



serle court

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## Stephanie Thompson

Year of Call: 2017

*"She is one of the most impressive and pleasant barristers that I have ever worked with. Her commitment and dedication is of the highest degree and her intellect is unparalleled."*

Chambers and Partners 2023

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## Practice Overview

Stephanie has a broad commercial chancery practice, with a focus on civil fraud, offshore trust litigation and domestic trust and probate litigation. She has a particular interest in cases with foreign law elements and has experience in overseas jurisdictions including Bermuda, The Bahamas, the BVI, Jersey, Guernsey and New Zealand. Stephanie is regularly instructed as sole counsel in the High Court and is equally comfortable working as part of a larger team: she is one of a four-member Counsel team acting in *Wong v Grand View PTC & Ors* (in the Bermuda courts) and *Wong v Grand View PTC* (in the Privy Council). She also has a developing arbitration practice and has appeared in or advised on proceedings under the UNCITRAL, ICC and LCIA Rules.

Stephanie was admitted to the British Virgin Islands bar in 2022.

Prior to joining Serle Court, Stephanie was a barrister in New Zealand for three years. She also completed an LLM at the University of Cambridge, where she received the BRD Clarke Prize for coming first in her year and prizes for coming first in each of her four subjects.



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## Areas of Expertise

### Chancery

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#### Civil Fraud

Cases of note include:

*Equity Real Estate (Bracknell) Ltd & Ors v Capstan Capital Partners LLP & Ors* (ongoing): acting (with Justin Higgs QC) for five SPVs who are the victims of a complex property fraud. Stephanie obtained extensive disclosure from third parties under the *Bankers Trust*, *Norwich Pharmacal* and pre-action disclosure jurisdictions (BL-2020-001104, 17 November 2020).

*SMPI Bordeaux SPV 3 Ltd & Ors v Burton & Ors* (ongoing): acting (led out of chambers) for 136 claimant victims of a fraudulent wine-lending scheme. The claimants recently obtained judgment without trial following strike-out and default judgment in the sum of over £52 million (including declaratory relief as to their beneficial interest in monies paid to the defendants), avoiding the need for a lengthy and expensive trial.

*Russell v Cartwright & Ors* [2020] EWHC 41 (Ch): acted (with Dan McCourt Fritz) for three defendants in the trial of a claim for fraudulent non-disclosure and unlawful means conspiracy brought by their former business partner. The defendants were wholly successful at trial and entitled to their costs on the indemnity basis, with the Court finding that they did not owe fiduciary duties or duties of disclosure and that they had been honest in their dealings with the claimant.

*Instant Access Properties Ltd v Rosser* [2018] EWHC 756 (Ch): Assisted Lance Ashworth QC and Matthew Morrison in acting for one of the defendants in the trial of claims alleging fraudulent breach of fiduciary duties, shadow directorship, tax evasion and fraudulent trading.

*Barley v Muir* [2018] EWHC 619 (QB): Assisted Ruth den Besten in a claim for fraudulent misrepresentation arising out of an investment in a pharmaceutical company. Assisted in a separate application for disclosure by the police of documents acquired during their parallel criminal investigation for use in the civil trial.

*Willmont v Elm International Ltd*: Assisted Justin Higgo acting for respondents to a worldwide freezing order and ancillary disclosure order.

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## Commercial Litigation

Cases of note include:

*Deripaska v Chernukhin* [2019] EWHC 173 (Comm): acted (with John Machell QC and James Weale) in a substantial commercial court action involving a property development in central Moscow (instructed by Clifford Chance). Stephanie was instructed to deal with a number of urgent and difficult privilege and disclosure issues immediately prior to the five-week trial.

*Christoforou v Christoforou*: acted (with Daniel Lightman QC) for the claimant in proceedings concerning a valuable London property held pursuant to a common intention constructive trust. Brought a successful application to strike out allegations of dishonesty, fraud and illegality from the defendants' Amended Defence and to exclude those allegations from consideration and cross-examination at trial, on the grounds that they amounted to similar fact evidence which was of peripheral value to determining the claim and would have increased the cost (and risked adjournment) of the trial.

*Freshasia Foods Ltd v Lu* (unled): successfully defended Mr Lu both at the interim injunction stage ([2018] EWHC 3644 (Ch)) and at trial ([2019] EWHC 638 (Ch)) from claims (i) that he had breached restrictive covenants and should be enjoined from working for his new employer, (ii) in copyright infringement and (iii) in breach of confidence. Arnold J found that the restrictive covenants were both void for uncertainty and unenforceable for being in breach of public policy and awarded indemnity costs to Mr Lu. The case also raised important questions of severance and the interim injunction judgment was discussed in the recent Supreme Court decision *Egon Zehnder v Tillman*.

