

Michael Rogers

Managing Associate
Guernsey



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VCard



Areas of expertise

Corporate and Financial Services Disputes



Dispute Resolution



Legal



Restructuring and Corporate Recovery



Shareholder and Valuation Disputes



Trusts Advisory Group



Fraud and Asset Tracing

Funds Disputes

Background and experience

Michael has practised in Guernsey since 2012 and in that time he has advised fund managers, trustees and beneficiaries, leading financial institutions, insolvency practitioners and ultra-high net worth individuals. Many of those cases have involved complex high value disputes often with a multi-jurisdictional element. He has gained substantial experience of the complex procedure of the Royal Court of Guernsey and regularly advises on an array of interim matters including applications for service out of the jurisdiction, declaratory and Beddoe relief and case management hearings. Michael also advises international clients on cross-border commercial litigation and has been involved with fraud and asset recovery claims.

Michael obtained a Bachelor of Law degree in 2007 from the University of Pretoria and was admitted as an Attorney in the Supreme Court of South Africa in 2009. He completed the Qualified Lawyers Transfer Scheme and was admitted as a Solicitor of the Senior Courts of England and Wales in 2016. In 2019 he obtained the STEP Advanced Certificate in Trust Disputes with distinction.

Michael has been admitted as an Attorney in the Supreme Court of South Africa, a Solicitor of the Senior Courts of England and Wales and an Advocate of the Royal Court of Guernsey. He also obtained the STEP Advanced Certificate in Trust Disputes with distinction and the *Certificat*

Michael's recent cases include:

Restructuring & Corporate recovery

- Acting on behalf of a trustee in circumstances where the beneficiary was declared bankrupt in a foreign jurisdiction and failed to declare trust assets of £2 million to his Trustee in Bankruptcy. The trustee in bankruptcy latterly obtained recognition of their powers in Guernsey in order to facilitate the orderly winding up of the estate
- Instructed on behalf of two related limited liability partnerships to seek orders regarding the dissolution and winding up of the partnerships. Each partnership owned and operated several high value, multi-jurisdictional businesses. The partnerships held substantial assets through complex European investments worth in excess of £90million
- Acting on behalf of an international bank as the primary creditor in applying to have a Guernsey company, which held a multi-million pound London property, placed into administration. The Bank owed a debt to the Bank which exceeded £50 million. Subsequent recognition of the joint administrators was obtained in England and Wales
- Acting on behalf of joint liquidators of a Guernsey company in connection with issues regarding sanctions and associated applications for the distribution to receivers appointed over real property.
- Acting on behalf of the joint liquidators of a Guernsey Company in respect of an application for directions in the Royal Court to make repayment of inter-creditor obligations

Contentious Trusts

- Acting for trustee in respect of a declaration that trust assets and income generated from those assets that were purportedly transferred to third parties for nil consideration be re-constituted as forming part of the trust
- Advising a trustee in a claim for £7million against the former trustees concerning allegations of breach of trust, dishonest assistance and unauthorised profits
- Advising the trustee in administrative proceedings under the *Public Trustee v Cooper* jurisdiction. The substantive proceedings involved an information gathering exercise in respect of a multi-billion dollar trading business and raised novel points of Guernsey trust law regarding disclosure of information by beneficiaries

Corporate and Fund litigation

- Acting for a Guernsey fund and its manager in relation to a Hague Convention request for documents made by a US litigant in the Guernsey courts, and acting for the same fund in

relation to disclosure of documents in related US proceedings

- Acting on behalf of the former manager of a class B collective investment scheme in a claim for £4 million brought by the liquidators of the fund. The claim involved defending allegations of misappropriation of investments, mismanagement and fraud
- Acting on behalf of a German company in relation to a loan agreement dispute, to the sum total of €3 million plus interest. The trial raised numerous factual and legal disputes concerning the contractual intentions of the parties, the commercial purpose of the loan agreement, its terms and whether any relevant agreements had been entered into which could affect the alleged liability of the group of companies

Contentious Regulatory advice

- Advising a global financial institution in relation to a regulatory investigation into its policies and procedures and involving a regulated business. The allegations involve breaches of tax transparency rules and AML related concerns relating to the transfer of assets amounting to \$1.4 billion.
- Advising financial institutions and directors in relation to investigations by the enforcement division of the GFSC

