

## WHO WE ARE



### KYLE BROADHURST

Partner | Litigation

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Kyle Broadhurst is a respected and leading advocate in complex civil litigation and administrative tribunal proceedings in the Cayman Islands. He represents plaintiffs and defendants in a wide variety of disputes including bankruptcy and insolvency, negligence and personal injury, construction and property disputes. He also maintains an active commercial and general practice providing advice with respect to company formation and management, estates and trust, real estate (including lending, security and enforcement), and strata law.

Kyle trained as a barrister at the Inns of Court School of Law in London, England and was called to the bar of England & Wales in 2000. He commenced his law practice in the Cayman Islands in 2001. Kyle has acted in numerous significant disputes at all levels of court and has appeared in over thirty reported cases.

#### Representative matters include:

- *In the Matter of Wimbledon Financing Fund*, acted as counsel on behalf of investors to obtain winding up order with respect to US\$ 100 Million dollar hedge fund. Currently instructed by the Joint Official Liquidators with respect to the liquidation of the fund.
- *In the Matter of William H. Millard*, [2013] 2 CILR 83, 404; [2014] 1 CILR 342 C.A., acted as counsel in bankruptcy proceedings arising from a US\$123 Million dollar foreign tax judgment.
- *Masri v. Consolidated Contractors International Company SAL & Anor* [2011] 1 CILR 79, acted as counsel to defendant in proceedings successfully setting aside order granting leave to serve enforcement proceedings relating to a US \$65 Million dollar judgment outside the jurisdiction.
- *Masri v. Consolidated Contractors International Company SAL & Anor* [2010] 1 CILR 265 acted as counsel to defendant in proceedings successfully setting aside order granting recognition of foreign receivership.
- *Name Administration v. Balglow Finance & Anor* acted as counsel to plaintiff in declaratory proceedings concerning the registration and use of a domain name.
- *Tom Jones International v. Attorney General of the Cayman Islands*, [2010] 2 CILR Note 3, acted as counsel to contractor in court and arbitration proceedings concerning the largest government construction project in the Cayman Islands.
- *Micro Industries Inc v. Condoco Grand Cayman Resorts Ltd.* [2002] CILR 289, [2003] CILR 1, acted as counsel to purchaser concerning a dispute with respect to the size of a multimillion dollar condominium unit at the Ritz Carlton in the Cayman Islands.
- *Bodden v. Solomon* [2008] CILR 385, [2004-05] CILR 397, acted as counsel to a plaintiff who suffered catastrophic brain and orthopedic injuries and required lifelong assistance. Liability was disputed but established at trial. Final award was one of the highest personal injury awards in the history of the Cayman Islands.
- *Blakeman v. Bowen* (2012), acted as counsel to a plaintiff who was struck by a vehicle while crossing road. Plaintiff suffered severe orthopedic injuries and a traumatic brain injury. Liability was disputed. Matter was settled.
- *Bodden v. Thompson* (2012), acted as counsel to a plaintiff who suffered severe injuries to the left arm and a traumatic brain injury. The matter was settled at trial.

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- *Farrell v. Bodden [2013] 2 CILR 421*, acted as counsel to plaintiffs who were struck by vehicle while crossing a road. The male plaintiff suffered severe orthopedic injuries and a traumatic brain injury. The female plaintiff suffered severe orthopedic injuries. Liability was successfully established at trial and judgment obtained.
- *Governor v. Information Commissioner [2013] 2 CILR 421, [2015] (1) CILR 258*, acted as counsel to the Information Commissioner of the Cayman Islands with respect to the two judicial review proceedings addressing the Freedom of Information Law.
- Regularly acts on behalf of Category "A" Banks in the Cayman Islands with respect to lending facilities and placement of security.
- Regularly acts on behalf of vendors, purchasers and lenders in connection with real estate transactions; also regularly instructed to represent strata corporations and members of strata corporations.
- Acted in numerous contentious and non-contentious strata and real estate law matters, including the following representative cases:
  - Instructed by residence owners in the Ritz Carlton development concerning the receivership of the developer, the sale of the development, and the ongoing management of the strata corporations.
- Regularly acts in both contentious and non-contentious matters in trust, probate and estate matters, including the following recent representative cases:
  - Coordinated the recovery of multi-million dollars in assets for an intestate's estate in circumstances where the information of the assets of the deceased was extremely limited and the assets were spread across multiple jurisdictions.
  - Successfully obtained a guardianship order on behalf of disabled individual's family.
  - Acted on behalf of respondent to guardianship proceeding concerning issues relating to the ownership of joint assets (*In re Goldemberg [2007] CILR Note 8, [2008] CILR 36*).
  - Regularly instructed to prepare wills and trusts and to provide advice to executors, administrators and trustees.

#### **Education; Professional Achievements and Community Activities**

Kyle received his Bachelor of Arts from Queen's University and his Bachelor of Laws from the University of Liverpool. He successfully completed the Barristers Vocational Course at the Inns of Court School of Law and was called to the Bar of England in 2000 (non-practicing). Kyle was admitted as an Attorney-at-Law in the Cayman Islands in 2001. He is an accredited mediator and Notary Public. In 2012 he obtained his STEP Diploma in International Trust Management.

Kyle served as a counselor on the Cayman Islands Chamber of Commerce in 2010 and 2011. In 2015 Kyle was elected as Vice President of the Chamber and is currently serving as the President Elect. In 2015, Kyle also attended and graduated from the Leadership Cayman program. Kyle now serves as the chair of the Leadership Alumni Committee.

In 2008, Kyle coordinated the creation of a youth flag football league. He continued to coordinate the league for the following seven years. The league is extremely popular and Kyle continues to coach each season.