



## Graeme Halkerston

Call: 1994

ghalkerston@wilberforce.co.uk

### Clerks' Details

+44(0)20 7306 0102  
practicemanagers@wilberforce.co.uk

### Qualifications and Appointments

- Cayman Islands, full admission (2007-2012), limited admissions (2014 to date)
- British Virgin Islands, admission to BVI bar (2015 to date)
- MA (Jurisprudence), Oxford University; Martin Wronker Prize Winner (Tort); President Oxford Union
- LLM, University of Pennsylvania, Thouron Scholar
- Awarded Queen Mother's Scholarship by Middle Temple and Bar Council Stage Scholarship (DG Internal Market)

*“A great tactician, and someone who you would rather have in your tent than in the other side’s.”*

The Legal 500 2022

## Practice Overview

Graeme practices across a wide range of chancery commercial work and is consistently recommended in the leading directories for Chancery Commercial, Professional Liability, Offshore and Company Law. He is noted for ability to work with clients and as part of a litigation team with instructing solicitors, calling on his experience as a former partner in a leading offshore law firm.

This is what the directories recently have said about how he works:

- *“He is very impressive on his feet and good at reading the court and pushing difficult points as far as they can go.”* Chambers & Partners
- *“Very user-friendly, detail-oriented and knows Cayman procedure very well indeed.”* Chambers & Partners
- *“He knows his stuff as a technical lawyer extremely well.”* Chambers & Partners
- *“Noted for his intellect and responsiveness.”* The Legal 500
- *“Has an amazing capacity for detail and his advice is always spot-on, both legally and commercially. In court he is both authoritative and appealing.”* Chambers & Partners
- *“He does a fantastic job. Very organised and completely driven; I don't know when the guy sleeps”* Chambers & Partners
- *“He is the complete package as he's very imaginative and highly focused”* Chambers & Partners
- *“He is a very good and tenacious advocate”* Chambers & Partners
- *“A great operator and team player, who is extremely knowledgeable”* The Legal 500
- *“He gives realistic advice, manages expectations and is very approachable”* Chambers & Partners
- *“He has a real passion for the job that comes through, and he is a brilliant strategist”* Chambers & Partners
- *“An outstandingly good litigation lawyer”* The Legal 500
- *“His brilliantly quick mind cuts through the noise to get to the heart of the issues quickly”* Chambers & Partners



---

## Publications

- "Freeze, Seize and Squeeze – Global Asset-Tracing Case Study" (2017), Speaker ACFE UK Annual conference.
- "How to Find Money and Make Sure It Stays Put", (2017) Speaker, offshore asset tracing panel, American Bankruptcy Institute, Caribbean Insolvency Symposium, Cayman Islands
- "Worldwide Freezing Orders in aid of foreign proceedings after *Meridian v Batista*" (2017), Speaker, Wilberforce Cayman Conference
- "Enforcement of foreign non-money judgments at common law in offshore jurisdictions: back to basics" (2015), *Trusts and Trustees* 21(9), 969-980
- "Onshore derivative litigation and offshore companies: ARC Capital; a temporary blip?", (2015) *International Corporate Rescue*, 12(1), 48-53
- "Fairfield Sentry: beware – certificates left, right and centre" (2014), *Corporate Rescue and Insolvency*, 7(4), 131-134.
- "English disclosure processes and foreign blocking statutes" (2014) *Trusts & Trustees* 20(9): 943-957
- "Offshore confidentiality statutes and onshore litigation" (2014) STEP Cayman
- "Breach of Warranty of Authority: A Living Fossil" (2012) Wilberforce Professional Liability Seminar
- "*Rubin v Eurofinance*" (2012) Wilberforce News Alert
- "Fairfield Sentry and hedge fund clawback claims: the beginning of the end or the end of the beginning?" (2012) *Corporate Rescue and Insolvency*
- Speaker, Florida State Bar International and Arbitration Conference, Miami, "Hot Topics In International Litigation" (2012)
- Speaker, American Bankruptcy Institute, International Insolvency Symposium, Dublin, "Developments In Offshore Jurisdictions" (2011)

## Company

Disputes about investment vehicles and joint ventures form a significant part of Graeme's company law practice. Unfair prejudice claims, directors' duties, derivative actions and companies owned by divorcing couples are central to many of his recent cases.

His in-depth knowledge of the laws of the major offshore jurisdictions is particularly helpful in such disputes, even when the litigation is taking place in the UK. Chambers & Partners notes that "**he has an encyclopedic knowledge of all things to do with insolvency and company law.**"

### These are examples of his recent company work:

- Representing England-based director in a collapsed property investment company involved in investor litigation in the England, the United States and the BVI.
- Successfully applied for the removal of receivers appointed on an ex parte basis over a company jointly owned and managed by a husband and wife following the wife's application to appoint those receivers in the course of parallel divorce proceedings.
- Acting on offshore minority shareholder appraisal disputes.
- Acted for investor group in unfair prejudice proceedings arising from allegations that assets and opportunities of the business had been wrongly diverted by management to companies controlled by that management. Case involved parallel arbitration proceedings in the Isle of Man arising out of the shareholders' agreement.
- Advised on the application of assets and liabilities of a segregated portfolio investment company and obtained Court approval of a merger of any claims against former management and advisers to permit those claims to proceed in the United States.



---

## Company continued

Providing expert evidence on issues of offshore company law including:

- Opinions on derivative actions, share valuation mechanisms and directors' duties in company litigation in New York. Expert evidence was cited before the New York Court of Appeals.
- Instructed as expert on scope of Cayman fund directors' duties in English High Court litigation.