

1. Lavelle Coleman

The Practice

Lavelle Coleman Solicitors was established over 20 years ago and today consists of 25 Solicitors, 10 Legal Executives and a total staff of 70. It is based in offices on Lower Hatch Street, Dublin 2.

Lavelle Coleman has earned a solid reputation for professionalism and client service. Our services are based on proven professional skills, sound judgment and a strong focus on lasting client relationships. Our focus on responsiveness and approachability is what drives our practice. Lavelle Coleman offers a full legal service to individuals, businesses and public bodies, as well as an overseas practice servicing clients in England and Wales.

Banking and Financial Services

Lavelle Coleman acts for a number of leading banks, retail credit firms and financial services providers in relation to a range of banking, lending, security review and enforcement matters. We advise in relation to loan facilities, security and associated documentation, in relation to residential and commercial investment properties, development sites, development and construction projects.

We act as advisers to a number of lenders in relation to their banking and general legal requirements. Our services range from advice in relation to loan facilities, review and drafting of loan facilities, review of borrowers' certificates of title, unusual security structures and the completion and perfection of security.

Since the commencement of the recent economic crisis, we have advised a number of banks in relation to security and enforcement issues and have undertaken work to correct and remedy security. We have advised in relation to variation and standstill agreements, forbearance and similar arrangements with borrowers.

We act in mortgage enforcement and professional negligence claims on behalf of a number of lenders. We act in a significant percentage of the mortgage possession applications currently pending or before the courts. Our Keyhouse software allows lenders to have internet access to their cases.

We provide financial services compliance advice for clients in the banking and financial services industry generally. We have been involved in a number of financial services Ombudsman cases and in a recent leading High Court case on the powers of the Ombudsman. We have also advised



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financial service providers in relation to investigations by the Financial Regulator and compliance matters generally.

Our Banking Group has produced two detailed and comprehensive guides to the management and enforcement of loan and mortgage security:

Debt Recovery and Security Enforcement

Our specialist debt recovery team is dedicated to recovering debts as quickly as possible. Our investment in staff and technology means that we are in a position to deliver a speedy and effective debt collection service.

Lavelle Coleman's debt recovery service to clients, delivered through the use of case management technology, provides a fully automated debt collection process in all court jurisdictions. We have a state of the art debt recovery technology which allows clients access our debt recovery system from their own place of business by secure link. This enables clients to commence the process themselves by inputting debtors directly into our system, and also allows them to view the status of their debtor files.

Our dedicated debt recovery team consists of solicitors and legal executives, each with many years experience in the area of debt

collection through the legal process. Our debt recovery service caters for both international and domestic clients. Our clients include leading banks, the Revenue Commissioners and debt collection agencies.

Insolvency

Lavelle Coleman is recognised as one of Ireland's leading insolvency practices. The insolvency team is headed up by Michael Lavelle, Managing Partner. Building on his own reputation as a top insolvency expert for over twenty years, Michael has developed the insolvency practice as a top-tier practice, as reflected in the large number of landmark insolvency cases in which the firm has acted. We are one of the few firms that have been actively engaged in insolvency work continuously through the last two decades, when there were relatively few insolvencies.

Our firm provides quality advice across the range of insolvency matters. Our lawyers have expert knowledge and experience in advising banking and other creditors, directors and shareholders. Our firm is also instructed by leading insolvency practitioners in Dublin, as well as foreign lawyers, accountants and creditors.

Our Insolvency Group advises a number of receivers and liquidators. We have advised

on and undertaken numerous liquidations in recent times. We provide specialist advice in court liquidations, creditors meetings, examinerships, voluntary liquidations, receiverships and corporate restructuring. We also advise and act in bankruptcy and personal insolvency arrangements.

Professional Negligence

Our Professional Negligence Group acts for a wide range of clients, including retail credit firms, banks, financial institutions and various commercial and private clients. This specialist unit, has seen significant growth in professional negligence cases in recent times as a result of the current economic position. The surge in professional negligence claims comprise predominantly property based claims against advisors, valuers, accountants, surveyors and solicitors.