*Spokane v CMS*: acted (with Justin Higgo QC) for a private equity fund in proceedings for breach of fiduciary duty against its former solicitor. The Lawyer listed it as one of the Top 20 Cases of 2019.

*Rapid Home Warranties Ltd v Farooq* (unled): Represented the respondent in a High Court claim concerning ownership of a website, including on an interim injunction application.

*Russell v Cartwright & Ors* [2020] EWHC 41 (Ch): acted (with Dan McCourt Fritz) for three defendants in the trial of a claim for fraudulent non-disclosure and unlawful means conspiracy brought by their former business partner. The defendants were wholly successful at trial and entitled to their costs on the indemnity basis, with the Court finding that they did not owe fiduciary duties or duties of disclosure and that they had been honest in their dealings with the claimant.

*Equity Real Estate (Bracknell) Ltd & Ors v Capstan Capital Partners LLP & Ors* (ongoing): acting (with Justin Higgo QC) for five SPVs who are the victims of a substantial property fraud. Stephanie obtained extensive disclosure from third parties under the *Bankers Trust*, *Norwich Pharmacal* and pre-action disclosure jurisdictions (BL-2020-001104, 17 November 2020).

*SMPI Bordeaux SPV 3 Ltd & Ors v Burton & Ors* (ongoing): acting (led out of chambers) for 136 claimant victims of a fraudulent scheme in which substantial loans were made against the purported security of valuable wine collections. The claimants recently obtained judgment without trial following strike-out pursuant to CPR r 3.5(5) and default judgment in the sum of over £52 million (including declaratory relief as to their beneficial interest in monies paid to the defendants), avoiding the need for a lengthy and expensive trial.

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## International and Offshore

*Wong v Grand View Private Trust Co & Ors* (ongoing): acting (with Dakis Hagen QC and Emma Hargreaves) for the Plaintiff in Bermudian proceedings concerning very substantial purpose trusts. The six month trial has just concluded and judgment is awaited. In 2020 and 2021, the Bermuda Supreme Court handed down decisions on issues including the iniquity exception to legal professional privilege ([2020] SC (Bda) 33 Com, 5 August 2020), purging contempt for breach of the implied undertaking ([2020] SC (Bda) 52 Civ, 10 December 2020), specific discovery based on “practical control” and joint interest privilege ([2020] SC (Bda) 57 Com, 30 December 2020), pleading amendments ([2021] SC (Bda) 21 Com (11 March 2021) and the admission of statements of important witnesses without cross-examination ([2021] SC (Bda) 46 Com (9 June 2021)).

*Wong v & Anor v Grand View Private Trust Co* (ongoing): acting (with Dakis Hagen QC and Emma Hargreaves) for the Plaintiffs in Bermudian proceedings in which the Plaintiffs obtained summary judgment on the grounds that powers of addition and exclusion in a trust deed cannot be exercised in a manner which changes the substratum of the trust ([2019] SC (Bda) 37 Com). The Defendant was successful on appeal (Civil Appeal No. 5A of 2019, 20 April 2020) and the case is due to be heard by the Judicial Committee of the Privy Council in early 2022.

UNCITRAL arbitration (ongoing) and related subsequent Bahamian litigation: acting (with Dakis Hagen QC) for the trustee of a suite of Bahamian trusts in proceedings concerning the trustee’s decision to distribute the trusts’ assets to the settlor and primary beneficiary of those trusts.

*Crociani* (appeals): acted (with Dakis Hagen QC) for one of the appellants following breach of trust litigation in Jersey.

*Re X and Y Trusts* (2018-2021): Acted (with Paul Adams) for the trustee of two trusts. Successful in obtaining a variety of directions, declarations and Benjamin orders.

Stephanie is also acting for the trustees of several substantial New Zealand trusts and is well placed to do so given she is also qualified in New Zealand.

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## Private Client Trusts and Probate

*Wong v Grand View Private Trust Co & Ors* (ongoing): acting (with Dakis Hagen QC and Emma Hargreaves) for the Plaintiff in Bermudian proceedings concerning very substantial purpose trusts. The six month trial has just concluded and judgment is awaited. In 2020 and 2021, the Bermuda Supreme Court handed down decisions on issues including the iniquity exception to legal professional privilege ([2020] SC (Bda) 33 Com, 5 August 2020), purging contempt for breach of the implied undertaking ([2020] SC (Bda) 52 Civ, 10 December 2020), specific discovery based on “practical control” and joint interest privilege ([2020] SC (Bda) 57 Com, 30 December 2020), pleading amendments ([2021] SC (Bda) 21 Com, 11 March 2021) and the admission of statements of important witnesses without cross-examination ([2021] SC (Bda) 46 Com, 9 June 2021).

