

IBC's 3rd Annual

Only Trust
Litigation Conference
to Feature the Bailiff
of Jersey

Trust Litigation Symposium

Book by
26th August 2011
& Save £200

A Complete Case-By-Case Analysis of Trust Disputes & Solutions

INCORPORATING THESE HOT TOPICS

KEY PLENARY SESSIONS

- ✓ **Trust Law Developments**
This session will be a case overview from the Bailiff and Chief Justice of Jersey
- ✓ **Contentious Aspects of Modern Trusteeships**

INTERACTIVE SESSIONS

- ✓ **Divorce, Disclosure & Disruption**
- ✓ **Conflicts in Succession**
- ✓ **Caught in the Wrong & Possibly Putting it Right**
- ✓ **What are the Threats to Trusts?
Updates & Strategies for 2012**

**Plus an Interactive Case Study on
Why Did My Grandfather Set Up a Trust?**
This session led by Rupert Ticehurst will go through a family dispute and the effect to the trust.

**Features 20+ Speakers
including 6 QCs!**

CHAired BY:

- Dawn Goodman, Partner, **WITHERS**

YOUR PANEL OF EXPERT SPEAKERS INCLUDES:

- Michael Birt, Bailiff & Chief Justice of Jersey
- Rupert Ticehurst, **Berwin Leighton Paisner**
- Gilead Cooper QC, **3 Stone Buildings**
- Shan Warnock Smith QC, **5 Stone Buildings**
- David Alexander QC, **3-4 South Square**
- Nicholas Le Poidevin QC, **New Square Chambers**
- Eason Rajah QC, **Ten Old Square**
- David Brownbill QC, **XXIV Old Buildings**
- Stewart Leech QC, **QEB**
- Julian Washington, **RBC**
- Dakis Hagen, **Serle Court**
- Charles Lloyd, **Macfarlanes**
- Christopher Edwards, **Mourant Ozannes**
- Joshua Rubenstein, **Katten Munchin Rosenman LLP**
- Blaise Stucki, **Schellenberg Wittmer**
- Tina Wüstemann, **Bär & Karrer**
- Alan Binnington, **RBC**
- John Freeman, **Families in Business**
- Frances Hughes, **Hughes Fowler Carruthers**
- Jeremy Kosky, **Clifford Chance**
- Alan Pearce, **RBC**
- John O'Sullivan, **WeirFoulds LLP**

Gold Sponsor:



RBC Wealth Management®

Silver Sponsors:

MOURANT OZANNES

**SHELLENBERG
WITTMER**

8th November 2011
Crowne Plaza London St James, London

Scan with
smartphone
QR Reader App



For Latest Programme & To Register: www.abc-events.com/trustlitigation

Trust Litigation Symposium

Dear Fellow Professional,

Since the recession, legal disputes over trusts containing assets including property jumped 238% according to city law firms.

Tens of thousands of families have property and other assets held in trust. These range from a simple trust over the family home to trusts holding valuable investments.

Henceforth, IBC and I return to showcase the key decisions for 2011 at the annual **Trusts Litigation Symposium**. This is a unique event that covers the judiciary, the Bar and Common and Civil law systems. With the special guest of the bailiff and chief justice of Jersey Michael Birt - the conference promises to be a dynamic event.

Dawn Goodman, Partner, **WITHERS**

8th November 2011, Crowne Plaza London St James, London

09.00 Registration and coffee

09.30 **Chair's Opening Remarks**

Dawn Goodman, **WITHERS**

09.35 **Trust Law Developments**

The Bailiff will discuss some of the recent decisions in Jersey concerning trusts.

Michael Birt, **Bailiff (Chief Justice) of Jersey**

10.05 **Contentious Aspects of Modern Trusteeships**

- Disputes between beneficiaries
- Tensions with other parties
- Trustee liability
- Difficult assets
- Fees

Julian Washington, **RBC**

Alan Pearce, **RBC**

10.35 **Divorce, Disclosure & Disruption**

- Coping with a fractured family
- Aspects of divorce - *Radmacher v Granitino* - the precedent?
- Fiduciary duties - a modern context
- When litigation fails - the advantage of mediation
- Psychology of conflict - putting out anxieties

Panel Members:

Stewart Leech QC, **QEB**

Alan Binnington, **RBC**

John Freeman, **Families in Business**

Frances Hughes,
Hughes Fowler Carruthers

Shân Warnock Smith QC, **5 Stone Buildings**

11.35 Coffee

11.55 **Conflicts in Succession**

- Resolving conflicts in civil law/common law cross border estates
 - general (Swiss/civil law) conflict of law principles, jurisdiction in international inheritance disputes
 - treaty US/CH of 1850 - the US and Swiss approach
 - right of heirs to access information - disclosure orders

Gold Sponsor



RBC Wealth Management

RBC Wealth Management is dedicated to providing tailored solutions to meet the international financial needs of high net worth clients and their families. With offices in 30

key financial centres around the world, our aim is to earn the right to become our clients' first choice by building relationships, delivering expertise and advice, and offering choice.

Silver Sponsors

**SCELLENBERG
WITTMER**

Schellenberg Wittmer is one of the leading Swiss business law firms. Over 110 specialized attorneys in Zurich and Geneva advise domestic and international clients on all aspects

of business law. Our clients are domestic and foreign companies as well as high net worth individuals. We offer a full range of services, from focused advice to project management. The areas of advice include: banking and finance, dispute resolution, private clients, trusts & estates, foundations, real estate and construction, restructuring and insolvency, taxation, white-collar crime and compliance.

