

## CHERYL DAINTY

Year of call: 2006

Qualifications: BA (First Class Hons.) Law with Law Studies in Europe (German Law), Masters of Comparative Law

Clerked by: Brandon Singh Harry Young

AREAS OF EXPERTISE:

Banking & Finance Commercial Litigation Company  
Insolvency Professional Negligence



### Profile

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From early in her career Cheryl has been instructed to appear in Court on challenging and technical commercial/chancery matters, while also producing paperwork involving complex and high value disputes. Career highlights include appointment as Junior Counsel to the Crown in November 2010 (at only 4 years call) and appearing in the Court of Appeal. In addition to trial work, Cheryl has experience beyond her call of procedural and interim applications (including injunctions, security for costs, delivery up and preservation of property). Much of her work is based in the specialist District Registries.

Cheryl has earned a reputation for being a tenacious advocate, who is also approachable and user friendly with clients. She is extremely thorough in her advisory and Court work and will always go the "extra mile" to provide good service.

**Year of Call:** 2006

### Areas of Expertise

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#### Banking & Finance

Cheryl is content to deal with all issues of banking law, including guarantees, hire purchase/leasing, mortgages (including undue influence) and consumer credit. Cheryl was successful in a trial involving the Bank's conduct in relation to a freezing order.

#### Significant Cases

**Cheryl was involved in the well publicised bank overdraft charges litigation, appearing on behalf of one of the major banks in a group case management conference in the High Court (Leeds District Registry).**

#### Commercial Litigation

Cheryl is confident dealing with all areas of commercial dispute resolution including general contract issues, agency, sale of goods, factoring/invoice discounting, enforcement disputes and interim relief/injunctions, to name a few.

#### Significant Cases

**S & D Property Investments Ltd v Christian Nisbet & Stephen French [2009] EWHC 1726 (Ch) (Nicol J) - harassment in the context of debt collection; quantum of anxiety damages and damages for economic losses.**

#### Company

Cheryl receives instructions in all types of company dispute, including claims based on breaches of directors' duties, share and asset purchase agreements (especially warranty claims) and minority shareholder petitions. She also has a wealth of experience in the field of directors' disqualification.

#### Significant Cases

**S & D Property Investments Ltd v Christian Nisbet & Stephen French [2009] EWHC 1726 (Ch)(Nicol J)**, in which issues arose as to vicarious liability of a company for the harassment of its officers and relational loss.

## Insolvency

**Cheryl has significant experience in both personal and corporate insolvency (including petitions, CVAs, IVAs, corporate restructuring, remuneration, transaction avoidance and misfeasance, asset recovery, general advice on strategy and office holder conduct). She has a thorough knowledge of all issues of insolvency law and is frequently instructed by office holders. Her insolvency instructions range from the purely advisory to multi-day trials. She is a true insolvency specialist.**

## Significant Cases

Nutting v Khaliq and Another [2012] EWCA Civ 1726

**Cheryl's client was successful in part in respect of an appeal mounted by a bankrupt and his wife in relation to the ability of the office holder to be indemnified from the estate.**

## Professional Negligence

In recent years Cheryl has developed a busy practice in professional negligence, principally in relation to solicitors, surveyors and finance professionals. Cheryl is happy to accept instructions for Claimants and Defendants.

## Memberships

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Chancery Bar Association

Northern Circuit Commercial Bar Association

Northern Chancery Bar Association

Northern and North Eastern Circuits

Honourable Society of the Inner Temple

## Appointments

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Junior Counsel to the Crown (Regional Panel)

## Qualifications

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(1) The University of Oxford, Corpus Christi College

BA (First Class Hons.) Law with Law Studies in Europe (German Law)

(2) The University of Bonn, Germany

Masters of Comparative Law (with a focus on comparative commercial law)

## Recommendations

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"Very user-friendly with a forensic approach." - **Legal 500, 2020**

"She provides prompt and pragmatic advice, and has a good grasp of the commercial elements involved in a case. She gives clear advice focused on achieving client's objectives." - **Chambers UK 2020**

"She absorbs a huge amount of detail and quickly sees the big picture. She is excellent at talking a client's language." "I would highlight her in relation to thoroughness. Her advice is exemplary." - **Chambers UK 2018**

'Very experienced in personal and corporate insolvency matters.' - **Legal 500 2018**

"Her advice is always enlightening, in-depth and detailed, and her advocacy skills have always produced excellent results." "I've always found her

to be clever, clear-thinking and good at drafting." - **Chambers UK 2017**

"She has knocked the socks off a number of barristers of far more years of call. A first-class intellect who always has the ear of the judge." - **Chambers UK 2016**

"Praised for the high calibre of her advocacy, she has become a go-to for high-value and technical cases. Her experience in company, contract and insolvency disputes has led to her involvement in high-stakes matters before the Court of Appeal.

"She's an excellent advocate. She's very much in demand."" - **Chambers UK 2015**

"She is user-friendly, very good with clients, very thorough, and experienced far beyond her year of call."

"She provides excellent commercial advice and a proactive approach." - **Chambers UK 2014**