*Wong v & Anor v Grand View Private Trust Co* (ongoing): acting (with Dakis Hagen QC and Emma Hargreaves) for the Plaintiffs in Bermudian proceedings in which the Plaintiffs obtained summary judgment on the grounds that

powers of addition and exclusion in a trust deed cannot be exercised in a manner which changes the substratum of the trust ([2019] SC (Bda) 37 Com). The Defendant was successful on appeal (Civil Appeal No. 5A of 2019, 20 April 2020) and the case is due to be heard by the Judicial Committee of the Privy Council in early 2022.

UNCITRAL arbitration (ongoing) and related subsequent Bahamian litigation: acting (with Dakis Hagen QC) for the trustee of a suite of Bahamian trusts in proceedings concerning the trustee's decision to distribute the trusts' assets to the settlor and primary beneficiary of those trusts.

*Crociani* (appeals): acted (with Dakis Hagen QC) for one of the appellants following breach of trust litigation in Jersey.

*Re X and Y Trusts* (2018-2021): Acted (with Paul Adams) for the trustee of two trusts. Successful in obtaining a variety of directions, declarations and Benjamin orders.

*Gupta v Gupta* [2018] EWHC 135 (Ch): Assisted Constance McDonnell in successfully defending claims to pronounce against the deceased's will for want of knowledge and approval.

Stephanie regularly advises and acts as sole counsel in private client disputes. Recent cases have included a *Strong v Bird* claim concerning the alleged gift of a substantial property, a claim for delivery up of confidential information by former trustees, claims for removal of executors, Beddoe applications, claims for breach of duty by trustees and claims under the 1975 Act.

Stephanie is also acting for the trustees of several substantial New Zealand trusts and is well placed to do so given she is also qualified in New Zealand.

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## Company

s 994 petitions: Stephanie is presently acting on two unfair prejudice petitions and related claims for breach of fiduciary duties and for an account.

*Instant Access Properties Ltd v Rosser* [2018] EWHC 756 (Ch): Assisted Lance Ashworth QC and Matthew Morrison in defending allegations that one of the parties was a shadow director and had acted in breach of fiduciary duties.

*First Subsea Ltd v Balltec Ltd*: Assisted Andrew Moran QC in an appeal to the Supreme Court concerning the application of s 21 of the Limitation Act 1980 to breaches of fiduciary duty by company directors.

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## Partnership and LLP

*In re Infund LLP* [2018] EWHC 1306 (Ch): Assisted John Machell QC and Dan McCourt Fritz in representing the defendants to a claim brought by Grupo Mexico seeking to avoid the restoration of an LLP to the Register of Companies.

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## Intellectual Property

*Freshasia Foods Ltd v Lu* (unled): successfully defended Mr Lu both at the interim injunction stage ([2018] EWHC 3644 (Ch)) and at trial ([2019] EWHC 638 (Ch)) from claims (i) that he had breached restrictive covenants and should be enjoined from working for his new employer, (ii) in copyright infringement and (ii) in breach of confidence. Arnold J found that the restrictive covenants were both void for uncertainty and unenforceable for being in breach of public

policy and awarded indemnity costs to Mr Lu. The case also raised important questions of severance and the interim injunction judgment was discussed in the recent Supreme Court decision *Egon Zehnder v Tillman*.

*Rapid Home Warranties Ltd v Farooq* (unled): Represented the respondent on an interim injunction application in the High Court concerning ownership of a website.

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## Matrimonial Finance: Trusts and Company law

Stephanie acts as specialist chancery counsel in matrimonial proceedings in the Family Division.

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## Recommendations

Rising Leader, Private Client Global Elite (2022, 2023)

Chancery: Traditional (Up & Coming), Chambers High Net Worth (2023)

Chancery: Traditional (Up & Coming) Chambers UK Bar 2023 Guide

Private Client: Trusts & Probate (Band 4) Legal 500

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## Quotes

*"Stephanie is a very smart barrister who handled all questions well and was good on the strategy."* Chambers & Partner, 2025

*"I think she might be one of the brightest people I've ever met. She has an extraordinary ability to take on masses of information, and has a very understated manner that belies her fierce intellect."* Chambers & Partner, 2025

*"Stephanie is personable, always on hand and someone who provides extremely clear advice."* Chambers & Partner, 2025

*"Stephanie is organised and practical. She adapts well and knows when to push back against judges."* Chambers & Partner, 2025

*"Stephanie is fantastic and is super bright. She is absolutely lovely to work with and really impressive."* Chambers & Partner, 2025

*"Stephanie is operating at a high level and will be a star of the future."* Chambers & Partner, 2025

