PRETIUM GROUP

CASE STUDY

It ain't over till the lady sings

How Pretium Stepped In Late and Helped Secure a Major Win on Appeal

When it comes to litigation funding, timing is everything...except when it isn't. This case proves that with the right support and expert legal strategy, it's never too late to turn a matter around.

The Background

Pretium was approached to support a complex, long-running piece of litigation that had been brewing for years. Normally, we wouldn't enter a matter this late in the game. But the company in question had only recently entered liquidation, giving the appointed liquidator the opportunity to revisit the matter with fresh eyes—and a new funding partner.

The Problem

The existing pleadings were weak, and mediation had already failed. Still, there was strong belief in the commercial value of the claim. Pretium agreed to fund the matter, but only after receiving advice from a senior barrister on two key fronts:

- Was it still possible to amend the pleadings this late?
- If so, did the amended case have strong prospects of success?

On the strength of that advice, Pretium paid for the application to amend and supported the legal battle that ensued. The insurer's legal team fought tooth and nail to block the amendment—but the liquidator's team prevailed.

The Setback

Trial was the only path forward, and the matter proceeded to court. Against expectations, the judge ruled against the liquidator.

Despite the loss, something strange happened the morning of judgement: the insurer's legal team reached out, urging a settlement. They claimed that their offer was near the policy cap. It was a red flag that the judgement might be harsh or contestable.

The Turnaround

Pretium wasn't ready to walk away. We engaged one of the most senior barristers in the field to review the judgement. His advice? Appeal.

With our backing, the appeal was lodged. The result? A unanimous victory for the liquidator.

And when the other side tried to appeal to the High Court? Denied. It never even got through the gates.

The Takeaway

This matter didn't go to plan. But it shows the real power of litigation funding:

- The liquidator bore no financial risk beyond their time.
- All disbursements were covered by Pretium.
- We funded legal advice, pleadings amendments, trial preparation, appeal proceedings and even potential adverse costs exposure.

When things got tough, we doubled down.

Because at Pretium, we wear the risk, so our partners can stay focused on outcomes.

Want to know what funding could unlock in your next matter? Connect with Pretium to explore a tailored solution.

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