

Michael Rogers

Managing Associate
Guernsey



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VCard



Areas of expertise

Corporate and Financial Services Disputes >

Dispute Resolution >

Legal >

Restructuring and Insolvency >

Shareholder and Valuation Disputes >

Fraud and Asset Tracing

Funds Disputes

Background and experience

Michael has practised in Guernsey since 2012 and in that time he has advised fund managers, trustees and beneficiaries, leading financial institutions, insolvency practitioners and ultra-high net worth individuals. Many of those cases have involved complex high value disputes often with a multi-jurisdictional element. He has gained substantial experience of the complex procedure of the Royal Court of Guernsey and regularly advises on an array of interim matters including applications for service out of the jurisdiction, declaratory and Beddoe relief and case management hearings. Michael also advises international clients on cross-border commercial litigation and has been involved with fraud and asset recovery claims.

Michael obtained a Bachelor of Law degree in 2007 from the University of Pretoria and was admitted as an Attorney in the Supreme Court of South Africa in 2009. He completed the Qualified Lawyers Transfer Scheme and was admitted as a Solicitor of the Senior Courts of England and Wales in 2016. In 2019 he obtained the STEP Advanced Certificate in Trust Disputes with distinction.

Michael has been admitted as an Attorney in the Supreme Court of South Africa, a Solicitor of the Senior Courts of England and Wales and an Advocate of the Royal Court of Guernsey. He also obtained the STEP Advanced Certificate in Trust Disputes with distinction and the *Certificat d'Etudes Juridiques Françaises et Normandes* from the *Université de Caen Basse-Normandie*.

Michael's recent cases include:

Restructuring & Insolvency

- Acting on behalf of a trustee in circumstances where the beneficiary was declared bankrupt in a foreign jurisdiction and failed to declare trust assets of £2 million to his Trustee in Bankruptcy. The trustee in bankruptcy latterly obtained recognition of their powers in Guernsey in order to facilitate the orderly winding up of the estate
- Instructed on behalf of two related limited liability partnerships to seek orders regarding the dissolution and winding up of the partnerships. Each partnership owned and operated several high value, multi-jurisdictional businesses. The partnerships held substantial assets through complex European investments worth in excess of £90million

- Acting on behalf of an international bank as the primary creditor in applying to have a Guernsey company, which held a multi-million pound London property, placed into administration. The Bank owed a debt to the Bank which exceeded £50 million. Subsequent recognition of the joint administrators was obtained in England and Wales
- Acting on behalf of joint liquidators of a Guernsey company in connection with issues regarding sanctions and associated applications for the distribution to receivers appointed over real property.
- Acting on behalf of the joint liquidators of a Guernsey Company in respect of an application for directions in the Royal Court to make repayment of inter-creditor obligations

Contentious Trusts

- Acting for trustee in respect of a declaration that trust assets and income generated from those assets that were purportedly transferred to third parties for nil consideration be re-constituted as forming part of the trust
- Advising a trustee in a claim for £7million against the former trustees concerning allegations of breach of trust, dishonest assistance and unauthorised profits
- Advising the trustee in administrative proceedings under the *Public Trustee v Cooper* jurisdiction. The substantive proceedings involved an information gathering exercise in respect of a multi-billion dollar trading business and raised novel points of Guernsey trust law regarding disclosure of information by beneficiaries

Corporate and Fund litigation

- Acting for a Guernsey fund and its manager in relation to a Hague Convention request for documents made by a US litigant in the Guernsey courts, and acting for the same fund in relation to disclosure of documents in related US proceedings
- Acting on behalf of the former manager of a class B collective investment scheme in a claim for £4 million brought by the liquidators of the fund. The claim involved defending allegations of misappropriation of investments, mis management and fraud
- Acting on behalf of a German company in relation to a loan agreement dispute, to the sum total of €3 million plus interest. The trial raised numerous factual and legal disputes concerning the contractual intentions of the parties, the commercial purpose of the loan agreement, its terms and whether any relevant agreements had been entered into which could affect the alleged liability of the group of companies

Contentious Regulatory advice

- Advising a global financial institution in relation to a regulatory investigation into its policies

and procedures and involving a regulated business. The allegations involve breaches of tax transparency rules and AML related concerns relating to the transfer of assets amounting to \$1.4 billion.

