

Eleanor d'Arcy

Call 2008



Clerks' Details

 Ian Spencer
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 Luke Heywood
 0113 203 1970

 Nicole Luna
 0113 203 1975

Memberships

- Property Bar Association
- Chancery Bar Association

Education

- MA Classics, St. John's College Oxford [2002-2006]
- CPE BPP Law School Leeds [2006-2007]
- BVC BPP Law School Leeds [2007-2008]
- Scholarships: Lord Haldane, Lincoln's Inn [2006-2007]
- Lord Denning, Lincoln's Inn [2007-2008]
- Wolfson, Lincoln's Inn [2008-2009]

Commercial

Eleanor practises in all aspects of Commercial Litigation and Dispute Resolution and has practised in these areas for over 13 years (as sole Counsel and also led). Most of her work is in the Business and Property Courts but she also regularly appears across the north of England and also in London.

Eleanor's commercial expertise encompasses the full suite of Contractual Disputes, Sale of Goods, Company and Shareholder matters (including Unfair Prejudice Petitions, Disputes concerning the proper meaning and construction of Shareholder Agreements and Directors' Duties), Breach of Warranty Claims, Insolvency, Partnership disputes (particularly those with a property aspect) and Professional Negligence.

Cases

- Successfully represented the Defendants at a 4 day Trial in the Business and Property Courts in London, where the Claimant's Claim for damages arising from an alleged breach of a restrictive covenant in a Shareholders' Agreement (with damages said to be valued in excess of £1 million) was dismissed in its entirety.
- Eleanor represented Court-appointed Receivers in respect of the tracing of company monies (totalling over £1 million) which had been transferred out of a company's bank account into the names of various third parties. The quantum of the monies transferred totalled over £1 million. The Receivers were appointed by the Court to trace the monies and to recover them pending resolution of a derivative Claim which had been brought against various persons, including the director of the company.
- Eleanor represented the Defendant in the High Court in London concerning alleged breaches of a Post-Judgment Worldwide Freezing Order. The Claimant had issued a contempt Application against the Defendant and was asking the Court to impose a 6 month custodial sentence upon the Defendant. After several months of to-ing and fro-ing with the other side, Eleanor and her instructing solicitor managed to secure the Claimant's discontinuance of the contempt Application.
- Represented the Claimant in a multi-day Trial in London concerning a personal guarantee, which the Defendant contended was procured by undue influence. All allegations of undue influence were dismissed and the personal guarantee was found to be enforceable.
- Represented the Defendants at a preliminary issue Trial concerning the proper meaning and construction of a disputed Clause in a Shareholders' Agreement.
- Represented the Defendant at the BPC in Birmingham at the return date of a without notice injunction whereby it was argued that the Claimant had failed to comply with its duty of full and frank disclosure in respect of obtaining a without notice injunction. Following argument, the injunction was varied to a more limited form. Thereafter, the Claimant discontinued its Claim and the injunction was discharged with a costs order in favour of the Defendant.
- Succeeded in having a Claim to set aside a Judgment on grounds of alleged fraud struck-out pursuant to Rule 3.4(2)(a) and (b) of the Civil Procedure Rules.

Recommendations

The Legal 500 2024

“Eleanor is an incredibly talented individual. She is very approachable, unfazed by anything or anyone, and a very sensible and safe pair of hands.”

Chambers UK 2022

“She provides very straightforward advice and is really practical. Her rapport with clients is really good – in conferences she is friendly, and her advice is always practical and useful for the clients.”

“She is very good on her feet and produces extremely good written work. She has a knack of getting on the good side of the judge and is assertive without being overly aggressive.”

Legal 500 2022

“Her commercial understanding is first-rate, and her ability to cut through and see the end game is excellent.”

Chambers UK 2021

“She is very detailed and methodical.” “In court she is fantastic with the judge, putting across her arguments very eloquently and forcefully.”

“You would be concerned if you were against her!”

“She is very knowledgeable but also approachable.” “She is not afraid to put forward a robust argument, is great on her feet and provides very commercial advice.”

Legal 500 2021

“She is excellent in court, on paper, and in conference.”

Legal 500 2020

“Hard-working, enthusiastic and pragmatic.”

Chambers UK 2020

“Her practical knowledge is peerless.” “She is excellent both on her feet and on paper.”

“She is good with clients, direct, hands-on and gets to grips with things quickly.”

Chambers UK 2018

“She’s helpful, incisive, considered and very knowledgeable.” “She is someone I would trust with a difficult case – top-notch.”

“To the point, eloquent and succinct, she is always able to put the point across in a professional manner.” “She knows her stuff and is tenacious.”

Chambers UK 2017

“She is thorough, well organised and very competent.”

“She is tremendously hard-working and always gives her all for clients. A safe pair of hands.”

Chambers UK 2016

“A very able young lawyer and certainly an up-and-coming junior.”