

# Serle Court International Trusts and Commercial Litigation Conference

When

Monday 19 November 2018  
8.45am - 4.50pm

Where

The InterContinental  
New York Barclay Hotel

first rate from  
top to bottom



serle court

chancery  
& commercial

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# Programme

08.45	Registration and coffee
09.15	Opening remarks
09.30	<b>Panel session:</b> <b>To the ends of the earth and beyond: identifying and preserving assets in cross-border litigation</b>
10.15	<b>Panel session:</b> <b>Trustees in the firing line: tactics, strategies and legal issues</b>
11.00	Coffee
11.20	<b>Breakout sessions:</b> (a) Obtaining information in fraud and asset recovery litigation (b) <i>De jure, de facto</i> and shadow directors, and their duties in good times and bad (c) Attribution, Buyers, and Co-ownership: the ABC of Art litigation for private client and commercial lawyers
12.15	<b>Panel session:</b> <b>Injunctions and interim remedies: Have common law courts become too claimant friendly?</b>
1.00	Lunch
2.00	<b>Debate:</b> <b>Brexit and the Future of International Commercial Litigation</b>
2.30	<b>Breakout sessions:</b> (d) Trustees' liability to third parties: a comparative look (e) Judgment Avoidance: A practical guide
3.15	Tea
3.35	<b>Juniors session:</b> <b>Key cases of 2017/2018</b>
4.00	<b>Panel session:</b> <b>Discretionary decision making post-<i>Braganza</i></b>
4.45	Closing remarks
6.30 - 9.00	Evening reception at Upstairs at the Kimberly Hotel, Penthouse Level, 145 East 50 <sup>th</sup> Street

# Sessions

## Panel session:

### To the ends of the earth and beyond: identifying and preserving assets in cross-border litigation

Drawing upon a wealth of domestic and offshore experience, the panel members will discuss strategies and techniques by which assets may successfully be found and made available to claimants in a range of jurisdictions worldwide.

- Philip Marshall QC
- James Mather
- Richard Brown  
Harneys, London
- Arabella di Iorio  
Agon Litigation, BVI

## Panel session:

### Trustees in the firing line: tactics, strategies and legal issues

Looking at new developments in the law and experience of recent litigation, the panel, which will be chaired by Dakis Hagen QC, will focus on the key issues which face professional trustees defending hostile claims.

- Dakis Hagen QC
- Giles Richardson
- Constance McDonnell
- Anthony Poulton  
Baker & McKenzie  
LLP, London
- Jonathan Speck  
Mourant Ozannes, Jersey

## Breakout sessions:

### (a) Obtaining information in fraud and asset recovery litigation

This session will consider recent developments and topical issues in the court's approach to ordering the production of information in the context of fraud and asset recovery litigation, including the role of Norwich Pharmacal and related relief in multi-jurisdictional litigation, orders ancillary to freezing orders, access to information held by the authorities (including through beneficial ownership registration requirements) and the availability of documents from related criminal proceedings.

- James Mather
- Adrian de Froment
- Jon Felce  
PCB Litigation LLP,  
London
- Matthew Goucke  
Walkers, Cayman

### (b) *De jure, de facto* and shadow directors, and their duties in good times and bad

This session will investigate duties owed by differing categories of directors, the differences (if any) between them, how those duties might be affected when the company encounters financial troubles, and whether they differ in the offshore world.

- Lance Ashworth QC
- David Drake
- Nick Burkill  
Ogier, BVI
- Stephen Ross  
Withers LLP, London



## (c) Attribution, Buyers, and Co-ownership: the ABC of Art litigation for private client and commercial lawyers

A panel of experienced litigators will focus on claims involving art and cultural property assets. Art works and other high value chattels frequently form an element of wider disputes in the trust and commercial contexts, and this session is intended to highlight some of the most important issues that may be relevant for commercial and trust lawyers who may not specialise in art litigation.

- *Richard Wilson QC*
- *Andrew Bruce*
- *Sandrine Giroud*  
LALIVE, Geneva

## Panel session:

### Injunctions and interim remedies: Have common law courts become too claimant friendly?

The sometime poachers and gamekeepers on the panel will discuss recent developments around the common law world and discuss whether the balance has moved too far in favour of claimants.

- *Richard Wilson QC*
- *Timothy Collingwood*
- *David Lederkramer*,  
Proskauer Rose LLP, New York
- *Stephen Leontsinis*  
Collas Crill, Cayman
- *Keith Oliver*  
Peters & Peters Solicitors  
LLP, London

## Debate:

### Brexit and the Future of International Commercial Litigation

In this session, the speakers will debate about the impact of Brexit on cross-border litigation in the UK, the European Union and beyond. They will consider, in particular, its potential impact on the choice of English courts and English law, on litigation in foreign courts and on the enforcement of UK judgments overseas.

