

Legal Services

Restructuring and Insolvency



Ogier

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## Who we are

With global winds blowing towards increasingly complex restructuring matters, our international Restructuring and Insolvency team draws upon the creativity, knowledge and experience of the entire firm across multiple disciplines to provide responsive and commercial solutions for clients.

Spanning Asian, European and US time-zones and working across a range of Ogier's service lines including Banking & Finance, Corporate, Dispute Resolution, Investment Funds, M&A, Private Equity and Real Estate, our multidisciplinary approach enables us to offer a one-stop, cost-efficient solution that cuts through complexity to get to what really matters.

As a leading firm in our jurisdictions, we are in constant dialogue with the regulators in the BVI, Cayman, Guernsey, Ireland, Jersey and Luxembourg. Our team includes some of the foremost names offshore, including partners who worked through the 2008 financial crisis and who drove the restructuring and insolvency work that flowed from it.

The team's pedigree sees us instructed on the largest and most important matters in our jurisdictions, including the first ever 'soft touch' provisional liquidation in the BVI, the Cayman-centred Abraaj private equity group collapse, the award-winning restructuring of Ocean Rig, the first and largest restructuring of its kind and the \$2 billion dispute over the Guernsey based Carlyle Group.

Ogier's insolvency specialists include Fellows of INSOL International and members of the Association of Restructuring and Insolvency Experts (ARIES), the Recovery and Insolvency Specialists Association of the Cayman Islands (RISA), the Recovery and Insolvency Specialists Association (BVI) Limited (RISA BVI), the Chancery Bar Association, the Association of Business Recovery Professionals (R3) and the Society of Trust & Estate Practitioners (STEP).

Mathew Newman  
Partner and Global Head of Restructuring  
and Corporate Recovery



Clients have full trust in his  
exceptional judgement.  
Chambers UK, 2023



## Our services

Our team offers a solution that cuts through complexity to get to what really matters.

Our expertise extends to all aspects of restructurings from consensual workouts to contentious schemes of arrangement. The close working relationship between our contentious and non-contentious teams across all of our jurisdictions means we are ideally placed to advise us in the most difficult and unpredictable of distressed situations.

### **Our services include:**

- Refinancing and reconstruction
- Distressed Funds and Private Equity
- Illiquid or insolvent trusts
- Formal insolvency procedures
- Negligence and breach of duty claims
- Corporate restructuring and reorganisation
- Investor and shareholder rights/actions
- Member and creditor schemes of arrangements
- Policies and best practice  
Statutory remedies
- Advising on the appointment and removal of liquidators, receivers and provisional liquidators and their powers and duties while in office
- Advising on the rights of secured creditors and the enforcement of security
- Asset recovery
- Claims against directors, auditors, fund administrators and other service providers
- Corporate Recovery
- Désastre, dégrèvement and other jurisdiction-specific insolvency procedures
- Obtaining court validation for trading and other disposals following the commencement of compulsory winding-up
- Rights and duties of directors in respect of insolvency

Katrina Edge  
Partner and Global Head of  
Banking and Finance

 Absolutely superb.  
Chambers UK, 2023



## Examples of work

Ogier's global team handles challenging domestic and cross-border assignments.

### **Ocean Rig**

Our Cayman team advised the joint provisional liquidators in respect of the ground-breaking \$3.7 billion Ocean Rig restructuring - one of the largest on record.

### **Carlyle**

We successfully defended the Carlyle Group against 187 claims over the financial crisis related collapse of a \$1 billion Guernsey investment fund.

### **Toys R Us**

We advised Toys R Us on its voluntary application for Chapter 11 bankruptcy protection, advising on matters of BVI law from our BVI and Jersey offices.

### **Orb**

We advised Jersey's Viscount in the £1.3 billion insolvency of Orb - the first in 40 years that had seen the Viscount recognised in English High Court proceedings.

### **Mongolian Mining Corporation**

Our Hong Kong team advised on the restructuring of Hong Kong Stock Exchange-listed, coking coal producer and exporter Mongolian Mining Corporation involving US\$760 million in offshore domiciled debt.

### **Takeda Pharmaceutical**

Ogier's Jersey team advised Japan's Takeda Pharmaceutical on a £46 billion acquisition of Shire, creating one of the world's largest Pharmaceutical firms. It was the highest value scheme to pass before the Royal Court in Jersey and the largest ever foreign takeover by a Japanese company.

### **Abraaj Group**

We deal with many contentious aspects of the fallout from the collapse of the Abraaj Group (the largest ever PE structure in the Middle East).

Ogier has been heavily engaged on this matter since 2018 and involved in varied proceedings, including presently in a long multi-party trial.





An exceptional litigator  
whose elevation to silk was  
both fitting and  
richly deserved.  
Legal 500 Caribbean, 2023





## Key contacts



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# Ogier | To the point.

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 have three divisions:

**Legal:** Practical advice on BVI, Cayman, Guernsey, Irish, Jersey and Luxembourg law.

**Corporate and Fiduciary:** Corporate administration services with a strong reputation in governance and regulatory compliance.

**Consulting:** Independent guidance on regulatory compliance.

### Core legal services

- Banking and Finance
- Corporate
- Dispute Resolution
- Investment Funds
- Private Wealth
- Regulatory
- Tax

### Core corporate and fiduciary services

- Corporate Administration
- Debt Capital Markets
- Funds
- Investor Services
- Private Wealth
- Real Estate

### Core sector services

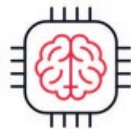
- Aviation and Marine
- Family Office
- Private Equity
- Real Estate
- Restructuring and Insolvency
- ESG
- Technology and Web3

**1,200**  
Employees

**120** **40**  
Partners Directors

## Investment in technology

Our continued investment in our people and technology is transforming the delivery of professional services to our global client network, from live client portals to digital contracts, digital collaboration areas and document compilation.



## Sustainability

As an international firm, we support efforts to protect global and local ecosystems. We are continuously and actively reducing our global carbon emissions and environmental impact. We are embedding sustainability at every level.



## Corporate Social Responsibility

We're committed to being a good corporate citizen and supporting causes that empower people and enable our communities to thrive. We achieve this through community partnerships, pro bono work and volunteering.



## Innovation

Whether we're pioneering new ways to service clients or fostering a culture of continuous improvement, innovation is at the heart of everything we do. We are committed to providing a market-leading service that empowers clients.



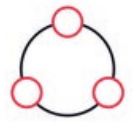
## Client Centric

We understand what our clients need to succeed, and do everything to ensure they meet their goals as simply and effectively as possible.



## Diversity, Equity and Inclusion

We believe in putting people first. As a global business we recognise diversity, equity and inclusion can be complex, challenging and nuanced. So we're meeting it with courage, drive and openness.



**Contentious Trusts and Estates Team of the Year**  
STEP Private Client Awards 2024



**Best Offshore Law Firm 2024**  
HFM Asia Services Awards 2024



**Best Law Firm Fund Domicile Private Equity Wire European Awards 2024**



**Offshore Firm of the Year**  
The Lawyer European Awards 2023

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Consulting: independent guidance on regulatory compliance.

Our network of locations also includes Beijing, Dubai, Hong Kong, London, Shanghai, Singapore and Tokyo. Regulatory information can be found at [ogier.com](http://ogier.com).

**ogier.com**