

Serle Court International Trusts and Commercial Litigation Conference

When

Monday 13 November 2017
9.30am - 4.35pm

Where

The InterContinental
New York Barclay Hotel

first rate from
top to bottom



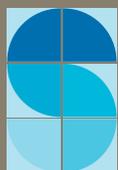
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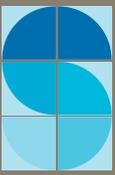


Programme

States of Mind:

Reflections on the consequences of deliberate, reckless, negligent and innocent conduct

9.00	Registration and coffee
9.30	Opening remarks - Alan Boyle QC
9.45	Panel session: Accessory Liability
10.30	Breakout sessions: <ul style="list-style-type: none">• Individual trustees – the good, the bad and the ugly• Trusts, insolvency and unwinding transactions• Share sale fraud – spreading the net
11.15	Coffee
11.45	Breakout sessions: <ul style="list-style-type: none">• Honest breaches of duty: getting the fiduciary out of a fix• Disclosure in aid of overseas trust litigation• Cross-border insolvency
12.30	Lunch
1.30	Panel session: Privilege: Reflections on Loss and Waiver
2.15	Breakout sessions: <ul style="list-style-type: none">• Forfeiture of fiduciaries' remuneration• Limitation Periods and Unconscionability• "But I didn't mean to!"
3.00	Tea
3.20	Juniors session: Key cases of 2016/2017
3.50	Panel session: Bribery - States of Mind of third parties after <i>FHR European Ventures v Cedar Capital Partners</i>
4.30	Closing remarks - Alan Boyle QC
6.00	Evening reception at 620 Loft & Garden, Rockefeller Center



Sessions

Panel session:

Accessory Liability

A panel led by Elizabeth Jones QC will discuss recent developments in relation to dishonest assistance, knowing receipt and other claims against third parties in cases involving dishonesty, together with some practical considerations when bringing claims against third parties such as banks, trust companies and lawyers.

- *Elizabeth Jones QC*
 - *Gareth Tilley*
 - *Fiona Gillett*
Stewarts
 - *Christian Hay*
Collas Crill
-

Breakout sessions:

Individual trustees – the good, the bad and the ugly

What is the impact of trustees' states of mind on trustees' decision making and remedies where only one or some of the trustees are tainted by a deliberately, recklessly, negligently or innocently incorrect approach to a particular decision? Examples involving conflicts of interest, fraud on a power and *Pitt v Holt* (*Hastings-Bass* and mistake).

- *Frank Hinks QC*
 - *Will Henderson*
 - *Natasha Kapp*
Carey Olsen
-

Trusts, insolvency and unwinding transactions

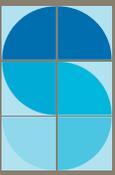
This session will explore, from both the claimant and defendant perspectives, the various legal mechanisms provided by the Insolvency Act 1986 and its sibling statutes in other key jurisdictions which enable assets to be reclaimed after improper dissipation into trusts or other wealth-holding structures. It will also touch on the ramifications of the recent Supreme Court decision in *Akers v Samba* [2017] UKSC 6.

- *Giles Richardson*
 - *Adil Mohamedbhai*
 - *Paul Smith*
Conyers Dill &
Pearman
-

Share sale fraud – spreading the net

This session looks at the issues arising for shareholders where there has been fraud by one or more of them in selling their company. What evidence will the defrauded purchasers be looking for to show the agency of the fraudsters or an assumption of responsibility by their fellow shareholders with deeper pockets? And whose guilty knowledge must be shown?

- *Rupert Reed QC*
 - *David Drake*
 - *Jonathan Tickner*
Peters & Peters
Solicitors LLP
-



Sessions

Breakout sessions:

Honest breaches of duty: getting the fiduciary out of a fix

This session will explore lines of argument, tactical approaches and points to watch out for in cases involving allegations of innocent breach of fiduciary duty, including conflict of interest. Issues to be considered in this session include arguments to avoid or confine the bounds of liability, limiting the scope of relief, equitable allowances and relief from liability.

- *Timothy Collingwood*
 - *Roberta Harvey*
Charles Russell
Speechlys LLP
 - *Shelley White*
Walkers
-

Disclosure in aid of overseas trust litigation

This session will consider the circumstances in which trustees are obliged to provide disclosure in the context of hostile litigation. The issues that will be discussed include: the ability of beneficiaries to obtain disclosure under Data Protection legislation following the recent English Court of Appeal decision of *Dawson-Damer v Taylor Wessing LLP*; the correct approach to be taken by trustees to disclosure of privileged material; and the possibility of obtaining evidence from an American court for use in foreign proceedings pursuant to Section 1782 of Title 28 of the United States Code.

- *Sophie Holcombe*
 - *Andreas Frischknecht*
Chaffetz Lindsey LLP
 - *Rupert Ticehurst*
Berwin Leighton
Paisner LLP
-

Cross-border insolvency

The breakout session will look at practical and legal issues arising in relation to the recognition of foreign insolvencies, with an emphasis on the respective solutions developed by UK and US courts.

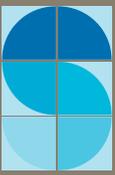
- *Philip Jones QC*
 - *James Mather*
 - *Jonathan Sablone*
Nixon Peabody LLP
-

Panel session:

Privilege: Reflections on Loss and Waiver

The panel will discuss issues concerning legal professional privilege including when communications between lawyer and client or expert might not be covered, with a focus on the scope of the iniquity exception and on the ability of one party to joint privilege to waive unilaterally.

- *Hugh Norbury QC*
 - *Dan McCourt Fritz*
 - *Eleanor Morgan*
Mourant Ozannes
 - *Paul Morris*
Norton Rose
Fulbright LLP
-



Sessions

Breakout sessions:

Forfeiture of fiduciaries' remuneration

In this session, the speakers will discuss the forfeiture of fiduciaries' remuneration in the event of breach of duty. A fiduciary can be required to forfeit his remuneration in addition to being required to pay compensatory damages or account, making it a potentially powerful remedy. When does the doctrine apply, and what should disgruntled principals and fiduciaries bear in mind when bringing or defending a claim?

- *John Machell QC*
- *Jennifer Haywood*
- *Jessica Williams / Aleisha Brown*
Harneys

Limitation Periods and Unconscionability

What is the rationale underlying the distinction, set out in *Williams v Central Bank of Nigeria*, between the limitation period that applies to a claim against a 'true trustee' and that which applies to a claim against a stranger to the trust? Are there any circumstances in which a defendant can be prevented from relying on a plea of limitation because it would be unconscionable for him to do so?

- *Jonathan Adkin QC*
- *Jonathan McDonagh*
- *Paul Nicholls*
Nicholls Law

"But I didn't mean to!"

This session will consider recent cases in which courts of various jurisdictions have decided whether a settlor intended to create a trust and whether a trustee intended to make a particular appointment or distribution.

- *Constance McDonnell*
- *Carlos de Serpa Pimentel*
Appleby

Juniors session:

Key cases of 2016/2017

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.

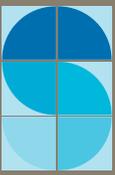
- *Amy Proferes (Chair)*
- *Adrian de Froment*
- *Oliver Jones*
- *Sophia Hurst*
- *Charlotte Beynon*

Panel session:

Bribery - States of Mind of third parties after *FHR European Ventures v Cedar Capital Partners*

It is now 3 years since the UK Supreme Court decision in *FHR*, which established the ability to bring a proprietary claim to recover bribes. In this session, the panel will consider some of the wider implications, including important questions left unanswered in *FHR*, such as the problems allegations of bribery and other criminal activity can cause for anyone receiving funds from those accused of receiving bribes, including trustees holding funds settled by the allegedly bribed party, and how those funds can be dealt with.

- *Lance Ashworth QC*
- *Richard Wilson QC*
- *Jeremy Gordon*
Farrer & Co LLP
- *Robert Stewart*
Clifford Chance LLP



Speakers



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).