- *Jonathan Harris QC (Hon)*
- *Franco Ferrari*  
NYU School of Law

## Breakout sessions:

### (d) Trustees' liability to third parties: a comparative look

This session will focus on issues relating to trustees' liabilities in their dealings with third parties. Different jurisdictions have varying approaches to such liabilities. English law generally treats trustees as contracting personally. At the other end of the spectrum, in most states, US law tends to assume that trustees' liability is limited to the trust assets. Jersey and Guernsey have simple statutory regimes (the effect of the Jersey one having recently been examined in the *Investec v Glenalla* litigation), whereas the BVI and New Zealand have more complex versions. This session will explore what is the actual position in English law, the policy imperatives behind these differences and the practical consequences of each approach, from the perspective both of litigators and those who act for parties such as lenders in their dealings with trustees.

- *Kathryn Purkis*
- *James Brightwell*
- *Jonathan Fowles*
- *James Dickinson*  
Dickinson Gleeson,  
Jersey

### (e) Judgment Avoidance: A practical guide

An exploration of some of the things that work – and don't work – when dealing with defendants who have taken steps to avoid payment of judgment debts; including consideration of the recent judgments in *Marex Financial v Garcia* and a review of the current state of EU law on anti-avoidance measures.

- *Andrew Moran QC*
- *Thomas Braithwaite*
- *Sam Roberts*  
Cooke Young & Keidan  
LLP, London
- *Jonathan Sablone*  
Nixon Peabody LLP,  
New York

## Juniors session:

### Key cases of 2017/2018

In this session, junior barristers at Serle Court will briefly discuss the most important cases handed down in the last 12 to 18 months which have changed the legal landscape and which every litigator specialising in international trusts and/or commercial litigation needs to know.

- *Emma Hargreaves*  
(Chair)
- *Sophia Hurst*
- *Eleni Dinenis*
- *Gregor Hogan*
- *Stephanie Thompson*

## Panel session:

### Discretionary decision making post-*Braganza*

A discussion of where we are in the wake of the *Braganza* line of cases and how it may impact on decision-making in various contexts.

- *Dominic Dowley QC*  
(Chair)
- *Rupert Reed QC*
- *Jennifer Haywood*
- *Nicole Buncher*  
Clifford Chance LLP,  
London
- *Jason Butwick*  
Dechert LLP, London



## Alan Boyle QC

Alan is one of the most senior and distinguished silks at the chancery and commercial bar, and is Head of Chambers at Serle Court. He is regularly listed as one of the “stars at the bar” by Chambers & Partners, which describes him as “a true grandee of the Chancery Bar and an absolute pleasure to work with”. He has previously been awarded Chancery Silk of the Year for both The Legal 500 Awards (2013, Traditional Chancery Silk of the Year) and the Chambers & Partners Bar Awards (2010).



## Dominic Dowley QC

Dominic is a commercial and contentious chancery silk with a wide and lengthy experience of chancery and commercial litigation, including disputes in overseas jurisdictions such as Guernsey, Jersey, Bermuda, the Bahamas, St Christopher and Nevis, the Isle of Man, the BVI, the Cayman Islands, Liechtenstein, Switzerland, Qatar, Abu Dhabi and various of the United States. Legal directories describe him as “Incredibly hands on and very approachable. He has a unique ability to identify the key issues from the noise that surrounds a case.” “Dominic is incredibly fast working, efficient and incisive.” “He’s effective on his feet and gets to the heart of matters quickly rather than dancing around an issue.”



## Philip Marshall QC

“One of the Bar’s most successful silks”, Philip is a senior commercial and chancery silk who specialises in complex commercial disputes and commercial fraud, particularly international fraud. He continues to be involved in a number of high profile matters and is “selected for very sophisticated cases”. In 2009 he was authorised to sit as Deputy High Court Judge (Chancery and Queen’s Bench Division) and regularly acts and advises in several overseas jurisdictions including the British Virgin Islands, Bermuda and Hong Kong. He is called to the Bar of the British Virgin Islands. Philip is classified in Chambers & Partners as one of “the Stars at the Bar” and is recommended in eight different practice areas. He is a Legal Commentator for television and was The Times ‘Lawyer of the week’ for work on a major fraud case. Significant cases include: *Raj Al Khamah Investment Authority v Bedford & Ors*; *Orb v Ruhan & Ors*; *Mazey Properties v Harris*; *Constantin Medien v Ecclestone*; *Aeroflot v Berezovsky*; and *JSC BTA Bank v Abyazov*.



## Lance Ashworth QC

Lance is a chancery, commercial and insolvency silk, whose practice takes in both UK and international cases. His clients hail from the USA, Ethiopia, Saudi Arabia, Bahrain, Malaysia, Jersey, Cayman and Australia as well as many in the UK. He is very happy to travel abroad to meet clients. Legal directories describe him as having “remarkable clarity of thought, and picks up points others miss.” “Lance is an authoritative advocate who commands respect from the bench.” “Very hardworking, fantastic on detail and unquestionably a fighter.”



