

Clare Tanner

Partner

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OVERVIEW

Clare Tanner is a partner in the firm's Litigation and Dispute Resolution practice. Clare acts on a range of cross-border and domestic commercial disputes with a particular focus on insolvency, banking, finance, and professional negligence cases. Clare acts for creditors, officeholders, debtors, directors, and other stakeholders in contentious insolvency situations including fraud related matters. Additionally, Clare advises corporate trustees, service providers, and other transaction parties in structured finance disputes.

PROFESSIONAL BACKGROUND

Clare qualified as a lawyer in 1998 and joined the firm upon qualification.

ACHIEVEMENTS

- Recognised by *The Legal 500 United Kingdom* in London
  - Recommended Lawyer for Commercial Litigation: Mid-Market, 2024-2027
  - Recommended Lawyer for Corporate Restructuring & Insolvency, 2024-2027

PROFESSIONAL / CIVIC ACTIVITIES

Member of the International Women's Insolvency & Restructuring Confederation's London Network Board.

EDUCATION

- Legal Practice Course, College of Law, Chester, 1996
- CPE, College of Law, Chester, 1995
- B.A., University of Manchester, 1993 *History (Hons)*

ADMISSIONS

- Solicitor of the Senior Courts of England and Wales

THOUGHT LEADERSHIP *POWERED BY HUB*

- 1 November 2026, English High Court Stays Proceedings in Cross-Border Uptier Dispute, *Pratt's Journal of Bankruptcy Law*
- 20 August 2026, Hunkemöller: English High Court Stays Proceedings in Cross-Border Uptier Dispute
- 28 January 2026, 2026 Outlook: Are UK Liquidators Able to Limit Their Liability?
- 22 January 2026, Open Justice and Access to Court Documents: What to Expect When Litigating in Europe
- 25 July 2025, English Court Applies Policy Time Limit to Third Party Claim Against Insurer
- 16 July 2025, Back to the Drawing Board for Restructuring Plans—Part 26A of the UK Companies Act 2006
- 26 March 2025, Corporate Debtors and Transactions at an Undervalue–Lessons From the UK Supreme Court: *El-Husseini and Another v Invest Bank PSC*
- 22 February 2024, UK Company Restructuring Plans: What Is Next After Adler?
- 11 October 2022, The Position of Directors of Financially Distressed Companies
- 14 February 2022, Investigating Directors of Dissolved UK Companies
- 29 October 2021, Service of Court Proceedings on Overseas Directors
- 14 September 2021, COVID-19: UK Government Announces End of Temporary Restrictions on Certain Insolvency Proceedings
- 2018, Defense of Class Action Litigation in Federal Court
- 22 November 2017, Maximising returns: insurance recoveries in insolvency

OTHER PUBLICATIONS

- "UK Company Restructuring Plans: What Is Next After Adler?" *Pratt's Journal of Bankruptcy Law*, April-May 2024
- "The Position of Directors of Financially Distressed Companies," *Real Estate Finance Journal,* Winter 2022
- "The evolving role of issuers and trustees in CMBS transactions—the epoch of litigation,' Chapter 13, *Commercial Mortgage Loans and CMBS: Developments in the European Market*, November 2016

NEWS & EVENTS

- 6 January 2025, K&L Gates Names Nearly 35 New Partners, Of Counsel, and Policy Professionals Across Firm

AREAS OF FOCUS

- Commercial Disputes
- Financial Institutions and Services Litigation
- Financial Institutions Special Situations
- Professional Liability
- Restructuring and Insolvency
- Securitization and Structured Finance

REPRESENTATIVE EXPERIENCE

COMMERCIAL DISPUTES

- Acting for defendants, at first instance and in the Court of Appeal, on a challenge to the jurisdiction of the English court in relation to the claim against them for an anti-suit injunction to restrain proceedings in Bangladesh. Idemia France SAS v Decatur Europe Ltd [2019] EWHC 946 (Comm)
- Joint venture dispute involving an asset in Europe
- Acting for a company in the pharmaceutical sector in the defence of claims arising from a business purchase agreement

CONTENTIOUS INSOLVENCY CASES

- Advising a creditor in relation to actions brought by officeholders against the former directors of the debtor company
- Acting for a creditor on a challenge to the rejection of a proof of debt
- Acting for a former director in the defence of claims brought by a company in administration
- Advising a foreign officeholder in relation to an application for recognition
- Advising a creditor in relation to taking carriage of a petition and subsequent challenge to the petition
- Advising officeholders in relation to claims against the former directors of the company
- Advising a creditor in relation to the temporary restrictions on insolvency proceedings imposed by the Corporate Insolvency and Governance Act 2020