We have recently acted and currently act in professional negligence claims on behalf of banks, insurers and others, for both the plaintiff and the defendants, professional indemnity insurer, against solicitors and other professionals advisors. Our firm has administered the files of problematic legal practices in conjunction with the Law Society. A member of our team was formerly in-house legal counsel to a leading professional indemnity insurer

Property and Construction

Our Property department provides a full range of property services to clients, both Irish and international. Our expertise and experience extends to development schemes, commercial property leasing, landlord and tenant matters, syndicated property investments, compulsory purchase and the sale and purchase of commercial and residential property. We act for banks, syndicates and pension related property schemes as well as many leading property investors and developers.

Commercial Transactions

Our highly experienced corporate and commercial lawyers advise companies in a wide area of industry sectors on all aspects of business relations. In the insolvency context, our corporate group act and advise in relation to corporate re-organisations and reconstructions, both inside and outside of insolvency.

Our client base comprises a variety of companies and enterprises, ranging from public limited companies, medium size enterprises, joint ventures, family businesses, retail businesses and technology businesses.

England and Wales Practice

In 2004, Lavelle Coleman Solicitors established a dedicated full time England and Wales legal practice, which offers a wide range of legal services in England and Wales matters to Irish based clients. The firm has a number of English qualified solicitors who practise as solicitors in England and Wales matters from our Dublin offices.

Our England and Wales solicitors are regulated by the English Solicitor's Regulatory Authority. We offer the same services from our Dublin Office that a solicitors firm based in England or Wales may provide.

Our England and Wales practice includes solicitors who practise both in Ireland and in England and Wales. We can accordingly advise on both the Irish and English aspects of disputes and transactions.

We have extensive experience of the issues that arise for Irish based individuals and businesses in litigation, corporate, property, banking and commercial transactions and in legal compliance in England and Wales. Lavelle Coleman, Solicitors provides England and Wales legal services in the following areas:

English Banking and Mortgage Enforcement

Lavelle Coleman advises and acts for a number of leading financial institutions in relation to Irish and England and Wales banking, securities and mortgage enforcement. Lavelle Coleman is on the panel of a number of Irish and UK based banks.

We have over five years experience in advising financial institutions in respect of English legal work including the drafting loan conditions, advising on qualifications to certificates of title, compliance under UK Financial Services legislation, appointing LPA receivers, enforcement of charges and mortgage derived professional negligence litigation

We have prepared a sister Guide to this Guide; Legal Guide to the Management and Enforcement of Security in England and Wales for Irish Lenders. This is available to our clients in printed or soft form.

Insolvency

Our firm has advises Irish and UK based liquidators, insolvency practitioners, companies and individuals in England and Wales insolvency matters since the current financial crisis commenced in 2007. We

have experience in statutory demands and insolvency petitions, advising on voluntary winding up, individual Voluntary Arrangements, personal bankruptcy and litigation for and against liquidators

Property

Lavelle Coleman has successfully completed over five hundred property transactions in England and Wales. We are on the panel of many UK lenders as well as Irish lenders who offer loan finance in the UK. We have undertake transactions and advises on the sale, purchase and letting of residential property, commercial property, construction and development matters, agricultural sales, purchases, tenancies and regulation, landlord and tenant issues and the Irish and UK Taxation aspects of property

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This is an extract from our "Legal Guide to the Management and Enforcement of Security in Ireland" (2009). The Guide is intended as an overview and broad outline of the matters covered in it. Its purpose is to inform and raise awareness. We are happy to offer specific legal advice on particular circumstances. It should not be relied on as a substitute for comprehensive legal advice with reference to the particular circumstances. While we have taken due care in the preparation of this publication, we do not accept legal liability as a result of any reliance placed on anything in it. The reader should rely only on specific legal or taxation advice. This extract is based on the law as of 1st October 2009.

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