

Guarantors' Indemnity Claims in Insolvency

DENTONS

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In *Re Kaupthing Singer and Friedlander Ltd (in administration)* [2011] UKSC 48, the Supreme Court overturned the Court of Appeal decision in *Re SSSL Realisations (2002) Ltd* [2006] EWCA Civ 7 on how the rule against double proof interacts with the rule in *Cherry v Boulton*. The ruling is likely to be particularly relevant in the context of group insolvencies: where one company guarantees another company's obligations, and both later become insolvent, the ruling will often affect the recoveries.

This article was written for *Corporate Restructuring and Insolvency* by Adam Pierce in SNR Denton's London office.

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