Marketing

- Michael Rogers was noted as a 'key lawyer' in the Legal 500 UK guide 2021
- LexisNexis Insolvency and Restructuring Guide
- Article in Insol on recent Guernsey Insolvency law amendments
- [Ogier acts for joint liquidators of Eagle Holdings Limited | Ogier](#)
- [Court and out of court restructuring options in Jersey and Guernsey](#)
- [Director disqualification: 12 year disqualification penalty imposed in Guernsey](#)
- [Regulatory investigations in Guernsey](#)
- [Regulatory Investigations: what to look out for | The NED Forum](#)
- [Ogier acts for Otium Group in loan agreement dispute | Ogier](#)
- [Dispute resolution lawyers stress importance of board minutes in regulatory investigations | Ogier](#)
- [Ogier advises on acquisition of AIM traded company by way of scheme of arrangement | Ogier](#)
- [Appointment of a provisional liquidator for the first occasion in the Royal Court of Guernsey |](#)

Memberships

- The Guernsey Bar
- Law Society of England and Wales
- Law Society of South Africa
- STEP affiliate member
- Association of Restructuring and Insolvency Experts
- Guernsey International Legal Association

Admitted in:

2022 - Guernsey

2016 - England and Wales

2009 - South Africa

|| Languages

Afrikaans

English

|| Examples of work

[View more examples of work >](#)

18 August 2022

Ogier acts for joint liquidators of Eagle Holdings Limited

Sandie Lyne

Team: Mathew Newman, Michael Rogers, Fay Warrilow

📍 Guernsey

Case

10 August 2022

Ogier acts for Equiom in complex cross-border trust case

Mathew Newman

Team: Bryan De Verneuil-Smith, Michael Rogers

📍 Guernsey

Case

30 June 2022

Ogier acts for Otium Group in loan agreement dispute

Bryan De Verneuil-Smith
Team: Michael Rogers

📍 Guernsey

Case

4 August 2021

Ogier acts for joint liquidators of Maplecross Properties Limited in complicated liquidation

Sandie Lyne
Team: Mathew Newman, Michael Rogers, Fay Warrilow

📍 Guernsey

Case

12 August 2019

Ogier advises on \$889 million acquisition of AIM traded payment services company by way of scheme of arrangement

Mathew Newman
Team: Bryon Rees, Alex Horsbrugh-Porter, Michael Rogers, James Dickinson

📍 Guernsey

Deal



 **News and insights**

Find out more 

2 February 2023

Five promoted across Ogier's teams in Guernsey

Christopher Jones

Team: Sophie Denman, Michael Rogers, Matthew Macfarlane, Jonathan Branch

📍 Guernsey

News



14 December 2022

Three Ogier team members sworn in as Advocates in Guernsey

News

9 December 2022

New developments in Guernsey insolvency: the Guernsey Insolvency Rules

Alex Horsbrugh-Porter

Team: Michael Rogers

📍 Guernsey

Insight

6 October 2021

Court and out of court restructuring options in Jersey and Guernsey

Bruce MacNeil

Team: Oliver Passmore, Mathew Newman, Alex Horsbrugh-Porter, Rebecca McNulty, Michael Rogers

📍 Jersey, Guernsey

Insight

30 September 2021

Ogier in Guernsey achieves six top tier rankings in latest Legal 500 UK

Christopher Jones

Team: Paul Chanter, Bryon Rees, Martyn Baudains, Piers Dereham, Martín Casas, Matt Guthrie, and 15 more

📍 Guernsey

News

30 March 2021

Director disqualification: 12 year disqualification penalty imposed in Guernsey

Alex Horsbrugh-Porter

Team: Michael Rogers

📍 Guernsey

Insight

26 March 2021

Regulatory investigations

Alex Horsbrugh-Porter

Team: Michael Rogers

📍 Guernsey

Insight

12 May 2020

Determination of the scope of powers afforded to a trustee in

bankruptcy in circumstances where ther

Alex Horsbrugh-Porter

Team: Michael Rogers

📍 Guernsey

Insight

1 May 2020

Potential causes of action in relation to Guernsey funds in financial difficulty

Simon Davies

Team: Mathew Newman, Bryon Rees, Michael Rogers

📍 Guernsey

Insight



Recognition

"Michael is an experienced and professional lawyer who is also very easy to work with. He always keeps us well informed, explaining each stage in the process, and his turn-around time is impressive. A knowledgeable and safe pair of hands"

Citywealth Leaders List 2018

[View more](#) ✓

"Michael has added significant offshore litigation experience to the dispute resolution team since he joined the firm at the start of the year, particularly in the area of restructuring and insolvency work, where his qualifications are an asset."

Citywealth Leaders List 2017