

document seizure orders but those appeals were rejected on 24 April 2018. Counselor and Sobaldo now challenge those decisions before the Constitutional Court. I understand from Ms Dilnot that these complaints remain presently unresolved.

25. The Wife has no access to other documents relating to the criminal proceedings; does not know the factual basis upon which the Public Prosecutor obtained the orders; and does not know if any additional orders have been made. The Liechtenstein first instance and appeal courts have granted the Wife the status of a private party to the criminal proceedings (as victim) and determined that she is entitled to inspect the court files. However, those determinations are the subject of complaints to the Constitutional Court by Qubo 1, Qubo 2 and WalPart, those complaints suspending the effect of these orders, meaning that the Wife is not presently able to access the criminal files.
26. I accept Ms Dilnot's submission that the overwhelming inference is that some or all the Monetary Assets which previously belonged to the Husband and/or Cotor were transferred either directly or indirectly to the Longlaster Trust, the Genus Trust and/or the Carnation Trust. It is the only plausible basis upon which the Public Prosecutor could have obtained orders freezing those assets as being potentially subject to forfeiture as the proceeds of a criminal act or seizing documents on the basis of an investigation into money laundering in the context of the Wife's criminal complaint about the prevention of enforcement.
27. There is very limited publicly available information in Liechtenstein about these entities. What is known is that:
 - a. Counselor is the trustee of the Genus Trust and the Carnation Trust;
 - b. Sobaldo is the trustee of the Longlaster Trust and is itself managed by three of the directors of Counselor (Dr Schurti, Dr E Walch and Mr Hanselmann);
 - c. The trusts were established in October 2016 (Genus Trust), February 2017 (Longlaster Trust) and October 2017 (Carnation Trust);
 - d. and Longlaster Trust was previously named the "Reward Trust" and Sobaldo was previously named the "Return Establishment".
28. The **second source** of information available to the Wife about the Monetary Assets was obtained from banks based in New York pursuant to orders obtained from the US District Court for the South District of New York pursuant to 28 US Code paragraph 1782 (Assistance to foreign and international tribunals and to litigants before such tribunals). On 18 January 2019 and again on 24 April 2019, the District Court granted without notice orders entitling the Wife to conduct discovery aimed, in summary, at identifying international US dollar transactions to/from entities known to be associated with the Husband which had cleared through New York.
29. The relevant banks provided information which revealed that:
 - a. Between 18 January and 12 June 2017 eight transfers totalling US\$37.7 million were made from an LGT account held in the name of the Arbaj Trust to an account held in the Husband's name at UBS in Switzerland;
 - b. On 7 March 2017 US\$350,000 was transferred from Arbaj Trust's LGT account to SDE Consulting Services Limited in London. SDE Consulting Services is a company registered at the offices of Kerman & Co, of which Sebastian Devlin (a former partner of Kerman & Co) was the sole shareholder and director. Kerman & Co were the

advisors who played a central role in implementing the Husband's asset protection strategy. It seems that this payment was likely to be for further asset protection advice to the Husband's benefit;

c. On 13 July 2017 one transfer of US\$7 million was made from a Bendura account held in the name of Counselor Trust Reg. as trustee of the Ladybird Trust to an account held in the Husband's name at UBS in Switzerland;

d. On 22 December 2017 a transfer of US\$4 million was made from Counselor as trustee of the Ladybird Trust to a company (Y.CO) which manages the Vessel, presumably for its operating expenses;

e. On 7 February 2018 a transfer of US\$1,530 was made from the Ladybird Trust's Bendura account to Global Corporate Consultants Inc in Panama bearing the description "BY ORDER OF: STE CAPITAL CORP.S.A INVOICE NO. 789005". STE Capital is the Husband's sons' company, STE being their initials. Global Corporate Consulting's website states that it "*gives primary importance to the design and implementation of programs that provide protection, preservation, privacy and facilitates the control of the assets the client has accumulated and the income derived from them*". This payment appears to represent further expenses incurred for asset protection.

30. Ms Dilnot emphasised that the above did not represent a complete record of all transfers involving entities associated with the Husband as it would not record any transfers within or between Liechtenstein banks or any transfers in currencies other than US dollars. The public register reveals only that the Arbaj Trust was established on 9 January 2017 and its trustee is Counselor and that the Ladybird Trust was established on 21 February 2017 and its trustee is also Counselor.
31. The Wife does not know how money got into the Arbaj and the Ladybird Trusts. Ms Dilnot submitted that there was an overwhelming inference that these Trusts, directly or indirectly, received some of the Monetary Assets. This was the only plausible explanation given that (a) these trusts transferred nearly US\$45 million to the Husband personally as well as funding the operation of the Vessel; (b) they were established relatively soon after the Wife began to take steps in Liechtenstein in January 2017 to enforce the English orders there; and (c) they are managed by Counselor which is part of a number of related service providers used by the Husband to hold assets in Liechtenstein.
32. In conclusion, taking into account the information now available to the Wife, Ms Dilnot submitted that there was very strong evidence that:
- a. Just as the Husband was working with Counselor entities in the run-up to trial with the aim of placing the Vessel and the Artwork beyond the Wife's reach, so was he working with Counselor entities to establish Liechtenstein vehicles, such as the Genus Trust formed in October 2016, to take over the Monetary Assets for the same purpose;
 - b. Some or all of the Monetary Assets transferred to Cotor's LGT account in December 2016 were, very promptly, moved into other Liechtenstein entities and bank accounts managed by Counselor entities;
 - c. After the Wife discovered the use of Liechtenstein vehicles (through cross-examination of Mr Kerman) and started to take steps in January 2017 to enforce the English orders in Liechtenstein, the Monetary Assets appear to have been distributed by