

**Mr Justice Haddon-Cave:**

**INTRODUCTION**

1. The Applicant, AAZ (“W”), applies for financial orders ancillary to her divorce from the Respondent, BBZ (“H”).
2. The 2<sup>nd</sup> Respondent (“C Ltd”) is a Cypriot-registered company and the trustee of a Bermudian Discretionary Trust (“the Trust”). H is the sole director of C Ltd. The 3<sup>rd</sup> Respondent, (“P Ltd”), is a Panamanian company which H contends is within the Trust. P Ltd is said to hold the bulk of the wealth in this case. C Ltd and P Ltd were joined to these proceedings by order of Mr Justice Moor on 25<sup>th</sup> October 2016.
3. W’s divorce petition was issued on 24<sup>th</sup> October 2013. H initially sought a stay of W’s divorce proceedings on *forum non conveniens* grounds, in favour of a divorce petition that he had issued in Moscow in February 2014. Subsequently, H withdrew his application for a stay and by letter from his solicitors, Sears Tooth, dated 18<sup>th</sup> June 2015, submitted to the jurisdiction. W’s petition has since proceeded as an uncontested suit. A Decree Nisi was granted on 2<sup>nd</sup> December 2015.

*Respondents’ non-appearance at the trial*

4. A trial of this matter commenced before me in the Queen’s Building at the Royal Courts of Justice on 28<sup>th</sup> November 2016. None of the Respondents appeared or were represented at any stage during the trial. In particular, H failed to appear at the trial in person in breach of orders made by the Court on 27<sup>th</sup> November 2015, 11<sup>th</sup> April 2015 and 25<sup>th</sup> October 2016 (and a promise by Leading Counsel at the Pre-Trial Review hearing on the latter date).
5. On 15<sup>th</sup> November 2016, H’s long-standing matrimonial solicitors, Sears Tooth, wrote to W’s solicitors, Payne Hicks Beach (“PHB”), informing them that they had come off the record. On 21<sup>st</sup> November 2016, PHB wrote to Sears Tooth inquiring whether H intended to play any part in the trial but received no reply. H has never, in fact, appeared in person at any hearing during these matrimonial proceedings. H was ordered to attend the Financial Dispute Resolution hearing on 11<sup>th</sup> April 2015, but shortly before the hearing, informed the Court that he had lost his passport containing his English visa. He attended by video-link from his yacht in the Caribbean.
6. C Ltd and P Ltd have played no part in the trial and have at no stage acknowledged or responded to the proceeding or the case made against them by W.
7. I am satisfied that service of these proceedings and notice of the trial was properly effected on H, C Ltd and P Ltd (see further below).

*Breach of orders*

8. H is presently in breach of numerous Court orders. In particular, H has failed to comply with the following Orders of the Court: