



Graeme Halkerston

Call: 1994

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Clerks' Details

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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)

Professional Liability

Graeme has a broad range of professional liability experience with particular expertise in cases involving auditors, legal advisers, directors and financial advisers. He is often instructed in cases arising out of the collapse of financial institutions, particularly when there are cross-border issues or parallel regulatory or criminal proceedings. Graeme is happy with cases that provide technical legal challenges, he was the winner of the Martin Wronker Prize for coming 1st in Tort finals at Oxford University.

"Particularly commended for his expertise in finance-related professional negligence matters." The Legal 500

Recent professional liability work includes:

- Representing tax advisers on 8-figure claims by former clients alleging negligent tax advice.
- Advising investor action group on in complaints over management of life-settlement investment fund.
- Acting for England-based director in a collapsed property investment company involved in \$400m investor litigation in the England, the United States and the BVI on claims that the director breached his duties to the company and to investors during the promotion of the company.
- Advising auditors on claim by liquidators of a collapsed global aircraft component supplier.
- Advised directors of insolvent company on claims against the company's bank in calling in loans immediately after re-financing was agreed on terms which extend the personal liabilities of the directors.



Professional Liability continued

- Represented administrators of the Angel Group of companies on application for their removal and responses to allegations of misconduct by their appointing bank and advisers to that bank.
- Provided expert evidence for major accounting firms on issues of Cayman Islands law in New York litigation arising out the Madoff fraud.
- Engaged by FRC in investigations and proceedings following the sale of the Autonomy business to HP and the subsequent \$8bn loss realised on the transaction.
- Acting for FRC in proceedings against directors and auditors connected with derivative losses incurred by Manchester Building Society.