

Asset Tracing Remedies in the BVI and Cayman Islands' Courts

by

Mr. Ian Mann, Partner,
Head of BVI and Cayman Litigation
And Restructuring Department,
Hong Kong,

Mr. James Noble, Of Counsel
& Ms Stephentica Lee, Legal Assistant,
Harney Westwood & Riegels (Harneys)



Ian Mann is head of Harneys' BVI and Cayman Litigation and Restructuring Department in Hong Kong servicing Asia based clients involved in BVI and Cayman litigation. He joined Harneys in 2009 and became a partner in 2011.

Ian specialises in insolvency, restructuring, shareholders' disputes and contentious trusts (Ian is also a TEP). Ian is an experienced advocate who has a number of reported cases in the High Court and Court of Appeal in England. He continues to appear regularly as advocate in the Commercial Division of the Eastern Caribbean Supreme Court and Court of Appeal. Prior to moving offshore, Ian practised as a barrister at 13 King's Bench Walk, chambers of Roger Ellis QC, London.

Ian has regularly appeared in ex parte applications seeking interim relief in support of multi-jurisdictional litigation to preserve assets and is accustomed to working in large onshore and offshore teams.

Recently, Ian has been appointed BVI Counsel to the Joint Administrators of the Estate of Nina Wang; and has been involved in: the insolvency of Cayman company, CDC Corporation, controlling shareholder of HK listed company China.com; the insolvency of one of the companies of the Titan Petrochemicals Group; unfair prejudice proceedings in relation to a BVI joint venture vehicle owning substantial operations in the People's Republic of China; and several contentious trusts applications involving substantial Hong Kong and PRC based assets.

Ian is one of the general editors of British Virgin Islands Commercial Law, Sweet & Maxwell, now in its second edition.

Memberships:

- International Association of Restructuring, Insolvency & Bankruptcy Professionals (INSOL)
- American Bankruptcy Institute (ABI)
- Society of Trust and Estate Practitioners (STEP)
- Steering Committee, STEP Contentious Trusts and Estates Special Interest Group
- Trusts Law Specialist (TEP)



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Telephone: +852 3118 2371 | Facsimile: +852 3118 2372 | Email: info@profectional.com

Website: <http://www.profectional.com> | Postal Address: P.O. Box 9993, General Post Office, Hong Kong

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James Noble is Senior Counsel in the Hong Kong Litigation and Restructuring Department at Harneys where he specialises in Cayman and BVI shareholder litigation and hedge fund disputes. James also has a broad range of experience in financial services litigation and insolvency.

Beginning his career with Clayton Utz in Australia, James subsequently worked as a Senior Associate in the London and Sydney offices of Norton Rose for 7 years before moving offshore in 2010. James spent nearly 2 years in Harneys' Cayman and BVI offices prior to relocating to Hong Kong in July 2012.



Stephentica Lee is a member of the firm's Litigation and Restructuring Department in Hong Kong. She joined the firm in 2014 and has experience in general commercial litigation. Stephentica was trained with Richards Butler before joining Allen & Overy's dispute resolution team, where she gained experience in a wide range of contentious disputes including those with regulatory and insolvency elements.

Expertise:

- Litigation
- Asia
- Hong Kong Litigation

Education:

- College of Law (Professional Skills Course & Legal Practise Course) 1997
- University of Durham (LLB) 1996

Admissions:

- England and Wales 2001
- Hong Kong 2000 (not practising)

The course aims to help Hong Kong lawyers advise their clients on offshore litigation remedies in combating fraud.

The course will cover the followings:

- Obtaining information from the Company Registrar in the BVI and Cayman Islands
- Norwich Pharmacal Orders
- Bankers Trust Orders
- Asset tracing claims
- Knowing receipt
- Dishonest Assistance
- Restitution
- Freezing injunctions in support of foreign proceedings
- Fraud claims and protecting assets in HK and the PRC
- International cross border litigation
- Co-operation between the Courts of HK, BVI and the Cayman Islands
- Parallel fraud proceedings

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Code:	EVT00000020	Level:	Intermediate
Date:	11 April 2014 (Friday)	Language:	English
Time:	14:30 - 17:45	Accreditation(s):	LSHK 3.0 CPD Points SFC 3.0 CPT Hours
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