



MAPLES
GROUP

Dispute Resolution & Insolvency

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We offer a broad range of dispute resolution and insolvency services, bringing an unrivalled depth of experience to each dispute and ensuring that you receive fast, accurate and pragmatic advice.

We are at the forefront of cross-border litigation and contentious and non-contentious restructuring in our practice areas providing an international perspective alongside in-depth local expertise.

We put a premium on teamwork and understand the importance of working closely with our clients, co-counsel and colleagues across other departments and offices to provide you with the best possible outcome. We act for both plaintiffs and defendants and debtors and creditors allowing our team to provide a 360 view on strategy.

Our [lawyers](#) are experienced advocates and appear at all levels of the court system and arbitration processes.

Appraisal Rights & Merger Litigation

The [Cayman Islands](#) merger regime contains appraisal rights for dissenters permitting shareholders who dissent from a merger to apply to the Court to determine the fair value of their shares. This is a relatively new and evolving jurisprudence in a highly technical area involving complex valuation evidence.

We have unparalleled experience in this area. Our lawyers have acted either on the dissenter or company side in every fair value trial which has come before the Cayman Islands Court to date and we are currently acting in the majority of petitions currently before the Cayman Islands Court.

Recent cases include:

- Nord Anglia Education (acting for the Petitioning Company)
- Zhaopin Limited (acting for the Petitioning Company)
- Xiaodu Life Technology Limited (acting for the Petitioning Company)
- E-House China Holdings Limited (acting for the Petitioning Company)
- E-Commerce China DangDang Inc. (acting for the Petitioning Company)
- Shanda Games Limited (acting for the Dissenters)
- Integra Group (acting for the Dissenters)

Civil Fraud & Asset Tracing

Our [lawyers](#) are experienced in dealing with civil and equitable fraud claims, allegations of unlawful conduct against directors and allegations of money laundering. Often such allegations form part of a shareholder's claim for minority oppression, an application to appoint provisional liquidators or injunctive relief.

We also have significant experience in actions taken to preserve property and restrain unlawful dealings in assets, for example, by obtaining (or defending) freezing and disclosure injunctions. We often work with investigators and forensic accountants to identify assets subject to litigation and to adopt strategies to have them retained pending the outcome of a case.

Construction Litigation

Our market leading Dispute Resolution team regularly advises the construction industry in [Ireland](#), the UK and other jurisdictions, including public and private sectors.

Given the nature of construction disputes, arbitration is frequently the preferred dispute resolution mechanism. We have significant expertise in this area in addition to expert determination, mediation, adjudication and, particularly, conciliation. In all of these cases, we perform our own advocacy, obviating the need for outside counsel.

Corporate Restructuring & Insolvency

Our Corporate Restructuring & Insolvency team has a preeminent track record. Whether acting for distressed debtors, institutional lenders or investors, liquidators or other court appointed officers, our team delivers creative solutions to complex problems in multiple jurisdictions.

Often this involves close coordination with overseas counsel in the world's leading financial centres and, where necessary, facilitating cooperation between the relevant courts.

From consensual restructurings and rehabilitations, to contentious and non-contentious insolvency proceedings, we continue to be recognised as a market leader and have acted in countless high profile collapses and crisis events across the globe.

Disputes

The management of risk and the efficient, effective resolution of disputes is a core part of business strategy. Our global litigation practice focuses as much on strategies designed to avoid disputes and mitigate risk as it does on active dispute resolution procedures.

Our lawyers practise [British Virgin Islands](#), [Cayman Islands](#) and [Irish](#) law and provide support and assistance in respect of proceedings in numerous other jurisdictions around the world, where we have valued relationships with the leading international law firms.

Our areas of specialisation include:

- Banking disputes
- Commercial property disputes
- Construction and engineering disputes
- Corporate and commercial disputes
- Employment and corporate disputes
- IP and technology disputes

- Product liability
- Professional negligence
- Public sector and government
- Trust litigation

Employment

Our [lawyers](#) deal with all legal aspects governing the employment relationship. We advise employers on both contentious and non-contentious employment related issues.

We have significant experience in providing advice on all issues such as drafting and negotiating contracts of employment and workplace policies, advising on the procedures required for successfully completing a disciplinary or grievance procedure, advising employers on the Transfer of Undertakings Regulations especially where the employer is part of a complex group structure, advice on redundancy and workplace restructuring.

For more information on our full range of employment services, please click [here](#)

Enforcement of Judgments & Arbitral Awards

We advise on all steps required to recognise and enforce a foreign judgment or arbitral award in the [British Virgin Islands](#), the [Cayman Islands](#) and [Ireland](#) either at common law or under statute.

Lender Enforcement

We are frequently engaged to deal with enforcement of creditors' rights in respect of secured debt. Security enforcement often involves taking steps to enforce share mortgages, or floating / fixed charges and charges over land. The rules and procedures for enforcement in the [British Virgin Islands](#), the [Cayman Islands](#) and [Ireland](#) can differ significantly from those in other jurisdictions, particularly the US.

Procurement, Public Sector & Government

Our team has developed significant expertise with regard to the particular needs of the public sector pertaining contentious matters.

In the construction sector, we have acted for a number of public authorities in respect of litigation arising from public projects. We are also experienced in advising on public procurement issues, both in the public and private sector.

Our [Finance](#) and Banking teams work closely with our Dispute Resolution & Insolvency team, ensuring that you benefit from strategic litigation and disputes advice, founded on extensive experience and expertise of our banking practice. In particular, we have acted for public authorities on matters involving construction litigation and with the National Asset Management Agency in [Ireland](#) on a number of enforcement matters.

Regulatory

Risk management and regulatory compliance principles are constantly changing, internationally and locally. To protect your commercial reputation and viability, such matters need to be handled competently, efficiently and sensitively. As the powers, responsibilities and reach of regulators increase, so does the need to ensure your understanding of your obligations and, more importantly, your rights.

Our [Regulatory & Compliance](#) group has unrivalled experience in the regulatory, disclosure, enforcement and anti-money laundering fields. We distill technical issues while maintaining a commercial focus. We have optimal relationships with key referring firms in the major global centres and regularly advise governmental agencies.

Trust Litigation

We act hand in hand with our colleagues in the [Trusts & Private Client](#) group for trustees, beneficiaries, protectors and other office holders within trust structures in respect of a wide variety of disputes concerning family trusts, unit trusts and charities.

We regularly appear before the [British Virgin Islands](#) and [Cayman Islands](#) Courts on behalf of major institutional trustees on complex trustee direction applications and have assisted and advised protectors and beneficiaries involved in (or who are contemplating bringing) proceedings before these Courts. We have also acted in proceedings to restructure trusts and charities.