Frank Hinks QC

Frank has a specialist domestic and international trusts practice (advisory, drafting and litigation) and a more general chancery practice appearing in court in England, Cayman, Bermuda, Bahamas and Hong Kong. Cases include *Re Nina Wang Dec'd* [2012-14] (Hong Kong): effect of will of wealthiest woman in Asia; *BQ v DQ* [2011] WTLR 373 (Bermuda): declaring trusts void as testamentary dispositions; *Executors of HM Queen Mother and HRH Princess Margaret v Brown* [2008] (CA England): resisting claims for unsealing Royal Wills.



Elizabeth Jones QC

Elizabeth has a wide ranging practice, from banking through to contentious trust. She has particular expertise in civil fraud and breach of fiduciary duty, and long experience in the music industry. Liz is noted by clients and directories for her highly persuasive advocacy and her ability to master and control very large scale, and often cross-jurisdictional, litigation. She regularly works in the Channel Islands and the BVI. Liz is also chair of trustees of an educational charity, SAPERE, which promotes philosophy for children.



Philip Jones QC

Philip has been listed for each of the last 15 years by Chambers & Partners UK as one of less than 20 'Stars of the Bar'. He is recommended in 8 different practice areas: Company; Restructuring/Insolvency; Commercial Dispute Resolution; Chancery Commercial; Fraud: Civil; Partnership; Professional Negligence; Tax. Until taking silk he was Junior Counsel to the Crown and is still instructed by the Government in high profile cases. He has a large offshore practice and has frequently appeared in the BVI, the Cayman Islands and the Isle of Man.



Lance Ashworth QC

Lance is a chancery, commercial and insolvency silk, whose practice takes in both UK and international cases. His current clients hail from the USA, Ethiopia, Saudi Arabia, Bahrain, Malaysia, Jersey and Cayman as well as many in the UK. He is very happy to travel abroad to meet clients. Legal directories describe him as being "excellent at multi-jurisdictional insolvency cases", "absolutely fantastic with clients ... He also retains knowledge to an incredible extent - he knows documents inside out the second he reads them."



John Machell QC

John was called in 1993 and appointed QC in 2012. His practice spans the chancery and commercial fields, with an emphasis on partnership, LLP, trusts and fraud work, particularly with an intentional dimension. John is currently instructed in English and Cayman proceedings in relation to the Liongate asset management business; and in various ongoing Cayman and Jersey trust disputes. John has appeared in a number of the leading partnership / LLP cases in the last decade: *Hosking v Marathon Asset Management Ltd* [2016] EWHC 2148 (Ch); *Flanagan v Liontrust Investment Partners LLP* [2015] EWHC 2171 (Ch); *Bates van Winkelhof v Clyde & Co LLP* [2014] 1 WLR 2047; and *Tiffin v Lester Aldridge* [2012] 1 WLR 1887.



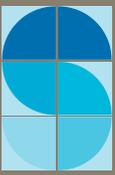
Hugh Norbury QC

Hugh's practice ranges from commercial fraud to trusts disputes to pure contractual construction, generally with an international component. Current cases include the £100m+ Accident Exchange litigation (where he is defending one of three firms of solicitors alleged to have been complicit in a conspiracy to doctor evidence), bribery proceedings involving an Australian car manufacturer, acting for the wife of a Russian oligarch with offshore assets (in enforcement proceedings against her husband) and dealing with the English company law claims arising from a dispute over the ownership of the Malaysian fibre-optic network.



Jonathan Adkin QC

Jonathan was one of the youngest of his generation to take silk. He has been involved in many of the largest commercial and chancery actions in recent years, including the *Berezovsky v Abramovich* trial, the Madoff litigation and the proceedings following the collapse of Halliwells. Much of Jonathan's work is international in nature. In addition to his English practice, he has substantial experience as an advocate in offshore jurisdictions, and has been called ad hoc to the bars of Bermuda, the Cayman Islands, and Gibraltar.



Speakers



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.



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.



