

Curriculum Vitae – Niamh McMahon, BSocSc, LL.M.

Attorney at Law – Cayman Islands

Ireland, England and Wales Qualified Solicitor

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PROFILE

I am an Associate Attorney with seven years post qualification experience, currently working in the litigation team at Nelsons, Attorney's at Law in Grand Cayman, Cayman Islands. I practice predominantly in the area of litigation and dispute resolution and have advised corporate and private clients in relation to investment disputes, shareholder disputes, debt recovery, property disputes and insolvency related matters.

EXPERIENCE

June 2022 – present

Litigation Associate - Nelsons

Since joining Nelsons, I have acted for a range of corporate and private clients in relation to investment disputes, shareholder disputes, debt recovery and insolvency related matters.

Matters I have worked on include:

- Acting on behalf of private client in the recovery of loan funds from borrower company and subsidiary companies.
- Acting on behalf of a shareholder in a contested winding up petition.
- Acting on behalf of liquidators in a dissolution application.
- Acting on behalf of an administrator in an application for a court order permitting use of documents held on liquidators in file in foreign proceedings.
- Acting on behalf of shareholders in a debt recovery matter against defaulting members.
- Acting for domestic insurers in relation to motor, public and employer's liability claims.
- Acting for construction company in construction dispute with developer.

January 2019 – March 2022

Associate – DAC Beachcroft

I acted for domestic and international insurers in the defence of personal injury claims, property damage claims, product liability claims and defamation claims. Duties and responsibilities included:

- Managing claims from pre-litigation stages to conclusion, either by negotiated settlement or hearing.
- Providing initial and periodic reserve advice to insurers and maintaining up to date management information databases.
- Reviewing policies of insurance and providing coverage advice.
- Investigation of liability to include, holding liability consultations, obtaining witness statements, engaging appropriate experts and review of discovery documentation.

- Investigation of fraudulent claims.
- Responsible for managing a large number of claims for a self-insured international retailer.

Matters I have worked on include:

- Drafting an opinion on quantum for the French courts in respect of a personal injuries action arising from a road traffic accident in Ireland and prosecuted in France.
- Providing coverage advice to insurers in respect of a policy of insurance held by a building contractor and a third-party claim for defective construction of a number of residential properties, to include interpretation of exclusion clauses, considering time on risk and drafting declinature letter.
- Advising self-insured international retailer in relation to product liability claims relating to alleged defective products imported from outside the European Union.
- Defence of a fraudulent claim whereby the Plaintiff exaggerated the severity and duration of her injuries. Video footage was obtained of the Plaintiff engaging in recreational activities contrary to the evidence presented to medical experts, resulting in withdrawal of the Plaintiff's claim.

October 2019 – March 2020

Seconded – Complex Claims Team, Zurich Insurance

I was seconded on a part time basis to the Complex Claims Team of Zurich Insurance. I handled complex claims involving uninsured vehicles and foreign insured vehicles. Duties included:-

- Review of claims and submitting reserves.
- Carrying out initial liability investigations and liaising with uninsured drivers and witnesses.
- Settlement of pre-litigated claims.
- Instructing external legal teams to litigated claims.
- Liaising with claims handlers in foreign jurisdictions and advising them in relation to Irish quantum and the litigation process.

January 2018 – December 2018

**Solicitor – Eversheds Sutherland
Seconded – AIG Insurance**

I was seconded to the in-house litigation team of AIG Insurance, from Eversheds Sutherland. In this role, I was responsible for management of large volume of litigated files, predominantly financial lines/professional indemnity matters. Duties and responsibilities included:

- Review of instructions and liaising insureds to provide timely initial and periodic advice to claims handlers in respect of liability, quantum/reserves, policy coverage/indemnity and tactics.
- Conduct of full investigations into claims and referral to Special Investigations Unit, where appropriate.
- Negotiation and settlement of claims to achieve early and cost-effective resolution where possible.
- Providing direct advice to policy holders in relation to employment related matters.
- Attendance at hearings at all court levels, to include the Workplace Relations Commission and Labour Court.

Matters I have worked on include:

- Advising on a claim of professional negligence against a lawyer in relation to legal advice given in respect of loan agreements.

- Advising on a claim of professional negligence against a financial advisor in relation to advice given in respect of the tax liabilities of the Plaintiff company.
- Advising on a claim of professional negligence against an insurance broker for failure to notify insurers of a claim against the Plaintiff which resulted in a insurers declining cover.
- Advising on a claim of professional negligence against an architect in relation to the design and construction of a residential housing estate.
- Advising on employment claims brought against a third level institution, to include – unfair and constructive dismissal, discrimination on grounds of gender, equal pay and defamation.
- Advising on a claim of employer's liability against a company for the harassment of a female employee by a co-worker.

April 2016 – January 2018

Litigation Solicitor – McCartan & Burke Solicitors

I was responsible for a large volume of litigation files in an established general practice and advised clients in relation to a variety of different areas. Areas of law and experience included:-

- Civil Litigation: Drafting and issuing proceedings in all jurisdictions; negotiation and settlement of cases; preparation and review of discovery documents; sourcing expert witnesses and reviewing expert reports; and briefing counsel.
- Employment: Dealing with contentious and non-contentious matters, including disciplinary procedures, contracts of employment, redundancy agreements, discrimination and termination of employment; attending investigation and disciplinary meetings with employees; lodging unfair and constructive dismissal cases with the Employment Appeals Tribunal and Workplace Relations Commission.
- Personal Injuries – acting on behalf of Plaintiffs in a variety to personal injuries actions to include road traffic accidents, workplace accidents, slip and falls and assaults.
- Family Law: Acting on behalf of parties to judicial separation and divorce proceedings, including advising on division of assets, pension adjustment orders, child maintenance and access arrangements.

**April 2016 – January 2018
January 2018 – April 2018**

***Trainee Solicitor – Becker Tansey Solicitors
Solicitor – Becker Tansey Solicitors***

Trained in a busy general law practice, predominantly in civil litigation and, following qualification, was responsible for own caseload. Areas of law included civil litigation, personal injuries, defence litigation, family law and conveyancing.

November 2009 – October 2010

Internship - Miyares & Harrington, LLP (Massachusetts, USA)

I completed an internship with an American law firm specialising in municipal, planning and environmental law. Duties and responsibilities included:-

- Extensive legal research for clients to include reviewing files, case law and legislation.
- Interacting with both current and prospective clients of the firm including local authorities and NGOs.
- Preparation and filing of court pleadings.
- Assisting in preparation for local authority town meetings and depositions.
- Responsible for implementing and managing of the firm's e-filing system,

2022	Admitted as an attorney-at-law of the Cayman Islands
2020	Law Society of Ireland – Diploma in Insurance Law
2019	Admitted to the roll of solicitors in England and Wales
2016	Admitted to the roll of solicitors in Ireland
2013 – 2015	Law Society of Ireland - Professional Practice Course I and II
2011 – 2012	Queen’s University Belfast Master of Laws in Environmental Law and Sustainable Development
2008 – 2009	Dublin Institute of Technology Postgraduate Diploma in Law
2005 – 2008	University College Dublin Bachelor of Honours Degree in Politics and Social Policy
1999 – 2005	St. Mary’s College, Dundalk, Co. Louth