MOURANT OZANNES

Mourant Ozannes is an offshore law firm that provides advice on Cayman, Guernsey and Jersey law to the world's leading financial institutions, public companies, corporations,

fund promoters and private clients. We are chosen regularly to work alongside the most respected international law firms with whom we enjoy deep and longstanding relationships. We are the pre-eminent legal practice in the Channel Islands with unrivalled strength-in-depth and industry knowledge in Jersey and Guernsey.

Register Today: Tel: +44 (0)20 7017 7790 Fax: +44 (0)20 7017 7824 Email: kmregistration@informa.com

For Latest Programme & To Register: www.ibt-events.com/trustlitigation

A Complete Case-By-Case Analysis of Trust Disputes & Solutions

- interim relief (provisional measures, attachment)
- trusts/Foundations and *forced heirship* under Swiss law - claw back claims
- recognition of foreign probate orders/foreign judgment
- How trustees fulfill duties of tax - personal vulnerability - the US Case Update
 - *Matter of Renard*, 437 N.Y.S. 2d 860 (N.Y.Sur. 1981)
 - *Matter of Meyer*, 2009 Slip Op 1932, 4-5 (N.Y.App. Div. 1st Dep't 2009)
 - *In re Schneider's Estate*, 198 Misc. 1017 (N.Y. Sur. Ct. 1950)
 - *Watts v. Swiss Bank Corp.*, 27 N.Y.2d 270 (N.Y. 1970)
 - *Alvares-Correa v. Cornea*, 726 N.Y.S.2d 668 (2d Dep't 2001)

Panel Members:

Joshua Rubenstein,
Katten Munchin Rosenman LLP
Blaise Stucki, **Schellenberg Wittmer**
Tina Wüstemann, **Bär & Karrer**

12.55 Lunch & Networking

14.10 **Caught in the Wrong & Possibly Putting it Right**

- *In the matter of the S Trust*
- *Futter v Futter*
- *Pitt v Holt*
- *Sinclair v Versailles*

Panel Members:

Eason Rajah QC, **Ten Old Square**
Charles Lloyd, **Macfarlanes**
Christopher Edwards, **Mourant Ozannes**
David Brownbill QC, **XXIV Old Buildings**
John Sullivan, **WeirFoulds LLP**

15.00 **What are the Threats to Trusts? Updates & Strategies for 2012**

- Firewall legislation – *RBS Coutts v W* (2010)
- Transactions at an undervalue
- Receivers – *TMSF v Merrill Lynch* (2011)
- Forced heirship again – *Rothschild Trust v Pateras* (2011)
- Proceeds of crime – *SOCA v Szepietowski* (2009)

Panel Members:

David Alexander QC, **3-4 South Square**
Dakis Hagen, **Serle Court**
Nicholas Le Poidevin QC, **New Square Chambers**

15.50 Afternoon Tea & Networking

16.10 **Why Did My Grandfather Set Up A Trust?**

The Natalin family (fictional) are locked into the bitterest dispute concerning the control and administration of the family wealth. The panel will examine the dispute and explain why, notwithstanding the bitter and expensive dispute, the trust has served the family well.

Panel Members:

Rupert Ticehurst, **Berwin Leighton Paisner**
Jeremy Kosky, **Clifford Chance**
Gilead Cooper QC, **3 Stone Buildings**

17.10 Close of Conference

Who will you Meet?

(Companies that attended the conference in 2010 included:)

- 24 Old Buildings • 7 Bedford Row • Appleby
- AspenAdvisory Services Ltd • Bar & Karrer AG
- Barclays Wealth • Barristers Chambers London
- Bedell Cristin • Bircham Dyson Bell • Carey Olsen
- Collas Crill • Dougherty Quinn Advocates • Farrer & Co LLP
- FTI Forensic Accounting • Harcus Sinclair
- Hassans International • Hotham Services Limited
- Hottinger Bank & Trust Ltd • Huntswood
- ISOLAS • Lennox Paton • Lenz & Staehelin
- Maitland Advisory • Mercator Trust • Company Ltd
- Mourant Ozannes • New Square Chambers • Ogier
- Paget Brown • PKF • Isle of Man LLC • Radcliffe Chambers
- RBC • Schellenberg Wittmer • Serle Court
- Speechly Bircham LLP • States of Jersey
- Trust Corporation of the Channel Islands • TrustWorld
- Ward Hadaway • WeirFoulds LLP • Withers LLP

Want to profile your solutions and expertise in front of this senior-level delegation of decision-makers?

A wide range of sponsorship openings are available, including speaking opportunities, branded networking functions, tailored marketing campaigns, exhibition areas and product demonstrations.

Contact David Gold to discuss: +44 (0)20 7017 7243 or david.gold@informa.com

Testimonials from 2010's Conference

"Excellent presentations addressing diverse and topical issues that had a universal appeal to any family litigation"

James Pricer, Farrer & Co

"Excellent Update on the Law and litigation practice"

Graham Huelin, Royal Bank of Canada

"Covered all aspects of Trust Litigation"

Jane Oldfield, Hotham Services Ltd

Due to unforeseen circumstances and updated cases going through the court the programme may change and IBC reserves the right to alter the venue and or the speakers.