## Rupert Reed QC

Rupert has been consistently identified in Chambers UK Bar as a leader at the Bar in Chancery Commercial and property litigation. “His work spans property development and investment disputes, as well as cases that relate to commercial transactions or trust arrangements”, often across multiple jurisdictions. He is also “very good on work with a fraud element”. Most of his work is in litigation and arbitration in London and the Middle East, often for US clients, but he has also appeared in the Cayman Courts. He was a Kennedy scholar at Harvard Law School.



## Andrew Moran QC

Andrew’s practice covers commercial and chancery law with a particular emphasis on commercial fraud, directors’ fiduciary duties and multi-jurisdictional commercial disputes. Andrew is the author of a new work on African commercial litigation published in May 2018 by Juta Press (University of Cape Town imprint) entitled, ‘Commercial Litigation in Anglophone Africa’, which states the law of civil jurisdiction, enforcement of foreign judgments and interim remedies in sixteen Anglophone African countries. He has been described by the legal directories as “Extraordinarily smart and tactical; delightful to work with and hugely admired” and “He has a wonderful legal brain and is hugely enjoyable to work with.”



## Richard Wilson QC

Ranked by Chambers & Partners as a leading silk in the fields of trusts, offshore, and traditional chancery work, Richard is primarily a trusts and estates litigator, dealing with both contentious and non-contentious matters. He frequently appears in many of the leading cases in England, Gibraltar, BVI and Cayman as well as assisting advocates in Jersey and Guernsey, where he has also given expert evidence on English Law.



## Prof Jonathan Harris QC (Hon)

Jonathan has a pre-eminent reputation in the field of private international law and specialises in cross-border commercial and chancery disputes raising issues of jurisdiction, enforcement and applicable law. He is joint general editor (with Lord Collins) of the leading work *Dicey, Morris and Collins, The Conflict of Laws*. He serves on the Lord Chancellor’s Advisory Committee and has given evidence to the House of Lords EU Select Committee on the implications of Brexit for cross-border litigation. He has been instructed in numerous landmark cases in England (including in the Supreme Court and Privy Council) and offshore; and drafted firewall legislation for various offshore jurisdictions (including BVI and Gibraltar). Legal directories state that he is “absolutely fabulous” and “a brilliant tactician and is particularly good at analysing problems that relate to complex cross-border issues”.



## Dakis Hagen QC

Dakis specialises in commercial Chancery litigation with a particular emphasis on contentious trusts cases. He is recommended in Chambers & Partners, The Legal 500, Who's Who Legal and the Private Client Global Elite. Before taking silk, he was named Chancery Junior of the Year at the Chambers Bar Awards. As well as appearing frequently in London Dakis has a substantial overseas practice appearing most recently as leading counsel in courts in Bermuda and Gibraltar as well as undertaking work in many other Commonwealth jurisdictions. He is co-chairman of the Trusts & Estates Litigation Forum (formerly "the Provence conference").

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## Kathryn Purkis

Kathryn has extensive wide-ranging chancery expertise, focussing primarily on contentious trusts and probate litigation and asset recovery. She is qualified in Jersey law and practised there for many years, so is particularly well placed to act in cases (wherever located) concerning the Channel Islands, and has a direct understanding of the dynamics of offshore practice. She loves big challenges, and teamwork, and has acted in some of the largest pieces of offshore trusts litigation of the last decade. However, she also welcomes variety and for that reason, finds handling smaller cases to be a pleasure.

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## Andrew Bruce

Andrew is a highly-regarded senior junior who specialises in all forms of real property litigation. He has been described as "*an exceptional talent in the property sphere*" and as "*technically brilliant and also straightforward, approachable and clear in his advice*". Additionally he has a niche art litigation practice for which he is recommended in Chambers' High Net Worth & Chambers' London Bar. Andrew was junior counsel in *Thwaytes v Sotheby's* (2015), the leading English case on auctioneers' duties and attribution which concerned a painting of 'The Cardsharps' said to be by Caravaggio. In addition, Andrew has been involved in litigation relating to works by artists as diverse as Modigliani, Titian and Henry Moore and has dealt with claims in respect of collections of wine, original music manuscripts and priceless frescoes.

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## David Drake

David has a broad commercial chancery practice, including commercial fraud, breach of trust, and company and insolvency disputes, where the duties owed by de jure, de facto and shadow directors often play a key role. Inevitably, many such cases involve an international element. He has been the author of the "Directors' Duties" chapter in *Minority Shareholders: Law, Practice and Procedure* (OUP) since it was introduced in the 3rd edition in 2008.

