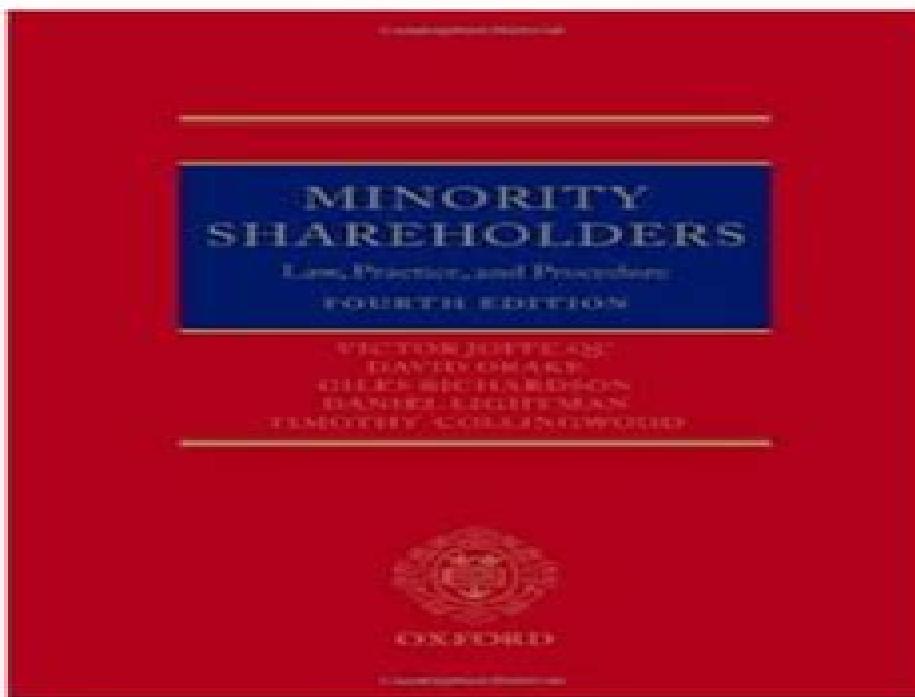


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Minority Shareholders Victor Joffe, David Drake, Giles Richardson, Daniel Lightman, Timothy Collingwood, 2015 This well established work on the law relating to minority shareholders provides practitioners with the most detailed reference on the subject. The new edition includes a chapter on foreign aspects of minority shareholder litigation which covers all of the jurisdictional and procedural issues concerned with litigation involving foreign companies and foreign parties. There are also substantially more detailed chapters on directors' duties and derivative claims. The new edition includes analysis of many important decisions covering the following areas: DT Derivative claim procedure and alternative remedies DT Unfairly prejudicial conduct, attribution of responsibility and appropriate parties DT Personal rights of shareholders, their liability and piercing the corporate veil DT The mechanics of share valuation. As in previous editions the fifth edition provides the best organised and most accessible analysis available of the application of legislation and authorities to difficult areas of practice. It contains a very detailed treatment of procedural matters and includes practical guidance and tools such as precedents.

Minority Shareholders Victor Joffe KC, David Drake, Giles Richardson KC, Daniel Lightman KC, Tim Collingwood KC, Thomas Elias, Zahler Bryan, 2024-02-22 This well established and authoritative work now in its seventh edition is the most detailed reference source on the law relating to minority shareholders. As more and more legal emphasis is put on corporate governance and as the influence of shareholder activism continues to grow this book is the leading resource for practitioners requiring up to date detailed information on the rights and remedies available to minority shareholders. The book provides detailed and incisive coverage of section 994 petitions, derivative claims, just and equitable winding up petitions and the foreign aspects of shareholder disputes as well as shareholders' personal claims against

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Shareholder Protection Reconsidered Georgios Zouridakis,2019-11-26 This book examines the role and potential of derivative actions in shareholder protection in public limited companies Derivative actions have been a focal point of legislators agendas on shareholder protection in the past few decades throughout Europe and beyond Nevertheless there remain jurisdictions such as Greece which are still devoid of this remedy Against this backdrop this book examines whether and how the derivative action may improve shareholder protection constituting thus a mechanism that justifies legislative attention It does so in three parts First it analyses the desirable role derivative actions assume in protecting shareholder property monitoring corporate management and mitigating agency costs alongside their economic implications introducing the reader to the contemporary international debate on the topic Having set the desiderata the second part proceeds with the comparative analysis of Greek German and UK law jurisdictions that have recently reformed their provisions on shareholder protection examining not only the law on derivative actions and their Greek counterpart remedy but also mechanisms of shareholder protection that do or could assume functions similar to those of the derivative action By critically assessing the merits and failures of the respective UK German and Greek shareholder protection laws the book then proceeds to offer in Part III a model framework of shareholders derivative litigation for

jurisdictions considering reform Written in an accessible format it will be an invaluable resource for anyone interested in this important aspect of company law and corporate governance A Comparative Study of Funding Shareholder Litigation