*"An absolutely fantastic practitioner with immense intellectual fire power, who is hard working and a nice character. She is a very able speaker, who is all about precision and being waffle free."* Chambers & Partner, 2025

*"Stephanie presents complicated problems straightforwardly in pleadings and submissions."* The Legal 500, 2025

*"An incredibly thoughtful and analytical barrister."* The Legal 500, 2025

*"Stephanie is a very smart barrister who handled all questions with good strategy."* Chambers and Partners High Net Worth, 2024

*"I think she might be one of the brightest people I've ever met. She has an extraordinary ability to take on masses of information. She has a very understated manner that belies a fierce intellect."* Chambers and Partners High Net Worth, 2024

*"Stephanie is personable, always on hand and provides extremely clear advice."* Chambers and Partners High Net Worth, 2024

*"Stephanie is amazing. She is hugely hard-working and someone who turns over all the stones to make sure everything gets covered. She's a delight to work with, and has a very bright future ahead of her."* Chambers and Partners, 2024

*"Stephanie is extremely responsive and works tirelessly to help the team reach its shared goals. She displays astonishing resilience under pressure and has a great ability to cooperate on both a personal and professional level, making her admired by both clients and professionals alike."* Chambers and Partners, 2024

*"She is very diligent and completely on top of the law and the detail in a case. Her offshore knowledge is vast and impressive."* Chambers and Partners, 2024

*"Stephanie is really exceptional as she's clear-thinking and has an enquiring mind. She will look at things closely and make sure they make sense, and if they don't, she'll find out why. She's a delight to work with and a real workhorse."*

*"She is one of those lawyers who you just know is going to be a judge in the Supreme Court one day. Stephanie has incredibly good judgement, is extremely hard-working, delightful, genuinely fun to be around and is very approachable. All of the senior barristers listen to her carefully and refer to what she says because she is just so good at reading the winds. She's very strong indeed."* Chambers HNW, 2023

*"Stephanie Thompson is exceptional. She has excellent attention to detail, is clear in the way she puts forward her thoughts and legal arguments, and completely dedicated to the client's claim."* Chambers HNW, 2023

*"She is extremely responsive and works tirelessly to help the team reach its shared goals. She displayed astonishing resilience under the extreme pressure of preparing for and attending a fiercely fought trial. The large legal teams were led by the sharpest silks at the commercial and chancery Bars and it was clear that she is deeply respected by leading counsel."* Chambers HNW, 2023

*"She is one of the most impressive and pleasant barristers that I have ever worked with. Her commitment and dedication is of the highest degree and her intellect is unparalleled."* Chambers and Partners, 2023

*"Displays a sharp commercial acumen that is quite rare at her level. She is always composed and has the ability to quickly cut through the most complex issues in an instant."* Chambers and Partners, 2023

*"Stephanie is extremely knowledgeable and has a forensic approach to her work. She is highly diligent and responsive."* The Legal 500, 2023

*"One of the most impressive and pleasant barristers that I have ever worked with." "Her commitment and dedication is of the highest degree and her intellect is unparalleled."* Chambers HNW, 2022

*"Stephanie is absolutely fantastic, no two ways about it. She is a complete superstar, worth so much more than her years call. She is very hard-working, bright and can break down complicated situations."* Chambers HNW, 2022

## **Publications**

S Thompson "When is it appropriate to withhold a trust deed from a beneficiary? Disclosure of trust documents in the New Zealand Supreme Court" (Trusts & Trustees, OUP 2019)

K Davenport QC and S Thompson “Piercing the Trust Structure at a Relationship’s End: Interesting Developments from the New Zealand Supreme Court” (Trusts & Trustees, OUP 2016)

DAR Williams QC and Stephanie Thompson “Interim Measures in New Zealand”, a chapter in Interim Measures in International Arbitration (Juris Publishing, 2014)

## **Prizes**

BRD Clarke Prize for Best Overall Performance in the LLM (Cambridge)

Goff and Jones Prize for the Law of Restitution (Cambridge)

3 Verulam Buildings Prize for International Commercial Litigation (Cambridge)

Travers Smith Prize for International Commercial Tax (Cambridge)

Volterra Fietta Prize for International Investment Law (Cambridge)

Glanville Williams Prize for the LLM (Jesus College, Cambridge)

Russell Vick Prize for Law (Jesus College, Cambridge)

New Zealand Law Foundation Ethel Benjamin Scholarship, Gordon Watson Scholarship, Spencer Mason Scholarship and LB Wood Scholarship (2016)

Prizes for Company Law and Agency Law (University of Auckland)

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## **Education & Qualifications**

LLM (Distinction) University of Cambridge

BA, LLB (Hons) University of Auckland

Called to the New Zealand Bar in 2013

Called to the British Virgin Islands Bar in 2022

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