

Ogier successfully seeks stay in the matter of the Stingray Trust

Cases - 09/03/2021

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In the recent case *Geneva Trust Company v IDF and MF or Re Stingray Trust*, the latest in a line of decisions of the Cayman Islands courts considering the meaning and scope of the Cayman firewall provisions, Ogier successfully obtained a stay of proceedings in Cayman on forum non conveniens grounds, and the Court provided helpful guidance on the scope and effect of section 90 of the Trusts Act.

Global senior partner Rachael Reynolds led the Ogier team in the case, working alongside Counsel, Deborah Barker-Roye, and Dakis Hagan QC of Serle Court

In its judgment the Grand Court provided important clarification that section 90 of the Trusts Act 2020 does not operate to bestow exclusive jurisdiction on the Cayman Islands courts (as previous cases have suggested) and that common law principles of forum non conveniens still have relevance and application in the context of disputes concerning Cayman Islands trusts. The Court also provided further guidance on the application of forum for administration clauses in Cayman trusts.

Read the full briefing on the case [here](#).

Rachael Reynolds said: "The Stingray case has given welcome clarity in relation to the proper interpretation and application of Cayman's firewall provisions, and in particular its interplay with common law principles of forum non conveniens. As this latest judgment confirms, the Cayman firewall does not mandate the exclusive jurisdiction of the Cayman Court to determine issues relating to a Cayman trust without regard to forum non conveniens principles, but rather the Court will apply those principles to ensure the matter is heard in the most appropriate forum in light of the facts of the case."

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.

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Meet the Author



[Rachael Reynolds KC](#)

Global Senior Partner

[Cayman Islands](#)

E: rachael.reynolds@ogier.com

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

Key Contacts



Deborah Barker Roye

Counsel

Cayman Islands

E: deborah.barkerroye@ogier.com

T: +1 345 815 1779

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