IBC's 3rd Annual

Trust Litigation Symposium

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

INTEGRATING 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!

CHAIRLED 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

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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

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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.

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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

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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
  - In re Schneider’s Estate, 198 Misc. 1017 (N.Y. Sur. Ct. 1950)
  - 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
- 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 bitter 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
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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.
Trust Litigation Symposium
8th November 2011, Crowne Plaza London St James, London

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HOW MUCH?

Register by 26th August 2011	Register by 6th October 2011	Register After 6th October 2011

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WHEN AND WHERE

KWS207
8th November 2011
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