

Litigation and Insolvency

Litigation matters are often complex and cover a number of practice areas. As a result, our Litigation Team has developed considerable experience in all areas of contention and we often act as counsel for both large companies and private individuals. Our lawyers have considerable experience acting in broad commercial disputes, insurance and reinsurance litigation, trust and property litigation, fund litigation, insolvency and restructuring, contentious and non-contentious employment and immigration matters, matrimonial litigation and general family law, debt collection and probate. We regularly appear in all levels of the judiciary, from Magistrates' Court to the Court of Appeal (which is Bermuda's highest appellate Court).

While litigation may be necessary in some cases, we take the time to understand your needs and endeavor to resolve your case by the most efficient means possible. In appropriate cases, our lawyers can advise on the various alternative dispute resolution methods, such as arbitration. In addition, our lawyers can be instructed to make applications to the Supreme Court for interim injunctions on an urgent basis. We understand that litigation can often be stressful, so we do all we can to handle each case as expeditiously and efficiently as possible while always remaining strategic in order to obtain a desirable outcome.

Commercial Dispute Resolution

Commercial disputes often span a myriad of legal areas and consequently raise a number of complex issues. Our Team acts in all areas of business disputes and has the benefit of working alongside our specialist Corporate Department whenever necessary. Our commercial practice includes litigation arising out of the Companies Act, shareholder disputes, partnership disputes, professional negligence, shipping law, contractual disputes and interpretation, conflict of laws, civil fraud, banking and finance, telecommunications and interim injunctions.

Insolvency and Restructuring

Our Team advises on contentious and non-contentious corporate insolvency and the restructuring of solvent and insolvent companies. Our insolvency practice is both international and domestic and includes making and defending winding-up petitions, advising creditors and liquidators, and advising on matters of priority, locus standi, and procedure.

Fund Disputes

Our lawyers act in a wide range of Fund and Financial Services disputes, including acting for and against directors and officers, liquidators, administrators and related professionals. We can also be instructed in matters of fund regulation.

Insurance and Reinsurance

Bermuda has thrived on having an unparalleled reputation as a market leader for the international insurance and reinsurance industries. In response, our lawyers have developed extensive knowledge in litigation arising out of property, marine, political and related risk, and professional indemnity. We can advise on policy wording, act in coverage disputes, fraudulent claims, negligence claims against underwriters, Bermuda Form coverage, directors and officers, and captive insurance matters.

Family and Personal Law

Our Team practices in all areas of family and matrimonial law. When necessary, our lawyers can also advise on related areas, such as property and trust division. Our family work includes matrimonial breakdowns and related finance, provision for children, contact applications and spousal maintenance.

Property and Construction

Our Team works closely with our renowned Property Department in order to provide the greatest representation for our clients. Our work includes commercial and residential lease interpretation and related disputes, breach of covenant litigation, actions of nuisance and trespass, applications for specific performance, misrepresentation, negligence actions against surveyors and architects, interpretation of construction contracts and litigation arising between construction contractors.

Employment and Immigration

We act for both employers and employees whenever disputes arise. In addition, our Team can advise on non-contentious employment and immigration matters, such as advising on and drafting employment contracts and making applications for Bermudian status. We regularly appear in both the Employment and Immigration Tribunals in addition to court-based litigation, and can advise on which forum is appropriate for your case.

Trust Litigation

Bermuda is widely recognized as a leading jurisdiction for the establishment and administration of offshore trusts. As a result, our lawyers are often instructed to act in international trust disputes. Our team also maintains an active local trust practice, which includes constitution of trust disputes, actions for beneficiaries against trustees, applications to act for children including unborn children, variation of trusts, fiduciary duties and powers, constructive and resulting trusts, breach of trust, asset recovery, tracing and dishonest assistance.

Probate

Our lawyers are experienced in conducting thorough probate searches throughout the Island's financial institutions and making applications for probate.

Debt Collection

Our lawyers act for banks, credit unions, businesses and individuals on debt issues. We work to obtain your funds by using vigorous methods that are proportionate to the amount of the outstanding debt.