Will Henderson

Will acts for private clients, trustees, trust companies, and H.M. Attorney General, principally in relation to disputes concerning onshore and offshore trusts, probate, the administration of estates, charities, and associated professional negligence. He is Junior Counsel to the Treasury in Charity Matters. He enjoys working with lawyers outside England and Wales. His most well-known recent case is *Pitt v Holt* [2013] UKSC 26, where he acted for Mrs Pitt throughout the litigation.



David Drake

David has a broad commercial chancery practice, encompassing general commercial litigation, commercial fraud and breach of fiduciary duty, company and insolvency disputes, and professional negligence, often involving international elements and complex quantum issues. He has been involved in many cases concerned with the mental element in particular causes of action and defences, from *Cave v Robinson Jarvis & Rolf* [2003] 1 AC 384 to *Secretary of State for Health v Servier Laboratories Ltd* [2016] 5 CMLR 25.



Timothy Collingwood

"*A real fighter*" and "*a go-to senior junior*" (Chambers & Partners). 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 negligence and fraud claims. Recent cases include *Re Burberry Group Plc* in the Court of Appeal and *Cullen Investments Ltd v Brown*. Prior to commencing practice in England, Tim practised as an attorney-at-law in the Cayman Islands. He is a contributor to *Joffe on Minority Shareholders*.



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. He is recommended in Chambers & Partners 2016 in the Chancery: Commercial, Chancery: Traditional; Offshore and Trusts categories as, inter alia, "*Widely recognised as a genuine expert in both traditional and commercial chancery matters. He is frequently instructed in substantial international cases, including those regarding company and fraud issues. He is also a noted expert on trusts*".



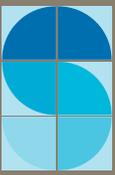
Constance McDonnell

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 is ranked as a Leading Junior (Band 1) in the field of Traditional Chancery by Chambers & Partners (2017). In 2017 she appeared in the landmark case of *Ilott v The Blue Cross* in the Supreme Court.



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 (CIARB). She is praised in the directories for her "*excellent, candid and common sense-based client service*".



Speakers



James Mather

James focuses on large-scale and complex litigation, often with an international dimension, in the areas of commercial fraud and asset recovery; insolvency, partnership and shareholder disputes; and domestic and offshore trusts matters. He is recommended as a leading junior in the Chambers & Partners and Legal 500 guides and is a member of the Serious Fraud Office panel of counsel for recovery of the proceeds of crime.



Dan McCourt Fritz

Dan has a broad commercial chancery practice, with particular emphases on domestic and international fraud litigation, and contentious company law, often with multijurisdictional aspects. Dan has been involved in several recent leading cases concerning two inter-related areas - civil contempt and the scope of the freezing injunction jurisdiction – and developed specialist interests in both. Together with Hugh Norbury QC, Dan is currently acting for one of the defendant firms in proceedings arising out of Autofocus' "perjury on an industrial scale".



Gareth Tilley

Gareth's practice focuses on fraud and company law, particularly the breakdown of long term business relationships. He has acted in just and equitable windings-ups, unfair prejudice actions and derivative claims before the courts of England and the BVI. Gareth recently appeared in *Glenn v Watson*, a 3-month trial in the English High Court involving a £100m+ fraud claim coupled with a just and equitable winding up petition and a derivative claim relating to the underlying corporate vehicle.



Sophie Holcombe

Sophie has a commercial chancery practice, with a particular focus on contentious domestic and offshore trusts and civil fraud. Sophie previously acted in the *BTA v Abyazov* enforcement proceedings and on behalf of trustees in the *Z Trusts I to VIII* litigation in Jersey, involving issues of insolvent trusts. Sophie is currently instructed on behalf of beneficiaries in relation to proceedings in Bermuda, Singapore and New Zealand arising from the mismanagement of a major investment portfolio in Switzerland.



Adil Mohamedbhai

Adil has a broad commercial chancery practice. Since joining Chambers in October 2012, Adil has developed substantial experience in civil fraud, commercial, company, partnership and trust disputes. In 2016, Adil was selected by Legal 500 as one of the top ten commercial barristers under eight years' call. Prior to coming to the Bar, Adil qualified as a solicitor at Freshfields. In 2009, Adil was appointed as one of the first judicial assistants to the Justices of the UK Supreme Court.



