



Wilberforce Annual

COMMERCIAL LITIGATION CONFERENCE

Fraud, following the money, and where it's going to take you

Wednesday 2 March 2016
1.45pm - 6.30pm 3.5 CPD

The Grange St. Paul's Hotel, 10 Godliman St, London EC4 5AJ

The Wilberforce Annual Commercial Litigation Conference looks this year at the practical issues that often arise, where fraud has been uncovered, in following, preserving and recovering funds and assets dispersed in multiple jurisdictions and in pursuing those who were involved in getting it there.

We will also have expert guidance from the successful Counsel team who appeared in the Supreme Court in *Cavendish* and will be exploring the impact of liquidated damages clauses in differing types of commercial contracts.

Cost: £115 + VAT (£138)

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Timetable

1.45pm	Registration and lunch	4.50pm	BREAK
2.30pm	Welcome from the Chairman - Tom Lowe QC	5.10pm	Urgent injunctions in support of Arbitration Max Mallin & Harris Bor
2.40pm	The scope and application of the doctrine of abuse of process: lessons from recent cases Alan Gourgey QC		<ul style="list-style-type: none">- Section 44 of the Arbitration Act 1996- Threshold requirements- Ancillary orders
	<ul style="list-style-type: none">- Recent authorities on the scope of the doctrine of abuse of process- Abuse of process in the context of parallel foreign proceedings	5.30pm	Freezing injunctions in England and beyond Graeme Halkerston & Nikki Singla
3.00pm	Jurisdiction: throwing a wider net over conspirators and recipients Rupert Reed QC & Nicholas Medcroft		<ul style="list-style-type: none">- Tactics and Tips in getting freezing injunctions- Freezing orders in offshore jurisdictions in aid of High Court proceedings
	<ul style="list-style-type: none">- Identifying the location and character of relevant loss- The use and abuse of anchor defendants to join conspirators- When the appropriate forum may be unnatural	5.50pm	Panel Discussion - 'Cross-examining the fraudster' Ian Croxford QC, Tom Lowe QC, Marcia Shekerdemian QC & Clare Stanley QC
3.20pm	The Fraudster's Assets: using equitable receivers to secure recovery Tim Penny & Tom Robinson	6.30pm	Questions & Closing
	<ul style="list-style-type: none">- Assets held in discretionary trust structures- Shareholdings, pension pots and revenue streams	6.35pm	Drinks Reception in the Sky Bar
3.40pm	Workshops (Please select one)		
W1	Breaking Privilege: The fraud exception Tom Robinson & Edward Sawyer		
	<ul style="list-style-type: none">- What conduct engages the exception: is fraud required?- How strong a case is needed that the conduct took place?- What communications are covered		
W2	Claims against banks and financial institutions caught up in fraud Nick Medcroft & Elizabeth Houghton		
	<ul style="list-style-type: none">- Do banks owe a duty to spot fraud?- Banks as money launderers- When are banks on constructive notice?- Unjust enrichment claims against defendants with deep pockets		
W3	Penalty clauses after <i>Cavendish</i>: the way forward Joanna Smith QC, James McCreath & Simon Atkinson		
	<ul style="list-style-type: none">- The impact of <i>Cavendish</i> on liquidated damages clauses in differing types of commercial contracts- Likely areas of dispute and scope for litigation- drafting tips: how to maximise the chances of liquidated damages clauses being enforceable in court		



BOOKING FORM

By Email

Scan and email us a copy of the booking form to seminars@wilberforce.co.uk
You can also download this form from our website www.wilberforce.co.uk

By Post

Alternatively you can post a hard copy of the booking form and cheque to:
Seminar Bookings, Wilberforce Chambers, 8 New Square, Lincoln's Inn, London WC2A 3QP, (DX: 311 Chancery Lane)

Booking Contact: seminars@wilberforce.co.uk T: +44 (0) 207 306 0102 Contact person: Vanessa Hadebe

The fee must be paid in advance of the conference to guarantee your place. We regret that no refunds will be made in the event that delegates are unable to attend. Please contact us directly for Group Booking Discounts for 5 or more.

Payment:

Conference: **£115 + VAT (£138)**

I will be paying by:

Cheque* BACS

*Please make cheques payable to 'Wilberforce Chambers'.

An invoice will be sent out upon receipt of your booking, it will include our BACS payment details

I enclose a cheque for £	to reserve	(places)
Name(s)	Position	
Firm		
Email	Telephone	
Address		
Special Requirements		

WORKSHOPS

Please select the following workshop that you would like to attend at the conference (places for each workshop are allocated on a 'first-come, first-served' basis)

WORKSHOP 1 - **Breaking Privilege: The fraud exception**

WORKSHOP 2 - **Claims against banks and financial institutions caught up in fraud**

WORKSHOP 3 - **Penalty clauses after *Cavendish*: the way forward**