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## Timothy Collingwood

"A guru", "a brilliant cross-examiner" and "highly engaging" (Chambers & Partners, 2018). Tim has a broad commercial chancery practice, with extensive experience in shareholder disputes, contractual disputes, breach of duty claims (against directors and trustees) and related fraud and negligence claims. He is recommended in Chambers & Partners, The Legal 500, Who's Who Legal and Citywealth Leaders' List. Recent work includes *Cullen v Brown* and *Re Burberry Group Plc*. Prior to commencing practice in England, Tim practised as an attorney-at-law in the Cayman Islands and he continues to be involved in cases with an international element. He is a contributor to *Joffe on Minority Shareholders*.

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## Giles Richardson

Giles specialises in trusts, company and fiduciary obligations litigation, both in London and offshore, as well as associated professional negligence work and banking litigation. Giles is a highly ranked junior for Commercial Chancery, Offshore, Trusts and Traditional Chancery work in the 2018 edition of Chambers & Partners, in Chambers Global, and Chambers High Net Worth, being described as "*incredibly bright, responsive and commercial*." He is also recommended in The Legal 500 for both Private Client: Trusts and Probate ("*A first-class operator*") and for Company law ("*A fantastic person to work with; his commerciality and tactical awareness are as strong as his exceptional intellect*").

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## Thomas Braithwaite

Tom is a commercial chancery litigator, particularly recommended in the company, partnership and property fields. He has worked on cases in a variety of jurisdictions, including the Bahamas, Isle of Man, Channel Islands, Gibraltar and Hong Kong. Recent cases in the commercial field include *The Cape Bari* (Privy Council; scope of exclusion clauses) and *St Vincent v Robinson* (Commercial Court; mortgage redemptions and the rule on reflective loss). He is described in the legal directories as "*superb on his feet*", "*very astute*" and "*a heavyweight name*". He naively assumes the last of these was intended as a compliment.

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# Speakers



## Constance McDonnell

Constance has a traditional chancery practice specialising in contentious probate, trust disputes, 1975 Act claims, administration of estates, and removal of personal representatives. Her practice also includes constructive trusts and proprietary estoppel, Court of Protection (property and affairs), and professional negligence. Constance won the award for Chancery Junior of the Year at the 2018 Chambers Bar Awards and is recommended as a Star Individual in Chambers High Net Worth Guide 2018. Constance is ranked as a Leading Junior (Band 1) in the field of Traditional Chancery by Chambers & Partners (2018) and as the most highly regarded junior in Private Client by Who's Who Legal 2018. In 2017 she appeared in the landmark case of *Ilott v The Blue Cross* in the Supreme Court.



## James Brightwell

James specialises in contentious trust and estate disputes, frequently offshore, and is also one of the authors of *Lewin on Trusts*. He is regularly involved in high-profile, complex trust disputes, including the Tchenguiz litigation in Guernsey, which was recently before the Privy Council. He is also instructed by the Union and President of India in ongoing proceedings against Pakistan concerning the beneficial ownership of a fund frozen since 1948.



## Jennifer Haywood

Jennifer has a broad commercial chancery practice. She is recommended by the legal directories as one of the leading juniors in partnership/LLP work but she also practises in the fields of company law, contentious trusts and probate and fraud, and she enjoys being able to cross apply principles between these different areas. Jennifer is also a qualified mediator (CEDR) and arbitrator (CI Arb). She is praised in the directories as "*Second to none: she combines high-level strategic advice and lateral thinking with an attention to detail and client service that has made her our go-to counsel this year.*"



## Jonathan Fowles

Jonathan has a traditional chancery practice, encompassing charities, trusts, succession, and property. He is co-editor with William Henderson of *Tudor on Charities* (10th edition, Sweet & Maxwell), and he contributes to *Francis, Inheritance Act Claims* (LexisNexis, looseleaf). Much of his work is domestic, especially in the charities sphere where his clients have included the Charity Commission, Commission-appointed Interim Managers, charity trustees, and interested third parties. But he also has substantial experience of international trusts, particularly in cases concerned with the exercise of powers by trustees or protectors.



## James Mather

An "*exceptionally bright rising star of the Chancery Bar*" (Chambers & Partners), James focuses on commercial fraud and asset recovery; insolvency, partnership and shareholder disputes; and domestic and offshore trusts matters. In 2018, he was awarded Insolvency Junior of the Year in The Legal 500 Awards. He is a member of the Serious Fraud Office panel of counsel for recovery of the proceeds of crime.



## Emma Hargreaves

Emma has a commercial chancery practice with particular emphasis on domestic and offshore trust/probate litigation, civil fraud and company disputes. She also regularly advises and appears as specialist Chancery counsel in the context of matrimonial proceedings. Cases this year include the substantial unfair prejudice petition in *Re Edwardian Group Ltd and HRH Louis Prince of Luxembourg v HRH Tessa Princess of Luxembourg* on privacy in financial remedy proceedings. She was highly recommended in Legal Week's Stars at the Bar 2017 and is ranked as an up and coming junior in both Chambers High Net Worth and Chambers UK Bar.



