

Douglas Cochran

Year of call 2012

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Doug has a wide-ranging commercial and chancery practice, with particular specialisms in the fields of [insolvency](#) (corporate and personal), contractual disputes, and [competition law](#).

Doug routinely appears in the Business and Property Courts, especially in Manchester and Leeds. Equally happy working as sole Counsel or with a leader, Doug particularly relishes the challenge of oral advocacy.

Doug's reported cases include:

- *In Re: JDK Construction Limited* [2023] EWHC 2805 (Ch): Application by liquidators for orders affirming the validity of their appointment, following representations from an aggrieved former shareholder who claimed to have been defrauded of her shareholding.
- *In Re: Servico Build Tec Limited (in Liquidation)* [2022] EWHC 2498 (Ch): Trial in which the assignee of the liquidators sought relief against the Company's former director, stemming from the former director's participation in a tax avoidance scheme and transfers said to have been at an undervalue.
- *Emery Planning Partnership Limited v Bevan* [2022] EWHC 494 (QB): Appeal before Turner J following a contested trial regarding the Claimant's burden of proof in a commercial dispute in which the Claimant was put to proof as to the value of services provided pursuant to contract.
- *Schofield v Jones* [2019] EWHC 803 (Ch): This case concerned the Court's discretion to make an order pursuant to s.306 of the Companies Act 2006 in circumstances where the minority shareholder was intimating a claim pursuant to s.994 alleging unfair prejudice.
- *Seafood Holdings Limited v My Fish Co Limited* [2017] EWHC 766 (Ch): Strike out application concerning pleadings for relief alleging Competition Act 1998 breaches.
- *Wood v Lowe* [2015] EWHC 2634 (Ch) [2015] EWHC 2634 (Ch): Insolvency case concerning the treatment of hundreds of chattels in a bankrupt's estate, which had become interspersed with chattels and some of which were claimed to be exempt as tools of the trade.

Doug holds an LLM (First Class) from Cambridge University. During his undergraduate legal studies at Cambridge, Doug was awarded the George Long Prize for the highest mark in jurisprudence in Cambridge University. During his time at university, Doug won over twenty intervarsity debating competitions, including the John Smith Memorial Mace (formerly the Observer Mace).

Prior to commencing pupillage, Doug worked for the UK Competition Commission as a Legal Researcher, conducting legal research relevant to the market investigations and merger inquiries conducted by the Commission.

Expertise

Commercial Litigation

Doug has a wide-ranging commercial practice and is regularly instructed to represent, advise, and settle pleadings on behalf of clients who are parties to

commercial disputes, including sale of goods, claims under guarantees, and cases which turn on questions of contractual interpretation.

Notable Commercial Litigation cases

Emery Planning Partnership Limited v Bevan [2022] EWHC 494 (QB): Appeal before Turner J following a contested trial regarding the Claimant's burden of proof in a commercial dispute in which the Claimant was put to proof as to the value of services provided pursuant to contract.

Senna v Henderson [2021] EWHC 453 (QB); *Senna v Henderson* [2020] 12 WLUK 108: Summary judgment and strike out sought for various claims based on allegations of abuse of process.

Thackray v Wise [2021] EWHC 2059 (Ch): Securing an extended civil restraint order following dismissal of repeated applications.

Company

Doug is instructed in a wide range of contentious company and partnership disputes, especially in relation to petitions alleging unfair prejudice pursuant to s.994 of the Companies Act 2006. Equally, he has been instructed on a number of matters where company directors are pursued for breach of duty.

Notable Company cases

Schofield v Jones [2019] EWHC 803 (Ch): Concerned the Court's discretion to make an order pursuant to s.306 of the Companies Act 2006 in circumstances where the minority shareholder was intimating a claim pursuant to s.994 alleging unfair prejudice.

EU and Competition Law

Before joining chambers, Doug studied economics before working for the Competition Commission (a predecessor body to the Competition & Markets Authority), providing research and litigation support.

Doug provides specialist advice to both private parties and public bodies on competition law matters, including matters pertaining to procurement. He has provided ongoing competition advice to a number of major UK regulators and has assisted in their investigation of breaches of the Competition Act. He has appeared as junior Counsel (led by Martin Budworth) before the Vice Chancellor resisting an application to strike out allegations of Competition Act breaches.

Doug has spoken at seminars on Competition law topics on a number of occasions, including at the 'Super Strength Summit' in Birmingham, where he highlighted the competition law risks in local authority initiatives to regulate super strength alcohol.

Notable EU and Competition Law cases

Seafood Holdings Limited v My Fish Co Limited [2017] EWHC 766 (Ch): Strike out application concerning pleadings for relief alleging Competition Act 1998 breaches.

UK Trucks Claim Ltd v Fiat Chrysler Automobiles NV [2019] CAT 15 | [2019] 5 WLUK 432

Insolvency

Doug is instructed across the range of Chambers' insolvency practice.

His experience includes opinions, drafting and advocacy on a wide range of insolvency matters including:

- Office holder claims against directors;
- Contested applications under s.239 of the Insolvency Act 1986 alleging the unfair preference of creditors;
- Applications under s.236 of the Insolvency Act 1986 inquiring into a Company's dealings;
- Applications to recognize a cross-border insolvency.
- Contested winding up petitions and bankruptcy petitions.
- Contested applications to set aside statutory demands.

Notable Insolvency cases

In Re: Servico Build Tec Limited (in Liquidation) [2022] EWHC 2498 (Ch): Trial in which the assignee of the liquidators sought relief against the Company's former director, stemming from the former director's participation in a tax avoidance scheme and transfers said to have been at an undervalue.

In Re: JDK Construction Limited [2023] EWHC 2805 (Ch): Application by liquidators for orders affirming the validity of their appointment, following representations from an aggrieved former shareholder who claimed to have been defrauded of her shareholding.

Wood v Lowe [2015] EWHC 2634 (Ch) [2015] EWHC 2634 (Ch): Insolvency case concerning the treatment of hundreds of chattels in a bankrupt's estate, which had become interspersed with chattels and some of which were claimed to be exempt as tools of the trade.

Partnership

Procurement

Memberships

- Northern Circuit
- Northern Commercial Chancery Bar Association

Qualifications

- LLM (Commercial Law) Cambridge University (Emmanuel College) (2010-2011)
- BA (Law) Cambridge University (Emmanuel College) (2008-2010)
- MA (Economics and International Relations) University of St Andrews (2004-2008)

Awards

- Astbury Scholarship, Middle Temple (2011)
- Rodwell Prize, Emmanuel College (2011)
- George Long Prize in Jurisprudence, Cambridge University (2010)
- Senior Exhibition Award, Emmanuel College (2010)