**REBECCA MOSELEY**

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Qualification date (England and Wales): 15 March 2017

Admission to the Grand Court of the Cayman Islands: 23 August 2022

**EMPLOYMENT HISTORY**

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| August 2022-presentSeptember 2020-July 2022 | **Walkers Cayman LLP*****Associate (Insolvency and Dispute Resolution)***Disputes associate working on a wide range of commercial disputes and insolvency matters.**Payne Hicks Beach LLP*****Associate (Dispute Resolution team)***Disputes associate with a particular focus on contentious trusts and probate but also working on general commercial disputes and contentious tax matters. |
| March 2015-August 2020 | **Bryan Cave Leighton Paisner LLP (formerly Berwin Leighton Paisner LLP)*****Associate*** *(March 2017-August 2020)****Trainee solicitor*** *(March 2015-March 2017)*Seats included: Commercial Dispute Resolution, Corporate Tax, Commercial (secondment to Tesco plc) and Corporate Finance. |
| Summer 2012 | **Various vacation schemes** |
| March 2010-June 2012 | **Highbury Grove School** ***Careers and University Adviser*** |
| September 2008-March 2010 | **HM Treasury*****Policy Officer* *(Global Economics team*)** *(March 2009-March 2010)****Personal Assistant and Business Support*** *(September 2008-March 2009)* |

**REPRESENTATIVE MATTERS**

***Commercial and general litigation***

Acted for one of the defendants in a large scale commercial litigation in respect of claims brought against him for breach of fiduciary duty, fraudulent misrepresentation and breach of warranty:

* Drafting affidavit and witness statement in relation to associated freezing order.
* Contributed to pleadings.
* Preparation for, and attendance at, a preliminary issues hearing for strike out/summary judgment.
* Overseeing the review of our client’s disclosure, including careful consideration of privilege.

Advising the ultimate owner (a corporate trustee of a BVI trust) in relation to proceedings intimated against its subsidiary by the administrators of a UK company (in relation to claims for dishonest assistance and transactions to defraud creditors):

* Working alongside the solicitors for the defendant company to ensure the company’s response to the letter of claim was consistent with the trust position.
* Considering issues of common interest privilege in disclosure.

Advising an individual in relation to potential claims for breach of contract and breach of fiduciary duty against his former business partners following a number of failed commercial property transactions:

* Working alongside multiple Counsel to consider ways around considerable hurdles in relation to limitation.
* Considering appropriate means of alternative dispute resolution with the client.
* Considering the options for different potential defendants.

Acting for the potential claimant in relation to intimated professional negligence claims against his former solicitors and Counsel in respect of erroneous trust advice:

* Replying to defendants’ response to our letter of claim – including considering defences in respect of limitation and “reasonable advice.”
* Negotiation of standstill agreements.
* Considering an appropriate settlement sum and when to deploy.

Advised the client on the potential for a future professional negligence claim against its tax advisers in respect of the termination of a Share Incentive Plan:

* Drafted a note of advice considering the potential for claims in both contract and tort and defences that the tax advisers could run.
* Suggested amendments to the comfort letter the tax advisers were providing in order to strengthen any future negligence claim.

Two separate cases of enforcement action being taken against a difficult litigant in person, including through interim charging orders and bankruptcy proceedings. Work has included:

* Drafting witness statement.
* Attendance at multiple hearings.
* Liaising with trustee in bankruptcy and familiarity with bankruptcy court procedure.
* Considering an application for a Civil Restraining Order.
* Considering the rules for registering foreign judgments.

Providing advice to a foreign national as to implications of a freezing order made against him and preliminary consideration of potential civil claims under international law in relation to the collapse of a foreign bank in which the client had an interest:

* Advising on the extent to which a freezing order could be used by the Home Office as evidence of criminality in an asylum claim.

***Contentious Trusts and Probate***

Acting for the defendant trustee of a Jersey charitable trust in a sham trust claim brought by the estate administrators of the alleged settlor:

* Inputted into pleadings.
* Advising on tactical approach, including in light of various tax consequences.
* Attended a without prejudice meeting with the plaintiffs and their legal advisers.
* Considering difficult issues in respect of legal professional privilege in the context of disclosure.
* Drafted advice note on the potential for our client to bring a fraudulent misrepresentation claim against the estate of the deceased.

Advising the trustees of a BVI trust in relation to their role in a wider settlement concerning an estate of significant value (c.£300m):

* Attendance at mediation and input into settlement agreement.
* Considering the potentially negligent advice of former advisors to the deceased and the extent to which this impacts releases to be given in the settlement.
* Considering the potential need for a blessing application in the BVI Courts.

Acting for the trustees in relation to their role in divorce proceedings between two of the beneficiaries:

* Drafting witness statement and contributing to responses to the Wife’s questionnaire.
* Responding to the Wife’s belated application for expert valuation evidence.
* Advising trustees on the need to maintain a neutral stance whilst also protecting the interests of all beneficiaries.

Advising the executor of an estate that was both a potential claimant in a common interest constructive trust/ unjust enrichment claim and the defendant in a 1975 Act claim.

* Correspondence with the solicitors for the wife of the deceased, including a letter before claim.
* Advising client on the merits of both claims.
* Attending a mediation that resulted in a beneficial settlement for our client and his family.
* Drafting a deed of variation in light of the potential for adverse tax consequences.

Advising the charitable beneficiary of an Israeli will on the proposals to vary the will in order to make use of the UK inheritance tax charitable exemption:

* Participating in multi-party discussions as to the best way to achieve the variation in light of resistance from the executors.
* Consideration of the conflict of laws position between Israeli and English law.

Acting for trustees in relation to intimated claims for breach of trust and/or mismanagement of trust properties (made in the context of a 1975 Act claim):

* Advising on the conflict of interest between our clients’ position as trustees and executors.
* Considering the approach to be taken with regard to errors made in respect of the past administration of the trust.

**EDUCATION**

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| 2012-2014 | **University of Law, London Moorgate*** Legal Practice Course (Distinction)
* Graduate Diploma in Law (Distinction)
 | } LLB, 1st class |
| 2005-2008 | **University of Exeter*** English BA (Hons)(2:1)
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| 1998-2005 | **Bishop Stopford School, Kettering*** A Levels: English (A), Economics (A) Psychology (A)
* 11 GCSEs: 5A\*s, 6As
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**PROFESSIONAL QUALIFICATIONS**

* Society of Trust and Estate Practitioners - Advanced Certificate in Administration of Trusts
* Society of Trust and Estate Practitioners - Advanced Certificate in Taxation of Trusts and Estates
* Association of Contentious Trust and Probate Specialists – Associate Membership Course

**BUSINESS DEVELOPMENT INITIATIVES**

* Drafting client briefing notes on disclosure and legal professional privilege – including the impact of the General Data Protection Regulations and the possibility of a Data Subject Access Request. Delivered presentation to a group of Swiss trustees on the same.
* Co-authored an article for LexisPSL on recent developments on setting aside trust instruments on the grounds of mistake.
* Produced various blog posts for BCLP’s external website.
* Member of ConTrA (Contentious Trusts Association).