## Adrian de Froment

Adrian has a broad commercial and chancery practice, and accepts instructions in most of Chambers' core practice areas. He has substantial experience of large, complex litigation, having been instructed as part of the team acting for the defendants in claims arising out of the £12bn RBS rights issue. Other recent instructions include acting for a trustee in proceedings relating to very substantial offshore trusts, and acting for the defendant in a fraud claim in the Dubai International Financial Centre Court. He also regularly appears unled in the High Court and County Court. Adrian is a fluent French speaker and has a particular interest in cases with French language evidence, and as a former scientist he is well placed to deal with the quantitative issues that arise in litigation.



## Sophia Hurst

Sophia's practice encompasses Chambers' core areas of expertise, with a focus on commercial litigation, civil fraud and contentious trusts work. She also has substantial experience of corporate and personal insolvency matters. Recent instructions include acting for a defendant in a \$170m conspiracy claim, acting in claims arising out of the bankruptcy of the Russian oil company OAO Yukos Oil, and acting for Lehman Brothers Limited in the Waterfall 3 litigation. Sophia also regularly advises and acts in contentious trusts matters, and accepts instructions as specialist chancery counsel in relation to trusts and company issues arising in the context of matrimonial proceedings.



## Eleni Dinenis

Eleni joined chambers in 2016 and is developing a broad commercial and chancery practice across most of Serle Court's areas of expertise, with a focus on civil fraud, contentious trusts (including offshore work), insolvency, and partnership. Eleni appears regularly in the High Court as junior counsel and unled on interlocutory matters, and in the County Court. Prior to beginning her practice, Eleni spent a year working as the judicial assistant to Lord Reed and Lord Hughes, assisting them with a number of high profile cases in the Supreme Court and Privy Council.

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## Gregor Hogan

Gregor is a junior tenant at Serle Court practising in all areas of Chambers' expertise. He has recently completed a seven month secondment in the Contentious Trust and Succession group at Withers LLP in London, working on cases for both professional trustees, private individuals and charities. Since joining Chambers in October 2017, Gregor has worked on both traditional and commercial Chancery matters, including a large estate dispute with cross-border elements. Gregor is happy to be instructed both as part of a team or individually.

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## Stephanie Thompson

Stephanie joined chambers in 2018 and is looking forward to developing a broad practice across Serle Court's core areas, with a particular focus on civil fraud, contentious trusts and probate and company law. She is also a member of the New Zealand bar and while practising there appeared regularly in the High Court and Court of Appeal, including as junior counsel on three fraud trials. Prior to joining chambers, Stephanie completed an LLM at the University of Cambridge where she received the BRD Clarke Prize for coming first in her year.

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## Guest Speakers:



## Richard Brown

Richard is Counsel in Harneys' BVI litigation and insolvency team. He specialises in fraud and asset tracing litigation and cross-border insolvency, and has been involved in some of the most significant cases in recent years, including the liquidation of *BCCI*, *Fiona Trust v Privalov* and *BTA v Ablyazov*. He has practised in London, the BVI and Jersey, and throughout his career he has acted in numerous cases involving co-ordinated applications across multiple jurisdictions to identify and freeze assets held through complex offshore structures, with a focus on cases relating to Russia, the CIS and the Middle East. He has been involved in a number of cases where the limits of interim remedies such as Norwich Pharmacal disclosure, freezing injunctions and receivership have been tested.

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## Nicole Buncher

Nicole Buncher is a Senior Associate in Clifford Chance's Litigation and Dispute Resolution practice and one of the key members of the private wealth and trusts disputes team. Nicole's client portfolio includes financial institutions, corporate, trustees, protectors and beneficiaries. Nicole is regularly involved in advising on high value and complex commercial disputes, often involving multiple jurisdictions. Nicole has particular expertise in onshore and offshore trust litigation, as well as trust restructuring and court approved variations.

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## Nick Burkill

Nick is a partner with Ogier in the BVI having previously worked in the City of London where he headed litigation groups at each of the two international firms in which he practised. His international disputes work in the BVI includes representing clients in claims arising out of breach of fiduciary duty, corporate control and shareholder disputes, fraud, jurisdiction and enforcement issues. His approach, "*combining force with judgment*" is one that has been recognised in the directories over a number of years.

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## Jason Butwick

Jason is a Partner at Dechert LLP and practices in all aspects of partnership and employment law, focusing on the financial services sector. Jason is ranked by *Chambers UK 2018* as a leading lawyer for employment, contentious partnership and non-contentious partnership law with clients commenting that he is a "technically excellent and commercially astute practitioner" and is "able to get things done on time and generally very much at the top of his game." He is also recommended in *The Legal 500 UK 2017* for partnership and employment law. Jason is a contributor to *Hedge Funds and the Law* (2nd edition, Sweet & Maxwell, 2016) and to *Tolley's Employment Law Looseleaf*.