Jonathan McDonagh

Jonathan's practice has an emphasis on civil fraud and trust disputes. There is an international dimension to much of Jonathan's work and recent instructions have included defending a claim brought against the Government of The Gambia in respect of an oil contract; acting for the claimant in the *Al-Mojil v Protiviti* litigation in the DIFC; and acting in the long-running 'Hyderabad Fund' dispute, involving India, Pakistan and the heirs of the 7th Nizam of Hyderabad.



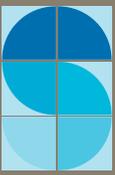
Amy Proferes

Amy has a broad commercial chancery practice across the range of Chambers' specialities, with a particular interest in traditional chancery work. She became a tenant at Serle Court in October 2014 following the successful completion of pupillage. Before coming to the Bar, Amy worked at a mergers and acquisitions advisory firm specialising in aerospace and industrials, following postgraduate studies in History & Middle Eastern Studies at Harvard University.



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, and also regularly appears unled in the High Court and County Court. As a former scientist, he is particularly well placed to deal with the quantitative issues that arise in litigation.



Speakers



Oliver Jones

Oliver practises across Chambers' core areas of commercial chancery work. He recently appeared (led by Elizabeth Jones QC) in *Glenn v Watson*, a three-month trial in the English High Court involving a £100m+ fraud claim coupled with a just and equitable winding up petition and a derivative claim relating to the underlying corporate vehicle. Oliver is currently acting for one of six defendants (led by John Machell QC) to claims for breach of warranty, breach of contract and in deceit, alleged to be worth over £50m, relating to the sale of a fund of hedge funds business.



Sophia Hurst

Sophia joined chambers in October 2016 and is developing a busy practice across Chambers' areas of expertise, with a focus on commercial litigation, civil fraud, company and partnership, contentious trusts and insolvency. She appears regularly in the High Court and County Court, both led and as sole counsel.



Charlotte Beynon

Charlotte returned to Chambers in April 2016 after completing a six-month secondment to the Civil Fraud team at Peters & Peters LLP. Since returning to Chambers she has been instructed in cases across Chambers' areas of expertise, particularly in the fields of civil fraud, insolvency, contentious trusts and commercial litigation. Charlotte has also appeared as specialist chancery counsel in matrimonial proceedings in the High Court and County Court.

Guest Speakers:



Aleisha Brown

Aleisha joined Harneys in 2016 as an Associate in the Litigation Department in the Cayman Islands office. Aleisha has a broad range of experience in commercial litigation, including financial services disputes, trust litigation and regulatory investigations. A large part of her practice focuses on trust litigation in relation to which she acts for trustees, beneficiaries and protectors. Aleisha also has expertise in AML, privacy and data protection laws.



Carlos de Serpa Pimentel

Carlos is a partner and Group Head of Appleby's Private Client and Trusts practice, specialising in all aspects of Cayman Islands trust law advice and trust litigation. Most recently, he was recognised in the 2017 Chambers Global High Net Worth Guide as 'the go-to Cayman trusts person'. Carlos has been consistently ranked as a 'Leading Individual' in Chambers Global, in addition to being recognised in Chambers Caribbean, Legal 500 and on the Citywealth Leaders List. He speaks French and Portuguese.



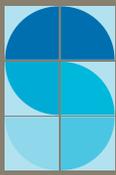
Andreas Frischknecht

Andreas (Andy) is a partner with Chaffetz Lindsey LLP in New York, where he focuses on complex cross-border commercial disputes. Andy has litigated a broad range of cases for corporate and individual clients, in trial courts and on appeal, and has particular expertise representing sovereigns in disputes arising under the Foreign Sovereign Immunities Act. Additionally, Andy has represented clients in international arbitrations under various institutional rules, and in award enforcement proceedings. He is a bilingual English and German speaker.



