



In your court: offshore dispute resolution review - November 2018

Newsletters - 19/11/2018

Welcome to the final In Your Court of 2018, featuring commentary on major cases and judgments from our BVI, Cayman, Guernsey and Jersey teams.

Our lead story looks at the Cayman Islands Court of Appeal's decision to overturn an antisuit injunction in *Argyle Funds SPC Inc. (In Official Liquidation) v BDO Cayman Ltd*, a judgment which is of particular interest to Cayman Islands professional service providers who delegate some or all of their work to companies outside Cayman.

Other articles include:

- an analysis of a BVI matter which demonstrated that foreign lawyers' fees remain recoverable if incurred prior to the Legal Profession Act 2015
- a review of a case involving the Guernsey Royal issuing a Letter of Request to the High Court of Justice of England and Wales
- an overview of the varied cases that have appeared before the Jersey Royal Court over the past few months

Enjoy In Your Court, and if you would like to explore any of the issues covered further, please don't hesitate to contact our team using their contact details on the right.

Cayman Islands Court of Appeal overturns antisuit injunction

The Cayman Islands Court of Appeal has unanimously allowed every ground of an appeal by the liquidators of Argyle Funds SPC Inc. holding that its former auditors, BDO Cayman Ltd, had no sustainable basis for restraining Argyle from continuing claims of fraud and gross negligence against three of BDO Cayman's affiliate entities in the New York courts.

[Find out more](#)

Foreign Lawyers' Fees remain recoverable after LPA 2015

The claim in this matter concerned the appropriation of trust property and it sought various trust-related remedies. The Claimants, represented by Ogier and Stephenson Harwood London were successful in opposing the appeal, and the Court allowed recovery of the London lawyers' fees prior to the Legal Profession Act 2015 coming into force.

[Find out more](#)

Guernsey Royal Court issues Letter of Request to the High Court of England and Wales

The Royal Court of Guernsey has issued a Letter of Request to the High Court of England and Wales requesting that it recognise the appointment of Joint Administrators of a Guernsey company. Whilst the Royal Court regularly deals with incoming letters of request, there is no reported case where the Royal Court's jurisdiction to issue a Letter of Request has been considered previously. In this article, Mathew Newman explores the implications.

[Read more](#)

Variety is the spice of life...

Rebecca McNulty explore a number of cases that illustrate the breadth of the Royal Court of Jersey's experience.

[Read more](#)

About Ogier

Ogier is a professional services firm with the knowledge and expertise to handle the most demanding and complex transactions and provide expert, efficient and cost-effective services to all our clients. We regularly win awards for the quality of our client service, our work and our people.

Disclaimer

This client briefing has been prepared for clients and professional associates of Ogier. The information and expressions of opinion which it contains are not intended to be a comprehensive study or to provide legal advice and should not be treated as a substitute for specific advice concerning individual situations.

Regulatory information can be found under [Legal Notice](#)

Meet the Author



Nicholas Burkill

Partner

British Virgin Islands

E: nicholas.burkill@ogier.com

T: [+1 284 852 7372](tel:+12848527372)

Key Contacts



Mathew Newman

Partner

Guernsey

E: mathew.newman@ogier.com

T: [+44 1481 752253](tel:+441481752253)



Rachael Reynolds KC

Global Senior Partner

Cayman Islands

E: rachael.reynolds@ogier.com

T: [+1 345 815 1865](tel:+13458151865)



Rebecca McNulty

Partner

Jersey

E: rebecca.mcnulty@ogier.com

T: [+44 1534 514495](tel:+441534514495)

Related Services

International Arbitration

Shareholder and Valuation Disputes

Corporate and Financial Services Disputes

Enforcement of Judgments and Awards

Banking Disputes

Fraud and Asset Tracing

Funds Disputes

Dispute Resolution

Legal

Related Sectors

Restructuring and Insolvency