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# Speakers



## James Dickinson

James is Managing Partner of Dickinson Gleeson, a Jersey-based boutique law firm which specialises in dispute resolution, private wealth management and corporate law. James has over 20 years' experience of complex commercial dispute resolution. James's practice involves acting for ultra HNWI's, trustees, executors, beneficiaries and financial institutions and has a focus on contentious issues connected with trusts and estates. James regularly appears before Jersey's senior courts and is recommended by leading legal directories.



## Arabella di Iorio

Arabella has worked offshore for over 20 years. She is a partner at Agon Litigation (formerly Advocates BVI), a specialist BVI litigation practice based in Road Town, Tortola. Arabella is a past President of the BVI Bar Association. She focuses on complex international commercial litigation, including trust disputes, insolvency and restructuring, distressed funds, shareholder issues, asset tracing, insurance and reinsurance, professional negligence and contractual claims. Arabella regularly appears before the BVI Commercial Court, the Court of Appeal and the Privy Council. She is a Fellow of the Chartered Institute, sits on the panel of arbitrators of the BVI International Arbitration Centre and is the current Chair of the BVI Chapter of the Chartered Institute. Arabella began her career at the English Bar and headed the litigation and trusts practices at Maples and Calder for 11 years. Arabella is recommended in Chambers and Partners, Who's Who Legal and is listed as a leading lawyer in The Citywealth Offshore Leaders List, as well as the IFC Power Women Top 200.



## Jon Felce

Jon is a partner at PCB Litigation, a specialist, conflict-free, dispute resolution practice with particular expertise in fraud and asset recovery work. Recent and ongoing cases include obtaining a ground-breaking Search Order against a respondent against whom there is no cause of action, and multiple disclosure orders against third parties. Jon also represents the liquidator of the so-called "Chilean Madoff". In 2017, Jon was named as a 'Lawyer in the News' for obtaining a rare maximum two year prison sentence for contempt of Court. Jon is a member of Lexis PSL's Case Analysis Expert Panel on Dispute Resolution.



## Franco Ferrari

Franco Ferrari, who joined the NYU School of Law full-time faculty in Fall 2010, was most recently a chaired professor of international law at Verona University in Italy (2002-2016). Previously, he was a chaired professor of comparative law at Tilburg University in the Netherlands (1995-1998) and the University of Bologna in Italy (1998-2002). After serving as a member of the Italian delegation to various sessions of the United Nations Commission on International Trade Law (UNCITRAL) from 1995 to 2000, he was legal officer at the UN Office of Legal Affairs, International Trade Law Division from 2000 to 2002. Prof. Ferrari, who has published more than 280 law review articles in various languages and 25 books in the areas of international commercial law, conflict of laws, comparative law, and international commercial arbitration, also acts as expert and arbitrator both in international commercial and investment arbitrations as well as experts.



## Sandrine Giroud

Sandrine Giroud is a partner with LALIVE specializing in domestic and international litigation. She primarily advises and represents clients in high value multi-jurisdictional proceedings with a focus on fraud litigation and asset recovery as well as commercial and private client disputes. As part of her private client practice, she represents and defends HNWI in contentious trust & estates or inheritance matters, as well as on art-related legal issues. She has been ranked as a leading litigator in The Legal 500 Switzerland and as an asset recovery, litigation and private client expert by Who's Who Legal Switzerland.



## Matthew Goucke

Matthew Goucke is a partner in Walkers Global Insolvency & Dispute Resolution Group, specialising in corporate recovery and contentious insolvency. He is also a member of the Distressed Funds Group and has significant experience on matters arising out of distressed investment vehicles, particularly hedge funds, from both fund and investor perspectives. He is experienced in shareholder / LP disputes, as well as the implementation of schemes of arrangement and other forms of corporate restructuring. Matthew regularly appears in the Grand Court's specialist Financial Services Division, as well as in the Cayman Islands Court of Appeal and has been involved in multiple cases which have reached the Judicial Committee of the Privy Council.



## David Lederkramer

David is a general commercial litigator in the New York offices of Proskauer with an emphasis on fiduciary, professional liability and securities disputes. He has handled cases for JPMorgan, Morgan Stanley, Ernst & Young, PricewaterhouseCoopers, The New York Times, Bed Bath & Beyond, Autodesk, Mount Sinai Hospital, individuals of substantial means in trust and estates disputes, and many other clients. David has enjoyed a high rate of success. To take one example, during nearly a decade of defending a variety of cases for one client, there were zero adverse judgments and not so much as a penny paid in settlement. David also chairs the Firm's fiduciary litigation practice, which has been named the best in the nation by U.S. News & World Report.



