

# Curriculum Vitae: Jonathan Stroud

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## Education and Qualifications

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Solicitor (England & Wales) / Attorney-at-law (Cayman)	Date of Admission:	1 April 2015 / 16 February 2022
2011-2012: Cardiff University	Legal Practice Course:	Commendation
2010-2011: Oxford Institute of Legal Practice	Graduate Diploma in Law:	Merit
2003-2006: Swansea University	B.A. (Hons.) History:	Class II Division I
1996 – 2003: Bassaleg School, Newport	'A' Level:	English Literature (A), History (A), Sociology (C)
	Advanced Level:	English (Merit)

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## Legal Career History

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January 2022 – date	Bedell Cristin (Cayman)
	Senior Associate (*promoted September 2022, pending approval from WORC)
February 2017 – December 2021	Acuity Law Limited
	Senior Associate (from June 2020)
August 2015 – January 2017	Hugh James Solicitors
	Solicitor
September 2012 – August 2015	Acuity Law Limited
	Trainee Solicitor / NQ Solicitor
	Seats in Litigation, Corporate and Banking, Real Estate and Commercial Projects and Public Law.

## Experience and Notable Work

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Experienced in litigating high value claims in the Financial Services Division of the Grand Court of the Cayman Islands, with a particular focus on insolvency litigation, shareholder disputes and litigation involving allegations of civil fraud.

Experienced in advising on a broad range of disputes in England and Wales, typically litigated in specialist divisions of the High Court, including the Technology and Construction Court, the Commercial Court and the London Circuit Commercial Court. Experienced in director/shareholder disputes (including just and equitable winding up petitions), civil fraud, international arbitration, complex contractual disputes particularly in the renewable energy and waste sectors.

Experienced in various forms of Alternative Dispute Resolution including mediation, early neutral evaluation, and arbitration under LCIA and ICC Rules.

Recent notable work includes:

### **Cayman Islands**

- *In the matter of Global Cord Blood Corporation (FSD 108 of 2022 (IKJ))*. Acting on behalf of a majority shareholder in respect of a winding up petition brought in relation to an Cayman incorporated, NYSE listed company with its primary business operations in Hong Kong SAR on just and equitable grounds arising from a disputed transaction. The likely value of the losses suffered by the Petitioner are in the region of US\$1 billion. The litigation is multi-jurisdictional with proceedings issued in both Cayman and the BVI with further issues of New York law involved as a result of the company's listing on the NYSE. This matters has involved numerous interlocutory applications, including cross applications for interim injunctive relief in Cayman and BVI, an application for validation of the disputed transaction under s.99 of the Companies Act (2022 Revision) ("Companies Act") and the appointment of Joint Provisional Liquidators pursuant to s.104(2) of the Companies Act.
- In supporting the lead Partner, this involved *inter alia*: (a) drafting *inter partes* correspondence on all litigated issues, (b) drafting the various interlocutory applications made on behalf of the Petitioner throughout the proceedings, (c) drafting evidence in support of the Winding Up Petition, (d) drafting instructions to Leading Counsel, (e) attending and participating in conference calls with the client, onshore counsel and Leading Counsel (f) taking responsibility for day to day client correspondence and correspondence with the Court, (g) drafting/contributing to the drafting of skeleton arguments (h) preparing hearing bundles and (i) attending Court in support of Leading Counsel.
- *In the matter of North Sound Pharmaceuticals Inc.* Acting on behalf of a petitioner in winding up proceedings arising from a c.US\$7.5m debt.
- In supporting the lead Partner, this involved *inter alia*: (a) drafting *inter partes* correspondence, (b) preparing written advice for the client, (c) drafting the Winding Up Petition and supporting documents, (d) drafting supporting evidence, (e) taking responsibility for day to day client correspondence and telephone calls.
- *Trunina & Ors v. Peters International (Cayman) Ltd & Ors.* Acting for a group of Russian claimants in proceedings in the Cayman Islands arising from an allegedly dishonest scheme involving loan notes issued by a prominent Russian bank which was allegedly conceived and implemented at the direction of a Russian oligarch. Advising on issues common to cross-border litigation, including issues of forum and service out of jurisdiction as well as those arising from

the imposition of UK financial sanctions as a result of the war in Ukraine.

- In supporting the lead Partner, this involved *inter alia*: (a) drafting *inter partes* correspondence on all litigated issues, (b) taking responsibility for day to day client correspondence, (c) advising in writing and by telephone on a regular basis on issues such as forum and service out of jurisdiction, (d) drafting an application to come off the record in light of issues arising from the imposition of UK financial sanctions, (e) drafting licence application for submission to the Secretary of State.

