

DIRECTORS AND OFFICERS

Examples of Typical Claims

A.

Director breached his authority in appointing a company belonging to an employee to undertake work on their behalf. Director sued for non-payment of fees following cancellation of the contract.

B.

Directors of a manufacturer facing disqualification proceedings issued by the Secretary of State for trading whilst insolvent, together with allegations that they failed to maintain their accounts in a satisfactory manner to enable the receivers to carry out their duties, leaving many creditors (including HM Customs and Excise) unpaid.

C.

Director of a travel agent named personally in an unfair dismissal claim from a former employee alleging dismissal for whistle blowing after the company had let trade license lapse.

D.

Manager of a haulage company prosecuted by the Crown Prosecution Service following an accident involving an unroadworthy vehicle operated by the company.

E.

Unfair dismissal claim against the Director and the company by a former employee after being made redundant. Employee was in the Territorial Army and alleged he was terminated due to his being called to the Gulf.

F.

Company agreed to hold a customer's monies in a separate trust account however after the company went into liquidation it was discovered that monies were not held as agreed and the customer was treated as a normal creditor, customer sued the Directors personally for their financial loss.

G.

Two Directors were disqualified for 5 years after actions by the secretary of state when financial irregularities were uncovered when the company went into receivership. The accounts were overstated prior to a public share offering which led to an inflated share purchase price.

F.

Action against directors of a manufacturing company by the Health and Safety Executive following their refusal to respond to a notice to control dust emissions. Directors responsible has failed to adhere to deadlines so action taken against both the company and the directors responsible.