## Stephen Leontsinis

Stephen is an experienced partner and head of the dispute resolution department of Collas Crill in the Cayman Islands. He has a demonstrated history of advocacy in the practice of corporate and commercial litigation, with an emphasis on the offshore insolvency and restructuring of companies. Stephen's practice has a strong focus on company law. Stephen is called to the Bar in South Africa (not currently practising); the Cayman Islands; the British Virgin Islands; and, as a solicitor-advocate in England & Wales (not currently practising). Stephen is ranked in Chambers and Partners 2017 and 2018.





# Speakers



## Keith Oliver

Keith specialises in commercial, regulatory, sports and trust litigation, and heads the specialist commercial litigation and civil fraud and asset freezing team at Peters & Peters. He has spent his career specialising in international disputes and the location, freezing and recovery of misappropriated assets involving emergency relief procedures and the management of legal teams from many jurisdictions. His work often involves multi-jurisdictional actions in the USA, continental Europe and worldwide. He is widely recognised as one of the UK's leading lawyers in civil fraud and major international disputes with a reputation for addressing and resolving the most intractable of disputes and crises faced by individuals and companies. Keith's experience in highly complex international work will be invaluable to the firm in his new role and Head of International.

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## Anthony Poulton

Anthony is a Partner in the Dispute Resolution Department of Baker & McKenzie's London office and chairs the firm's market leading Trust Disputes Group. Chambers UK and Citiwealth rank him among the leading lawyers for private wealth, contentious trusts and fraud cases. Anthony regularly contributes articles to legal journals in the trusts industry, and frequently speaks at conferences and seminars in Europe and throughout the world. Anthony is a member of the Association of Contentious Trust and Probate Specialists and serves on its governing council.

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## Sam Roberts

Sam is a commercial litigator with a focus in technology and banking disputes. He has acted both for and against financial institutions in claims involving negligent investment advice, fraud, Libor and FX rigging, and intercepted payments. On the technology side, Sam has acted both for service providers and customers in cases involving breaches of licence agreements and termination of service agreements. Sam is frequently instructed in claims for injunctive relief, having recently acted on the first freezing injunction against 'Persons Unknown' in England and Wales, a case involving the recovery of stolen monies in 20 jurisdictions and over 80 parties.

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## Stephen Ross

Stephen leads the global fraud team at Withers. He is particularly adept at drawing on the firm's tax expertise in such cases to obtain a strategic advantage. Stephen also often acts for family offices, successful families, entrepreneurs and their businesses on a broad range of commercial disputes and heads up Withers' family office first group, which is an innovative approach to finding positive solutions for family conflicts. He is described by Chambers and Partners 2018 as a 'master strategist'.

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## Jonathan Sablone

Jonathan is co-practice group leader of Nixon Peabody LLP's Complex Commercial Disputes group, and chairs the firm's Private Fund Disputes practice. Jon represents offshore liquidators, managers, limited partners and institutional investors in disputes related to hedge, private equity, venture, tax credit and real estate funds, and investment vehicles consisting of alternative asset classes such as residential and commercial mortgage-backed securities, credit default swaps, corporate trusts and collateralized debt obligations. Chambers USA has named Jon a leading lawyer in commercial litigation.

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## Jonathan Speck

A Jersey advocate at Mourant Ozannes, Jonathan specialises in contentious and non-contentious trust cases. In addition to trust litigation, Jonathan also regularly advises trustees, settlors and beneficiaries on issues arising in the course of the creation and administration of trust structures. He has been involved in many of the highest profile cases in Jersey and regularly appears in court. Jonathan is an Academician of the International Academy of Estate and Trust Law and of Society of Trust and Estate Practitioners.

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## Serle Court Management:



### John Petrie MBE

John is the Chief Executive of Serle Court and is responsible for the business development programme and management of the administrative services of Chambers. He is a member of all Chambers committees and supported by excellent staff in delivering a high quality service to both members of Chambers and clients. John has been with Serle Court for 3.5 years having previously worked as Chief of Legal Operations in an international war crimes tribunal and as Chief Executive of a national governing body, this following a career in the armed forces.

John can be contacted at [jpetrie@serlecourt.co.uk](mailto:jpetrie@serlecourt.co.uk)



### Steve Whitaker

Steve is Serle Court's Head Clerk. His clerking reputation spans 46 years; 43 of those in allegiance to chambers. Steve has principal responsibility for all aspects of the clerking function including diary management, fee negotiation, work allocation and business development for all members of chambers. Steve sits on the full range of chambers committees; including the Management, Marketing, Strategy and Tenancy committees. Steve has managed Serle Court through the various stages of modernisation within the profession over the past 43 years – growing from 11 members with only one Silk to the current level of 67 members including 25 Silks. Steve has an excellent team of clerks that support his ethos of client care where nothing is too much trouble.

