

drafted and then ignored if that does not fit with an argument that a party wishes to advance.

### *Claims against Counselor and Sobaldo*

9. This claim by the Wife relates to the Monetary Assets previously held at UBS in Switzerland by Cotor. In December 2016 all those assets were transferred into bank accounts held by Liechtenstein trusts of which Counselor and Sobaldo are trustees. The Wife's case is that the purpose of those transfers was to put the Monetary Assets beyond her reach, and she relies on the following:
  - a) all the Identified Assets were transferred into Liechtenstein trusts in the weeks immediately before trial in December 2016. This took place in a context where the Husband's lawyer had described a strategy of moving assets to a jurisdiction which did not enforce English judgments (as is the case in Liechtenstein);
  - b) following judgment and the initiation of proceedings by the Wife in Liechtenstein, the trustees took further steps to move the assets into yet further Liechtenstein trusts to make them harder to trace and recover;
  - c) Haddon-Cave J held that the Husband has engaged, and continues to engage, in an "*elaborate and contumacious campaign to evade and frustrate the enforcement of the judgment debt against him*". The Husband is said to have described the English court's judgment as being "*worth as much as toilet paper*";
  - d) The Liechtenstein criminal courts have repeatedly concluded that there is a concrete suspicion of fraudulent bankruptcy and money laundering in respect of these transfers.
10. Counselor and Sobaldo have presently offered no defence on the merits of the Wife's claims. They contend that they are unable to plead to the facts because of Liechtenstein secrecy laws and assert that there should be a stay of these proceedings and/or the court's powers should not be exercised extra-territorially in this case.

### *Claims against Temur*

11. The Wife's claims relate to two matters. First, the Husband (including his companies and trusts) transferred some of the Monetary Assets to Temur, namely and as asserted in the Wife's Particulars of Claim (a) US\$50 million transferred on 25 August 2015 at a time when a scheme to transfer the Monetary Assets to the United Arab Emirates had been abandoned; and (b) US\$10 million between May and June 2016 in the months leading up to trial. Second, the Moscow Property was transferred to Temur in 2018 at a time when the Wife was seeking to enforce the judgment abroad. The transfer was carried out in April 2018 by Sunningdale Ltd ("Sunningdale"), a Cypriot company beneficially owned by the Husband, transferring its interest in the Moscow Property to Solyanka Servis LLC, a Russian company. In June 2018 Sunningdale transferred its interest in Solyanka Servis to Temur.
12. The Wife contends that Temur played a key role – essentially as his father's lieutenant – in the Husband's strategy of evasion, in particular, by devising and executing the schemes.
13. In his Defence, Temur admits that the English court has jurisdiction to determine the Wife's claims and that he has received over US\$106 million from the Husband (and his companies) in addition to (unparticularised) "*generalised financial provision*", although he does not admit the provenance of these funds. He also accepts that the relevant intention for the purposes of s.423 of the IA and s.37 of the MCA is that of the Husband which he says is outside his knowledge. However, Temur contends that, in late 2013, the Husband told him that he would make available funds so that Temur