- Advising financial institutions and directors in relation to investigations by the enforcement division of the GFSC

Marketing

- Michael Rogers was noted as a 'key lawyer' in the Legal 500 UK guide 2021
- LexisNexis Insolvency and Restructuring Guide
- Article in Insol on recent Guernsey Insolvency law amendments
- [Ogier acts for joint liquidators of Eagle Holdings Limited | Ogier](#)
- [Court and out of court restructuring options in Jersey and Guernsey](#)
- [Director disqualification: 12 year disqualification penalty imposed in Guernsey](#)
- [Regulatory investigations in Guernsey](#)
- [Regulatory Investigations: what to look out for | The NED Forum](#)
- Ogier acts for Otium Group in loan agreement dispute | Ogier
- [Dispute resolution lawyers stress importance of board minutes in regulatory investigations | Ogier](#)
- [Ogier advises on acquisition of AIM traded company by way of scheme of arrangement | Ogier](#)
- [Appointment of a provisional liquidator for the first occasion in the Royal Court of Guernsey | Ogier](#)

Memberships

- The Guernsey Bar
- Law Society of England and Wales
- Law Society of South Africa
- STEP affiliate member
- Association of Restructuring and Insolvency Experts
- Guernsey International Legal Association

Admitted in:

2022 - Guernsey
2016 - England and Wales
2009 - South Africa

Languages

Afrikaans

English

Examples of work

[View more examples of work >](#)

18 August 2022 | 1 min read

Ogier acts for joint liquidators of Eagle Holdings Limited

Sandie Lyne

Team: Mathew Newman, Michael Rogers, Fay Warrilow

 Guernsey

Case

10 August 2022 | 1 min read

Ogier acts for Equiom in complex cross-border trust case

Mathew Newman

Team: Bryan De Verneuil-Smith, Michael Rogers

 Guernsey

Case

4 August 2021 | 0 min read

Ogier acts for joint liquidators of Maplecross Properties Limited in complicated liquidation

Sandie Lyne

Team: Mathew Newman, Michael Rogers, Fay Warrilow

 Guernsey

Case

12 August 2019

Ogier advises on \$889 million acquisition of AIM traded payment services company by way of scheme of arrangement

Mathew Newman

Team: Bryon Rees, Alex Horsbrugh-Porter, Michael Rogers

📍 Guernsey

Deal

News and insights

[Find out more >](#)

16 June 2023 | 10 min read

Landing the Eagle: Guernsey Royal Court confirms distribution of surplus funds to an indirect external creditor

Sandie Lyne

Team: Michael Rogers

📍 Guernsey

Insight

1 June 2023

Snapshot: being open and cooperative with the GFSC - what does it involve and why does it matter?

Alex Horsbrugh-Porter

Team: Michael Rogers

📍 Guernsey

Insight

1 June 2023

Snapshot: how does the GFSC gather information - and is it protected?

Alex Horsbrugh-Porter

Team: Michael Rogers

📍 Guernsey

Insight

1 June 2023 | 3 min read

Snapshot: overview of the GFSC's enforcement powers

Alex Horsbrugh-Porter
Team: Michael Rogers


 Guernsey

Insight

1 June 2023 | 3 min read

Snapshot: the GFSC's decision-making process and challenging GFSC decisions

Alex Horsbrugh-Porter
Team: Michael Rogers

 Guernsey

Insight

2 February 2023

Five promoted across Ogier's teams in Guernsey

Christopher Jones
Team: Sophie Denman, Michael Rogers, Matthew Macfarlane, Jonathan Branch

 Guernsey

News

14 December 2022 | 2 min read

Three Ogier team members sworn in as Advocates in Guernsey

News

9 December 2022

New developments in Guernsey insolvency: the Guernsey Insolvency Rules

Alex Horsbrugh-Porter
Team: Michael Rogers

 Guernsey

Insight

6 October 2021 | 0 min read

Court and out of court restructuring options in Jersey and Guernsey

Bruce MacNeil

Team: Oliver Passmore, Mathew Newman, Alex Horsbrugh-Porter, Rebecca McNulty, Michael Rogers

📍 Jersey, Guernsey

Insight

Recognition

"Michael is an experienced and professional lawyer who is also very easy to work with. He always keeps us well informed, explaining each stage in the process, and his turn-around time is impressive. A knowledgeable and safe pair of hands"

Citywealth Leaders List 2018

"Michael has added significant offshore litigation experience to the dispute resolution team since he joined the firm at the start of the year, particularly in the area of restructuring and insolvency work, where his qualifications are an asset."

Citywealth Leaders List 2017