Chambers and Partners acknowledges that Steve *"is well liked among instructing solicitors."* *"You can have a conversation with him, whether it is about the right person for the job or about fees,"* explains one source, continuing: *"He's a person you can do business with."*

Steve can be contacted at [swhitaker@serlecourt.co.uk](mailto:swhitaker@serlecourt.co.uk)



### Nick Hockney

Nick is Serle Court's Senior Clerk. With over 25 years of experience in clerking, Nick can advise on the full spectrum of client services with key responsibilities being the distribution of work, fee negotiation and developing the practices of members of chambers. Nick joined chambers as a result of the merger between Serle Court and 1 Hare Court in 2000. In 2014, Nick was one of the first clerks to achieve a Level 5 Diploma in Leadership and Management from the Institute of Leadership and Management. The Legal 500 describe Nick as a *"star", 'go-to' senior clerk...who is 'charming and extremely responsive' to queries* and *"among the best clerks in the business"* - *"unfailingly helpful, constructive and creative."*

Nick can be contacted at [nhockney@serlecourt.co.uk](mailto:nhockney@serlecourt.co.uk)



### Charlotte Davidson

Charlotte undertook the new role of Business Development Manager at Serle Court in March 2018. Charlotte is a member of chambers' marketing committee and is responsible for implementing chambers' current business development and marketing strategy. She works closely with CEO, John Petrie and the clerking team in order to plan business development activities and establish client care for chambers in all key areas of practice. Charlotte joined Serle Court in 2013 as part of the clerking team. Prior to joining chambers, Charlotte started her career as a Clerk at 4 New Square. In 2010, Charlotte completed the Bar Vocation Course (BVC); now the BPTC, and holds a degree in Law from the University of Kent. Charlotte is a member of the Legal Practice Management Association (LPMA), the Institute of Barristers' Clerks (IBC) and is currently studying for the Level 5 Diploma in Leadership and Management, awarded by the Institute of Leadership and Management (ILM).

Charlotte can be contacted at [cdavidson@serlecourt.co.uk](mailto:cdavidson@serlecourt.co.uk)

## The organisations in attendance are:

Addleshaw Goddard LLP

Agon Litigation

Anthony Gold Solicitors

Appleby

ATM Capital Partners

Baker & McKenzie LLP

Baker Hostetler

BCR Law

Bedell Cristin

Brown Rudnick LLP

Callenders & Co

Campbells

Carey Olsen

Citco Corporate Services Inc.

Clifford Chance LLP

Collas Crill

Conyers Dill & Pearman

Cooke, Young & Keidan LLP

Cox Hallett

Wilkinson Limited

Dechert LLP

Dickinson Gleeson

Duff & Phelps

Ferbrache & Farrell

Fund Fiduciary Partners

Forsters LLP

Genesis Trust & Corporate Services Ltd

Gowling WLG (UK) LLP

Harcus Sinclair LLP

Harneys

Herbert Smith Freehills LLP

Higgs & Johnson

Hughes Hubbard &

Reed LLP

Irwin Mitchell LLP

Kennedys Law LLP

Kingsley Napley LLP

Kris Sen Solicitors Limited

KRyS Global

Kysen PR

LALIVE

LGL Trustees

Lennox Paton

Mathys & Squire LLP

McDermott Will & Emery

McGuire Woods LLP

Minerva Trust & Corporate Services Limited

MJM Barristers & Attorneys

Mourant Ozannes

Nelson & Co Attorneys

Nixon Peabody LLP

NYU School of Law

Ogier

PCB Litigation LLP

Penningtons Manches LLP

Peters & Peters LLP

Proskauer Rose LLP

Radcliffes Le Brasseur

RHSW Caribbean

Ritch & Conolly Attorneys at Law

Skadden, Arps, Slate, Meagher & Flom LLP

Solomon Harris

Stanbrooks Law

Stapper & Van Doren

Stephenson Harwood LLP

Stevens & Bolton LLP

Stewarts Law LLP

Stout Risius Ross LLC

Therium Capital Management Limited

Travers Thorp Alberga

Walkers

Withers LLP

Williams Barristers & Attorneys

Serle Court is one of the largest Commercial and Chancery chambers offering genuine expertise across a broad range of both chancery and commercial disciplines covering the whole range of 'business' law, from offshore litigation about the world's largest companies to domestic advice on probate matters, servicing a similarly disparate lay and professional client base at home and abroad.

Serle Court and its members are highly recommended by the legal directories for their work in international trusts and commercial litigation.

*“One of the very best commercial chancery sets, and one of the few that genuinely competes in both traditional chancery and commercial litigation”;*

*“offers unrivalled expertise for those with cases in the Channel Islands and is also a key player in Bermuda and the wider Caribbean offshore jurisdictions”;*

*Serle Court “offers a variety of skill sets that others can't provide, and houses some of the biggest names at the Bar”.*

Chambers & Partners

### **The conference is FREE to attend**

It will appeal to those involved in trust and commercial litigation and those involved in private client work including lawyers, trust companies, accountants and other advisors.



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