



Ogier succeeds in securing a multi-million fraud judgment for BDO and Creditforce Limited

Cases - 11/05/2022

Ogier succeeds in securing a multi-million fraud judgment for BDO and Creditforce Limited

In the recent case *Cohen & Crooks as Joint Administrators of the Estate of James Donald Hanson & Anor v Arbitrage Research and Trading S.A. & Ors*, Ogier successfully represented the plaintiffs and, after a ten-day trial, secured a multi-million fraud judgment against the former trustee of a Jersey trust.

The Ogier team was led by partner Nick Williams, working alongside partner James Angus, who acted as trial advocate, and senior associate Matthew Davies.

In its judgment, the Royal Court of Jersey revisited the test for determining whether a trust is a sham and also considered, for the first time, when it might be appropriate to exercise its statutory jurisdiction to save a trust which is wholly or partially unlawful.

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

Following this judgment, the Royal Court of Jersey confirmed and developed the test for when indemnity costs will be awarded against an unsuccessful litigant. The Ogier team successfully appeared for BDO and Creditforce, and obtained an indemnity costs order against the trustee who had previously been found to have misappropriated trust assets.

For more information, read our [snapshot](#).

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.

Disclaimer

This client briefing has been prepared for clients and professional associates of Ogier. The information and expressions of opinion which it contains are not intended to be a comprehensive study or to provide legal advice and should not be treated as a substitute for specific advice concerning individual situations.

Regulatory information can be found under [Legal Notice](#)

Key Contacts



James Angus

Partner

Jersey

E: james.angus@ogier.com

T: [+44 1534 514316](tel:+441534514316)



Nick Williams

Partner

Jersey

E: nick.williams@ogier.com

T: [+44 1534 514318](tel:+441534514318)



Matthew Davies

Senior Associate

Jersey

E: matthew.davies@ogier.com

T: [+44 1534 514132](tel:+441534514132)