

## Marc Kish

Partner

Cayman Islands



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VCARD



## Areas of expertise

Corporate and Financial Services Disputes >

Crypto Disputes >

Dispute Resolution >

Funds Disputes >

Banking Disputes

Enforcement of Judgments and Awards

Fraud and Asset Tracing

Insurance Disputes

International Arbitration

Regulatory

Shareholder and Valuation Disputes

## Background and experience

Marc's practice focuses on the restructuring and financial recovery of distressed Cayman Islands entities and offers commercial solutions to creditors, shareholders and beneficiaries of entities threatened with insolvency.

He regularly advises managers, directors, general partners, office holders and stakeholders as to the options available to them in cross-border insolvency, and as to the interplay between Cayman and onshore restructurings and insolvency proceedings. He also represents trustees, protectors and beneficiaries in relation to their rights under offshore trust arrangements, and shareholders of distressed funds in connection with disputes arising out, or in anticipation of, events of default or unpaid redemptions or capital calls.

Directory feedback for Marc describes him as "exceptionally client focused" and notes that he "has seen everything in Cayman and comes into his own in real-time emergency litigation".

Marc regularly contributes to legislative subcommittees advising the Cayman Islands government as to the desirability and effect of proposed legislation concerning, for example, restructuring and insolvency legislation, contractual rights of third parties, damages awarded in medical negligence actions, and contingency and conditional fee and third party funding arrangements.

Marc is part of Ogier's multi-disciplinary Restructuring & Insolvency and Private Equity teams. His achievements include advising on scheme of arrangements restructuring bond debt and other assets issued or held by various types of Cayman entity, facilitating the refinancing of

international oil and gas groups with offshore vehicles, bringing and defending large-scale fraud and asset tracing claims on behalf of liquidation estates, and assisting parties to onshore litigation by providing expert evidence and analysis of technical questions of Cayman Islands law.

Marc is a Fellow of INSOL International.

Prior to joining Ogier in 2017 Marc was Cayman Islands Head of Litigation and Insolvency at another major offshore firm.

**Admitted in:**

2003 – England and Wales (non-practising)

2008 – Cayman Islands

## | Languages

German

Portuguese

French

Spanish

English

## | Examples of work

[View more examples of work >](#)

14 July 2021

### Ogier advises Xiezhong International on US\$31.3 million privatisation and delisting from the HKSE

Nathan Powell

Team: Janice Chu 伍伍, Marc Kish, Gemma Bellfield (nee Lardner), Dunzelle Daker

📍 Cayman Islands, Hong Kong

Deal

12 May 2021 | 4 min read

### The Cayman Islands Court of Appeal finds that Norwich Pharmacal relief is available in aid of foreign proceedings

Marc Kish

Team: Nour Khaleq

 Cayman Islands

Case

14 August 2020 | 1 min read

## Ogier acts in successful enforcement of a Brazilian arbitral award

Marc Kish

Team: Anna Snead, Nour Khaleq

 Cayman Islands

Case

16 July 2020 | 1 min read

## Ogier acts for Sandra Holding Ltd in winding up of Universal Enterprises Ltd

Marc Kish

Team: Nour Khaleq

 Cayman Islands


Case

4 December 2019 | 1 min read

## Defence of Norwich Pharmacal and garnishee claims relating to the enforcement of an arbitral award

Marc Kish

Team: Victoria King, Nour Khaleq

 Cayman Islands

Case

19 June 2019 | 1 min read

## Ogier acts for HSBC International Trustee Limited in an application for Beddow relief

Marc Kish

Team: Rachael Reynolds KC, Deborah Barker Roye

 Cayman Islands

Case

10 October 2018 | 7 min read

## Cayman Islands Court of Appeal overturns antisuit injunction in favour of Argyle Funds SPC Inc

Jennifer Fox

Team: Rachael Reynolds KC, Marc Kish

📍 Cayman Islands

Case

2 March 2018 | 2 min read

## Ogier's work recognised in second Restructuring Deal Award from IFLR in five months

Anthony Oakes

Team: Oliver Payne ￼￼, Bruce MacNeil, Marc Kish

📍 Hong Kong, Jersey, Cayman Islands

Deal

## News and insights

Find out more >

16 February 2024 | 2 min read

## Praise for Ogier's "client-centric" Cayman team in Chambers Global 2024

News

9 November 2023 | 2 min read

## Ogier's Cayman team noted for its depth of expertise in latest Legal 500 Caribbean rankings

News

11 October 2023 | 5 min read

## Cayman Restructuring Update: Decision of the Grand Court on 4th October

Nour Khaleq

Team: Oliver Payne ￼￼, Marc Kish, Gemma Bellfield (nee Lardner)

 Cayman Islands


Insight

4 July 2023 | 6 min read

## Cayman Court makes winding up order in respect of foreign registered Silicon Valley Bank

Holly Johnston

Team: Marc Kish, Gemma Bellfield (nee Lardner)

 Cayman Islands

Insight

12 May 2023 | 9 min read

## Ogier's Aviation and Marine team ready to resolve disputes on Cayman vessels

Rachael Reynolds KC

Team: Mark Santangeli, Marc Kish, Tommy Tuohy

 Cayman Islands

Insight

20 February 2023 | 3 min read

## Praise for Ogier in Cayman's client service in Chambers Global

James Bergstrom

Team: Rachael Reynolds KC, Marc Kish, Jennifer Fox, Gemma Bellfield (nee Lardner), Christopher Levers, Nick Rogers, and 5 more

 Cayman Islands


News

13 February 2023

## Cayman Court confirms interim arbitration awards may be enforced as judgments

Jeremy Snead

Team: Marc Kish, Oliver Payne 

 Cayman Islands, Hong Kong, London

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## Insight

A dark grey background with white text. The text is arranged in a clean, modern layout. At the top left, the date '18 November 2022' is displayed. Below it, the main title 'A new beginning for restructuring in the Cayman Islands' is prominently featured in a large, sans-serif font. Under the title, the author's name 'Jeremy Snead' is listed, followed by the team members 'Team: Marc Kish, Gemma Bellfield (nee Lardner), Oliver Payne'. A location pin icon is placed to the left of the text 'Cayman Islands'. At the bottom left, the word 'Insight' is visible, suggesting this is part of a larger report or presentation.

## Insight

Legal 500 Caribbean, 2024

Chambers Global, 2024

Chambers Global, 2024

Legal 500 Caribbean, 2023

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Legal 500 Caribbean, 2024

"Marc's strongest attribute is his bedside manner. He is a steady hand and very measured in his communications"

Chambers Global, 2022

"Pragmatic and sensible"

Chambers Global, 2022

"Marc's advice was pragmatic and sensible but built on sound foundations of legal knowledge and experience"

Chambers Global, 2022

"Leading individual"

Legal 500 Caribbean, 2023

"Recommended"

Legal 500 Caribbean, 2023

"Thought Leader & Recommended"

Who's Who Legal, Asset Recovery, 2022

"Thought Leader"

Who's Who Legal, Restructuring & Insolvency, 2022

"Commercial, user-friendly, very experienced, and a good strategic thinker"

Legal 500 Caribbean, 2022

"Team of the Year – Litigation"

Citywealth IFC Awards 2022

"Leading Individual"

Legal 500 Caribbean, 2022

"At the top of his game. Marc brings a sense of calm assurance to the team, he is completely committed to finding the best result for the client, is an excellent team leader and he has excellent judgment. He is also a delight to work with"

Legal 500 Caribbean, 2021