Fiona Gillett

Fiona is a partner at Stewarts, the UK's leading litigation-only law firm. Fiona specialises in both complex high-value domestic and international commercial disputes with a particular expertise in financial services claims against banks, and securities claims, most recently acting for one of claimant groups consisting of 313 institutional investors in the RBS Rights Issue Litigation. Fiona is described by The Legal 500 (2016) as "a most capable practitioner" and has been included in Who's Who Legal: Asset Recovery 2017.



Speakers



Jeremy Gordon

Jeremy is a partner at Farrer & Co, where he qualified in 1991. He advises clients on a wide range of problems concerning trusts and estates, acting for trustees, protectors and beneficiaries. Jeremy has handled claims in various jurisdictions and has extensive experience resolving claims in mediation. He has recently been involved in some high-profile cases, including the Supreme Court decision of *FHR and others v Mankarious and others* and the Pugachev litigation. Jeremy has lectured and written widely in these areas and is a member of ACTAPS.



Roberta Harvey

Roberta is a Partner at Charles Russell Speechlys and has particular experience conducting trust based disputes in numerous off shore and domestic jurisdictions. She advises trustees, protectors, and beneficiaries. Examples of work undertaken by Roberta include worldwide freezing injunctions, disclosure, asset tracing and recovery, validity issues, breach of trust, and Hasting Bass applications. Roberta also has significant experience in advising personal representatives, beneficiaries and charities in will and estate disputes. Roberta uses her experience in litigation to advise trustees and settlors on risk management when establishing trusts. She also assists the family team with the preparation of pre and post nuptial agreements.



Christian Hay

Christian is head of Collas Crill's Dispute Resolution team in Guernsey and listed as a Prominent Figure on the Citywealth Leaders List for contentious trusts. Christian has broad experience of financial services related litigation and particular expertise in contentious trust and probate related matters. As well as acting for trust companies, local banks and other financial services businesses on routine contentious issues, he has represented parties to some of the most substantial and significant proceedings before the Royal Court of Guernsey in recent years.



Natasha Kapp

Natasha is a partner in Carey Olsen's trusts and private wealth group. She deals with all aspects of fiduciary law and regulation, contentious and non-contentious trust matters as well as insurance regulation. She advises on the establishment and administration of trusts and foundations. She has acted on the establishment of and continues to advise some of the largest family offices and philanthropies established in Guernsey. Natasha has recently appeared before the Royal Court of Guernsey in applications regarding the interpretation of trust powers, the variation of trusts, the doctrine of mistake, the application of the Rule In Hastings Bass under Guernsey law, Beddoe applications and a significant breach of trust case.



Eleanor Morgan

Eleanor is a partner in Mourant Ozannes' BVI office. She has broad-based experience of commercial and trust litigation and contentious insolvency and is the head of the litigation and insolvency practice in the BVI. Eleanor has lived and worked in the BVI since 2011, acting on a wide range of international litigation, contentious trust and insolvency matters, with a particular emphasis on distressed funds work.



Paul Morris

Paul is a dispute resolution lawyer based in Norton Rose Fulbright's London office, specialising in banking and financial services litigation. Paul acts for a broad range of financial institutions, with a focus on disputes arising from derivatives and structured finance products, civil fraud and asset-tracing and trade and commodity finance litigation. He is particularly experienced in contentious work for corporate trustees. He also represents banks and corporates in the course of investigations and proceedings initiated by the Financial Conduct Authority, LIFFE, HM Revenue & Customs and other financial regulatory bodies.



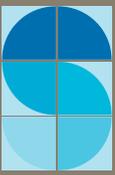
Paul Nicholls

Paul is the founder of Nicholls Law, a recently established boutique Litigation and Dispute Resolution firm based in Jersey. Paul was previously a partner based in Walkers' Jersey office. Paul specialises in complex international financial litigation including contentious trust and commercial disputes, fraud, asset recovery, insolvency, compliance and regulatory disputes. Paul is an experienced courtroom lawyer, representing clients in proceedings before the Royal Court, the Jersey Court of Appeal and the Privy Council.



Jonathan Sablone

Jonathan is co-practice group leader of Nixon Peabody LLP's Commercial Litigation 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.