### **England & Wales**

- *Amey Highways Ltd v. West Sussex County Council [2019] EWHC 1291 (TCC)*. Advising WSCC in its defence of a £28 million procurement challenge brought by disappointed bidder, Amey. Having been unsuccessful at first instance in the TCC, the proceedings were settled at mediation following WSCC's successful application for permission to appeal in the Court of Appeal. Stuart-Smith J.'s decision at first instance is widely recognised as having changed the previous understanding of the law on the legal consequences of a public authority's decision to abandon a procurement. (Trowers & Hamblins LLP instructed by Amey).
- In support of the lead Partner this involved *inter alia*: (a) reviewing and advising on merits of procurement challenge from its inception to the conclusion of the proceedings at mediation, (b) drafting *inter partes* correspondence, (c) instructing Leading Counsel throughout the lifetime of the proceedings, (d) settling pleadings in conjunction with Leading Counsel, (e) taking responsibility for the conduct of a heavy electronic and hard copy disclosure phase, (f) drafting evidence in response to the Claimant's specific disclosure application, (g) taking responsibility for negotiation and discharge of all case management directions, (h) attending Court (3-day trial in the TCC), (i) drafting permission to appeal application, (j) attending mediation, (k) drafting and advising on settlement agreement and (l) responsible for day-to-day client correspondence.
- Acting for a group of shareholders in their breach of contract claim against a Danish pension company for deferred consideration exceeding £10 million following the sale of a renewable energy plant in 2014. Herbert Smith Freehills LLP instructed by the defendant.
- Taking full conduct of the case which included *inter alia*: (a) reviewing the papers and preparing written advice on merits of contractual claim and counterclaim advanced by Defendant, (b) instructing Leading Counsel, (c) liaising with litigation funders and advising the client on litigation funding offer, (d) settling pleadings with Leading Counsel, (e) issuing High Court proceedings, (f) drafting *inter partes* correspondence, (g) attending mediation, (h) advising on settlement options and drafting settlement agreement, (i) taking responsibility for all day to day client correspondence, (j) instructing expert in technical expert in waste management regulations.
- Acting for a former director of Merrill Lynch in relation to a breach of contract claim worth approximately £8 million. Working in conjunction with US Counsel in respect of related proceedings in California and Delaware.
- Taking full conduct of the case which included *inter alia*: (a) reviewing the papers and preparing written advice on merits of the claim, (b) instructing Leading Counsel, (c) negotiating and dealing with all case management directions, (d) drafting evidence in opposition of a strike out of statement of case application, (e) liaising with US Counsel in respect of parallel proceedings in California and Delaware, (f) drafting all *inter partes* correspondence, (g) taking responsibility for all pre-trial preparation, (h) supervising a junior associate and trainee throughout the proceedings (i) taking responsibility for all settlement negotiations, drafting and advising on settlement agreement.

- *Roxbury Developments Limited v. Messrs Stanley*. Advising Roxbury in a High Court claim for damages in the region £5 million arising from a breach of an option agreement. Successfully defended a Part 20 claim which brought claims of fraud, deceit, and forgery. Obtained advantageous settlement at mediation shortly before trial.
- Taking full conduct of the case which included *inter alia*: a) reviewing the papers and preparing written advice on merits of contractual claim and counterclaim advanced by Defendant, (b) instructing Leading Counsel, (c) drafting summary judgment application and evidence in reply to summary judgment application made by Defendant, (d) drafting all inter partes correspondence, (e) attending interlocutory hearings in support of Leading Counsel, (f) negotiating and dealing with all case management directions, (g) supervising a junior associate and trainee throughout the proceedings, (h) drafting settlement offers (including Part 36 offers) and advising thereon, (i) attending mediation, drafting settlement agreement and Tomlin Order.
- *Loches Capital Limited v. Goldman Sachs International*. Assisting in Loches' \$100m claim against Goldman Sachs arising from the 2007 merger of Arcelor and Mittal. Included a substantial application for pre-action disclosure (the decision now being cited as the primary authority on the law in relation to PAD applications). (Freshfields Bruckhaus Deringer LLP instructed by Goldman Sachs).
- In support of the lead Partner this involved *inter alia*: (a) conducting research, (b) instructing Leading Counsel, (c) liaising with foreign Counsel in Luxembourg, (d) assisting in drafting *inter partes* correspondence, (e) assisting in draft pre-action disclosure application, (f) assisting in drafting collateral purpose application to rely on evidence obtained for use in SEC complaint, (g) working as part of the team in advancing the claim (including two Partners, three associates and a trainee), (h) attending pre-action disclosure application (3 days in High Court, London), (i) reviewing pre-action disclosure of Defendant.
- Representing a minority shareholder in unfair prejudice proceedings under s.994 of the Companies Act 2006 worth approximately £15 million and involved issues of civil fraud and potential requirement for asset tracing.
- In support of lead Partner this involved *inter alia*: (a) instructing Counsel, (b) drafting *inter partes* correspondence, (c) taking conduct of day to day client correspondence, (d) settling s.994 petition with assistance of Lead Counsel, (e) drafting written advice in respect of the merits of the s.994 claim, (f) supervising junior associate.
- Defending a £40m breach of warranty claim brought under LCIA Rules arising from an M&A transaction on behalf of a group of selling shareholders. (Three Crowns LLP instructed by the claimants).
- Taking primary conduct for the proceedings: (a) drafting inter partes correspondence, (b) taking responsibility for day to day client correspondence, (c) advising on LCIA Rules and procedure, (d) advising in writing on merits of claim, (e) drafting LCIA directions, (f) drafting LCIA written Reply, (g) advising on application for security for costs in the LCIA forum, (h) instructing Counsel, (i) instructing forensic accounting expert, (j) attending case management hearings in support of Counsel, (k) supervising junior associate and trainee, (l) conducting legal research.

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## References

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1. Mr Hugh Hitchcock  
Senior Partner, Head of Litigation & Dispute Resolution  
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