New Square

Lincoln's Inn

London

WC2A 3SW

DX: 1056 London/Chancery Lane

Contact

+44 (0) 20 7419 8000

clerks@newsquarechambers.co.uk