

Megan Elms

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PROFILE

Litigation, Insolvency and Restructuring Associate at Harney, Westwood & Riegels LP. Regularly act on behalf of insolvency practitioners, creditors and companies in distress. Broad range of experience across contentious and non-contentious matters in both corporate and personal insolvency and involving both domestic and cross-border issues.

RELEVANT EMPLOYMENT

Harney, Westwood and Riegels LP	<ul style="list-style-type: none">Associate in the Litigation, Insolvency and Restructuring Team	April 2021-Present
TLT LLP	<ul style="list-style-type: none">Qualified as a solicitor in the Restructuring and Insolvency team in March 2019 after two successful six-month seats.Additional six-month seats in Commercial Property and Construction (contentious).	(Solicitor) 2019-March 2021 (Trainee Solicitor) 2017-2019

EDUCATION

University of West England	Legal Practice Course - Distinction - Best Results in Year.	2015-2016
University of Bristol	LLB (Hons) - Upper Second Class - Dean's Prize for Academic Excellence 2013, Best Results in Tort 2013, Best Results in Year 2013.	2012-2015
The Downs School	A Levels in Mathematics, Law, English Literature and Economics - A*, A*, A, A.	2005-2012

RELEVANT EXPERIENCE

Distressed Debt and Asset Acquisitions	<ul style="list-style-type: none">Advising private equity fund on acquisition of shares and secured debt in a high street retailer. Dealing with subsequent restructure through pre-pack administration.Acting on a US hedge fund's £120m acquisition of a corporate vehicle with a synthetic interest in a portfolio of home reversion plans. Coordinated extensive due diligence exercise resulting in an internal award.	
Corporate Restructuring	<ul style="list-style-type: none">Member of core team advising on the subsidiarisation of a Dutch Bank's UK Branch ahead of Brexit through Part 7 FSMA transfer. Primary responsibility for project management and dealing with Court process.Assisting in obtaining the sanction of a scheme of arrangement in the BVI Court.Advising boards on options and directors' duties while trading in the 'twilight zone'.	

Enforcement Action

- Regularly advising secured lenders on the enhancement and enforcement of security. Experience drafting facility and security documents.
- Advising creditors and debtors on presenting and defending bankruptcy and winding up petitions.

Formal Insolvency Processes

- Primary fee earner assisting three partners on the compulsory liquidation of a tungsten mine deemed to be a resource of national strategic importance. Included dealing with two sale processes, various environmental bonding arrangements and over £75m of international syndicated debt.
- Member of core team dealing with the liquidation of 14 companies subject to a Proceeds of Crime Act restraint order and wound up in the public interest.
- Acting for office holders and insolvency litigation funders on recovery actions, including antecedent transaction and breach of directors' duties claims.
- Acting for office holders on a variety of other applications under the Insolvency Act (both in England and Wales and the British Virgin Islands), including applications for (i) the delivery of documents, (ii) remuneration approval and (iii) defending application for their removal.
- Acting for creditors in claims to review conduct of office holders pursuant to section 273 of the BVI Insolvency Act 2003;
- Experience drafting LBAs, witness statements, instructions to Counsel and settlement agreements and supervising trainees on the same.
- Developing specialism in advising on the assignment of causes of action in both personal and corporate insolvencies.
- Experience drafting and negotiating sale agreements.

Thought Leadership and Networking

- Active role in reviewing and contributing to team wide and client-targeted know-how, including input into external articles on the implications of Brexit, CIGA and recent case-law updates.
- Regularly attend industry networking and know-how events, including those hosted by TMA and R3.

INTERESTS AND HOBBIES

- Reading.
- General fitness including hiking, hockey, netball and paddle-boarding.

REFERENCES AVAILABLE ON REQUEST