AFR Executors (Guernsey) Limited v-Cooney and ors

September 2015

Acted in defending proceedings seeking to set aside a settlement agreement in order to conclude a long standing dispute between the parties concerning the running and management of family controlled companies/trusts based in Guernsey.

It was alleged that a former company director of a holding company, owed fiduciary duties to the deceased settlor and that the deceased was unduly influenced into signing the agreement.

Although the matter settled at mediation, the parties had throughout the case adopted the principles as set out in Hitchins v Hill*, the leading authority in Guernsey on undue influence.

*Collas Crill acted for the successful Plaintiffs in Hitchins v Hill, 2011

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