- Acting for a creditor on an unfair harm application pursuant to paragraph 74 of Schedule B1 of the Insolvency Act 1986
- Advising officeholders in relation to claims against directors
- Acting for the Receivers of a Cayman Fund pursuing losses suffered by a Cayman segregated fund established for the purposes of providing litigation funding to UK law firms. Obtaining a Worldwide Freezing Order and Chabra Orders and pursuing claims in fraud against a number of corporate and individual defendants: JP SPC 4 and Others v. Timothy Schools and Others [2013] EWHC 4248 (Ch)and JP SPC 4 and Others v. Timothy Schools and Others (Defendants) and (1) Claire Schools (2) Solis International Foundation (Respondents) [2013] EWHC 4156 (Ch)
- Acting for the Liquidators of a Singaporean company on an application for recognition
- Acting for administrators on a contested application to extend an administration
- Acting for a property holding company in the defence of proceedings brought by Liquidators of a Cayman company
- Acting for a Liquidator in a claim against the former directors of a property development company for misfeasance and wrongful trading: Philip Roberts (Liquidator of Onslow Ditchling Limited) -v- (1) Peter Frohlich (2) Godfrey Spanner [2011] EWHC 257 (Ch)
- Acting for liquidators in a claim against the company's former liquidators and solicitors for misfeasance and negligence
- Acting for liquidators in a claim against the former directors and professional advisers of an overseas company for misfeasance and breach of fiduciary duty arising from an underlying fraud
- Acting for Liquidators in a claim against the company's former insurers and brokers

BANKING AND FINANCE DISPUTES

- Acting for a bank in the defence of a claim arising from an alleged fraudulent transfer of funds
- Acting for a bank in its capacity as Note Trustee in connection with litigation in Europe at borrower level in a structured finance transaction
- Acting for a bank in its capacity as Security Agent and Issuer Security Trustee in relation to proceedings relating to a CMBS structure
- Acting for the successor security agent on appeal against the decision of Mr Justice Henry Carr in FSHC Group Holdings Limited -v- Barclays Bank Plc [2018] EWHC 1558 (Ch)
- Acting for the Note Trustee in relation to the rights of the Class X Noteholder in a securitisation structure: Credit Suisse Asset Management LLC -v- Titan Europe 2006-1 PLC & Others [2016] EWHC 969 and [2016] EWCA Civ 1293
- Acting for an investment bank to defend a substantial claim arising from an IPO

- Acting for a company on the English law aspects of a cross-border dispute concerning guarantee liability and associated security
- Acting on a negligence claim by a bank against its former solicitors arising from defects in transaction documentation
- Acting for a bank to defeat a challenge to a personal guarantee
- Acting on a claim against a bank for misuse of confidential information following the withdrawal of an offer of a £100 million loan facility
- Acting for a corporate in obtaining a freezing order against a provider of forex services and advising on subsequent claims against a bank
- Defeating a claim against a bank for recovery of the bank's fees for the provision of a £10 million facility: Oakscope Limited (formerly Pollway Nominees Limited) & others -v- (1) HSBC London Limited (2) Hong Kong & Shanghai Banking Corporation Limited [2002] EWCA Civ 1992
- Acting for Barclays Bank in the decisive House of Lords case on undue influence and the grant of security: Royal Bank of Scotland -v- Etridge (No2) [2001] UKHL 44

PROFESSIONAL NEGLIGENCE CASES

- Acting for high net worth individuals in a negligence claim against their former pension adviser
- Defending a financial services firm against a claim arising from allegedly defective investment advice on the transfer of pension scheme assets
- Defending a pensions consultancy firm again a claim arising from an alleged failure to provide investment advice to a pension scheme
- Defending a financial services firm against a claim arising from an alleged failure to redeem a financial instrument
- Acting for the trustees and principal and participating employers of a pension scheme on a claim against their former solicitors and actuaries arising from Barber equalisation
- Defending a financial services firm against a claim arising from the provision of advice on transfer to a personal pension scheme: Shore -v- Sedgwick Financial Services Limited [2008] EWCA Civ 863
- Defending a pensions consultancy firm against a claim arising from alleged defects in a trust deed
- Multi-million pound claim brought by the Trustees of Wasps Football Club arising from the negligent under-valuation of their ground