

## In your court: Offshore dispute resolution review October 2016

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### Bernie Madoff, the conned investors, and who gets what?

Seven years after he was sentenced to prison for 150 years for frauds worth an estimated \$65 billion, the legal repercussions of the Bernie Madoff prosecution rumble on - the top story of our regular Dispute Resolution Update is about a Cayman Appeal case about repayment to investors, and the extent to which redemptions to investors prior to suspension should be taken into account ahead of final payouts.

Shaun Maloney from our Cayman Dispute Resolution team explains the implications of the Primeo decision - and a second piece explores how the Cayman Islands Court of Appeal decision sits uneasily with the Companies Law.

[Read the Ogier view on the Primeo judgment here...](#)

### What happens when the Appeal Court and the Companies Law collide?

...but that's only part of the story. On the face of it, the Primeo judgment seems to run headlong into Section 37 of the Companies Law.

The Privy Council are next to hear about this case - Rachael Reynolds and Paul Murphy explore the issues in this article [Unresolved questions from Primeo case on funds, creditors and priority](#)

## Headlines, Suspicious Activity Reports and Dubai real estate...

A bank files an SAR to authorities over media reports on a customer's activities. The authorities tell the bank they cannot end the relationship with the customer or transfer the funds. The customer sues the bank. The authorities decline to prosecute. What happens next?

Read Mathew Newman's view on a fascinating regulatory case from Guernsey in this article [Lessons to be learned from a recent Guernsey regulatory matter](#)

## BVI LPA poses the question: when is a lawyer not a lawyer?

As you'd expect, a judgment on the recoverability of fees of foreign lawyers has attracted interest from the legal community.

Nicholas Brookes on a question that has taken some twists and turns in recent months in this article [Recoverability of Costs for non-BVI lawyers](#)

## Dishonest or fraudulent breaches of duty know no limits

Knowing when the clock has started is critical for time limits - but questions of timing are even more difficult when plaintiffs had been unaware of a cause of action.

Nigel Sanders explains a Jersey court ruling that adds some clarity in this article [Dishonest or fraudulent breaches of duty know no limits](#)

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## Meet the Author



Mathew Newman

Partner

Guernsey

E: [mathew.newman@ogier.com](mailto:mathew.newman@ogier.com)

T: +44 1481 752253

## Key Contacts



Rachael Reynolds KC

Global Senior Partner

Cayman Islands

E: [rachael.reynolds@ogier.com](mailto:rachael.reynolds@ogier.com)

T: +1 345 815 1865



Nicholas Brookes

Partner

British Virgin Islands

E: [nicholas.brookes@ogier.com](mailto:nicholas.brookes@ogier.com)

T: [+1 284 852 7366](tel:+12848527366)



Shaun Maloney

Partner

Cayman Islands

E: [shaun.maloney@ogier.com](mailto:shaun.maloney@ogier.com)

T: [+44 1534 514416](tel:+441534514416)

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