Wenjing Chen,2017-04-25 This book studies the funding problems with shareholder litigation through a functionally comparative way In fact funding problems with shareholder lawsuits may largely discourage potential shareholder litigants who bear high financial risk in pursuing such a claim but on the other hand they may not have much to gain Considering the lack of incentives for potential shareholder claimants effective funding techniques should be in place to make shareholder actions function as a corporate governance tool and discipline corporate management The book analyzes among others the practice of funding shareholder litigation in the Australia Canada the UK the US and Israel and covers all of the typical approaches being used in financing shareholder litigation in the current world For instance Israel and Canada Quebec and Ontario are probably unique in having a public funding mechanism for derivative actions and class actions while Australia is the country where third party litigation funding is originated and is growing rapidly Based on this comparative research the last part of this book discusses how to fund shareholder litigation in China in context of its social and legal background and what kind of problems need to be solved if certain funding techniques are used **Cross-Border Mergers**

Thomas Papadopoulos,2019-09-28 This edited volume focuses on specific crucially important structural measures that foster corporate change namely cross border mergers Such cross border transactions play a key role in business reality economic theory and corporate financial and capital markets law Since the adoption of the Cross border Mergers Directive these mergers have been regulated by specific legal provisions in EU member states This book analyzes various aspects of the directive closely examining this harmonized area of EU company law and critically evaluating cross border mergers as a method of corporate restructuring in order to gain insights into their fundamental mechanisms It comprehensively discusses the practicalities of EU harmonization of cross border mergers linking it to corporate restructuring in general while also taking the transposition of the directive into account Exploring specific angles of the Cross border Mergers Directive in the light of European and national company law the book is divided into three sections the first section focuses on EU and comparative aspects of the Cross border Mergers Directive while the second examines the interaction of the directive with other areas of law capital markets law competition law employment law tax law civil procedure Lastly the third section describes the various member states experiences of implementing the Cross border Mergers Directive

Comparative Company Law O. Nwafor,2020-07-01 Topics discussed in this book are deliberately comparative and show the different levels of the ground rules for the regulation of corporate operations in the different jurisdictions The United Kingdom Nigeria and South Africa are primarily chosen simply on the common law background upon which the statutory provisions in those countries are founded There are also references to Canada Australia and India on case by case basis to illustrate the differences in the application of the relevant legal principles and statutory interpretations The insights gained should

facilitate statutory amendments and effective adjustment in the operations of the regulatory agencies and business organizations The book is written as an invaluable study material for students at the tertiary level Illuminating the concepts from divergent perspectives avails the reader a broad range of explanations for a better understanding of the subject Legal practitioners and the judiciary should also find in this work a good source of legal information on company law especially whenever the need arises to seek persuasive guidance from the opinions of courts and writers on similar developments in cognate jurisdictions to give meaning to those difficult and uncharted courses in the discharge of their daily responsibilities of interpreting and applying the law as judicial officers The book should be a handy material for those running the affairs of a company in understanding the rules of their engagement **Lloyd's Maritime and Commercial Law Quarterly** Lloyd's (Firm),2002 **Corporate Practice Series** ,2010 **The New Law Journal** ,2003 *Law Books Published* ,1999

Lesotho Law Journal ,2010 **The Enforcement of Directors' Duties in Britain and Germany** Hans-Christoph Hirt,2004 The power to control litigation in the company s name is normally vested in the board of directors This gives rise to a conflict of interest whenever some or all of the directors breach their duties In such a situation the board s decision whether or not to litigate is potentially tainted because the wrongdoers are part of the decision making process The board as a whole is therefore an unsuitable decision making body and the following question arises who should decide whether it is in the company s interest to initiate litigation against the alleged wrongdoers There are a number of different persons and bodies in which the decision making power could be vested The British approach is the reversion of management power to the shareholders in general meeting and in certain restricted situations the availability of the derivative action brought by a shareholder on behalf of the company Both mechanisms give rise to significant difficulties This book begins by explaining the board s conflict of interest sets out a theoretical framework of legal strategies that cover the whole range of approaches to deal with it and analyses their strengths and weaknesses The analysis consists of an assessment and comparison of four models of the enforcement of directors duties which are based on the current law and reform proposals in Britain and Germany Particular reference is made to recent case law and its practical implications *Current Publications in Legal and Related Fields* ,2008 **Chambers UK 2009** Tracey Sinclair,2008-11 An independent guide to the top solicitors barristers law firms and barristers chambers in the United Kingdom

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