Speakers



Paul Smith

Paul practised at the commercial bar in London for 20 years, before joining Conyers in Bermuda in 2000 and moving to the Cayman Islands in 2013. Paul's practice covers all aspects of dispute resolution with specialist expertise in commercial litigation, arbitration, insolvency and trust litigation. For the last 35 years, Paul has practised all aspects of commercial litigation and arbitration in London, Bermuda and Cayman having been involved in a number of significant commercial cases, many of which are reported.



Robert Stewart

Rob has particular experience in complex and high value trusts disputes, often involving multiple jurisdictions. He has acted on a number of corporate, partnership, and shareholder disputes advising institutional trustees, corporate and financial institutions, private equity firms, as well as individuals in actions based in the UK, Cayman, BVI, Jersey, and Guernsey. Additionally, Rob has strong commercial and banking litigation experience, and advises regulated firms and individuals in relation to regulatory investigations and enforcement actions.



Rupert Ticehurst

Rupert joined BLP in 2011 from Herbert Smith. His practice includes tax, trusts and succession planning, litigation and charities. Rupert is also a Protector and a Trustee of a number of trusts. Rupert was 'The Times' "Lawyer of the Week" in May 2013. He was amongst the 100 top lawyers to be included in Legal Week's inaugural publication of "International Trusts & Private Client Elite" in June 2012. He was also voted one of City Wire's "Top 10 Lawyers wealth managers need to know 2010", "Lawyer of the Year 2008" by Citywealth and "Best Private Client Legal Tax & Trusts Advisory" by Spear's Wealth Management in 2007.



Jonathan Tickner

Jonathan specialises in complex and international commercial disputes, civil fraud and asset tracing cases. He has extensive experience in dealing with multi-jurisdictional emergency procedures. Recent and ongoing cases include acting for the Department of Health in claims against Reckitt Benckiser and Servier; the Liverpool Football Club dispute and claims on behalf of investors in respect of investments in film tax schemes. Jonathan is ranked in Chambers, The Legal 500 and Who's Who for Civil Fraud, Litigation (Dispute Resolution) and Competition Law: Private Enforcement and Asset Recovery.



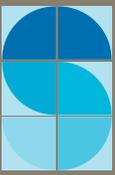
Shelley White

Shelley specialises in complex multi-jurisdictional disputes and has appeared in some of the most significant Cayman Islands litigation of recent years, including SPhinX, Al Sadik and Madoff. She is also a lead partner representing the principal defendants in the multi-billion dollar Saad litigation. Shelley is one of the Cayman's premier trust disputes lawyers and is equally sought for her expertise in commercial disputes and insolvency litigation. Having practised at the Chancery Commercial Bar in London from 2003 until 2010, Shelley is a specialist advocate and regularly represents clients in court.



Jessica Williams

Jessica is a partner in the Litigation Department in the Cayman Islands office of Harneys. Jessica has experience in a broad range of commercial and trust matters and in the contentious trust context acts for trustees, beneficiaries and – in the context of Cayman STAR Trusts – enforcers. She is recommended by Legal 500 in the Cayman Islands for her dispute resolution and contentious trust expertise.



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 2.5 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



Steve Whitaker

Steve is Serle Court's Head Clerk and has responsibility for all clerking services, including diary management and practice development, for all member of chambers. He is also a member of the Management, Marketing, Strategy and Tenancy committees. Steve has managed Serle Court through the various stages of change within the profession over the past 42 years – growing from 11 members with only one Silk to the current level of 65 members including 25 Silks. Steve has an excellent team of clerks that support his ethos of client care where nothing is too much trouble. *"The clerking, led by Steve Whitaker, is great."*

Steve can be contacted at swhitaker@serlecourt.co.uk

Serle Court is one of the largest commercial / 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.

Chambers & Partners notes that Serle Court is

"a definite go-to chambers for contentious trust work" which "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";

whilst The Legal 500 identified Serle Court as the "Private client: trusts and probate – Set of the Year" in their 2017 Awards and refers to Serle Court as

"the 'go-to set for offshore litigation involving trusts'", "one of the top commercial Chancery sets" with "strength in depth and barristers suitable for whatever the need".

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