

COLLAS DAY | DISPUTE RESOLUTION

Collas Day has the depth of experience and **capability** to handle the most substantial and complex disputes which come before the Royal Court.

The Dispute Resolution team has many years' experience of advocacy before the Guernsey and English Courts. All of the lawyers within the team are fully qualified English solicitors or barristers. The team's wide experience covers a range of disputes focusing on the following sectors:-

Banking and Funds

Banking and fund related disputes are becoming a common feature of the international commercial landscape. The Dispute Resolution team has been involved in a number of high profile banking and fund related litigations.

We regularly provide advice and assistance regarding matters such as:

- tracing actions, asset freezing, disclosure orders and other pre-trial remedies;
- international insolvency and debt recovery;
- enforcement of judgments;
- international fraud and money laundering;
- Redemption, valuation and mismanagement issues in relation to investment funds; and
- contractual disputes regarding loan agreements and security documents.

Trusts and Estates

The Dispute Resolution team has been involved in some of the highest profile trust related cases in Guernsey. We regularly act for trustees, beneficiaries, settlors and protectors on all manner of claims including:

- disputes over the validity of transfers to trusts, constructive trusts, variation of trusts and wills;
- tracing claims including the consideration of sham trusts;

- bringing or defending actions against trustees for breach of trust and negligence;
- representation of minor and unascertained beneficiaries;
- applications to Royal Court for directions by trustees or beneficiaries; and
- family disputes, contentious probate and guardianship issues.

Insurance

The Dispute Resolution team has been involved in a number of high profile insurance and professional indemnity related disputes. The team includes lawyers who have practised at premier (re)insurance litigation firms in London. We are able to provide assistance with policy drafting and regularly provide advice and assistance regarding disputes in the following areas:

- reinsurance contracts and protected cell companies/ incorporated cell companies;
- Professional Indemnity and Directors' and Officers' insurance;
- property insurance;
- Employers' and Public Liability insurance/ Health and Safety;
- delegated underwriting; and
- policy coverage.

Property and Construction

Guernsey continues to experience growth in commercial and private property development. The Dispute Resolution team has a wealth of experience in working to avoid and resolve property and construction related disputes including:

- complex building disputes;
- planning disputes;
- landlord and tenant disputes; and
- professional negligence (architects, engineers, surveyors and project managers).

Alternative Dispute Resolution

The team has experience of international commercial arbitration in forums including London, Paris, Geneva and New York.

Our lawyers understand the value of resolving a dispute prior to it escalating beyond the point of no return. At an early stage, wherever appropriate, we will consider and recommend alternative dispute resolution procedures such as conciliation, mediation and expert determination. The team includes accredited mediators.

Collas Day Dispute Resolution offers an effective one-stop service to assist in the avoidance or resolution of any contentious issue.

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