

# CURRICULUM VITAE OF RYAN SHANE KUSS

## CONTACT DETAILS

Email: [rkuss@applebyglobal.com](mailto:rkuss@applebyglobal.com)

Phone: +1 345 526 2085 (mobile)

## ADMISSIONS

2012 - Admitted to the Supreme Court of South Australia.

2022 - Admitted to the Grand Court of the Cayman Islands.

## QUALIFICATIONS

**Bachelor of Laws and Legal Practice, Flinders University** – 1st Class Honours (2009 - June 2012)

- University Medal.
- 2 Chancellor's Letters of Commendation.
- 7 subject prizes, including:

2009 Bar Association of South Australia Prize in Criminal Law (Highest mark in 'Principles of Criminal Law and Procedure')

2010 Piper Alderman Prize in Corporate Law (Highest mark in 'Corporate Law (Drafting)')

2010 State Ombudsman Prize for Administrative Law (Highest mark in 'Administrative Law (Interviewing)')

2011 Dean's Certificate (Highest Mark in 'International Criminal Justice')

**Bachelor of Arts (majors in Politics, German and Spanish), Flinders University** (2006 - 2008)

**South Australia Certificate of Education, Woodcroft College** (1997 - 2001)

## ASSOCIATESHIP

**Associate to Justice Blue of the Supreme Court of South Australia** (July 2012 – January 2014)

- Providing in and out of court legal support to Supreme Court judges in civil and criminal matters, including legal research and evidential analysis;
- Managing a large volume of legal documents and files;
- Communicating with parties, solicitors and counsel;
- Attending hearings, administering oaths and affirmations, managing exhibits, and assisting with the in-court navigation of large volumes of documentary material; and
- Proofreading judgments and preparing judgments for delivery.

## EMPLOYMENT

**Counsel**, Appleby Global (Cayman Islands) – Dispute Resolution (April 2022 - Present)

### *Summary of experience*

Working with Sebastian Said and Ulrich Payne in the conduct of complex financial litigation, with a focus on contentious insolvency matters.

**Special Counsel**, LK Law (formerly Lipman Karas) – Dispute Resolution (January 2014 – March 2022)

### *Summary of experience*

Working directly with Skip Lipman, Jason Karas and other principals of the firm in the conduct of complex and large-scale litigation and the provision of advice in commercial and regulatory matters.

Experience includes:

- drafting originating processes, statements of claim, interlocutory applications and pleadings;
- taking instructions from clients and conducting witness conferences;
- drafting affidavits and witness statements;
- conducting legal research to prepare research memoranda and client advices;
- instructing expert witnesses;
- large-scale discovery;
- actioning correspondence from, and drafting replies to, the other side regarding the usual conduct of litigation;
- preparing briefs to counsel; and
- attending trial and providing support to counsel, including evidential analysis and the drafting of submissions and speaking notes.

### *Selected Matters*

- **Platinum Partners Value Arbitrage Group** - Representing the Liquidators of entities in the Platinum Partners Value Arbitrage Group, a hedge fund formerly based in Delaware and the Cayman Islands and managed by a New York-based investment manager. Investigating and analysing potential claims available to the companies arising from their 2016 collapse, including extensive document recovery efforts and working with financial and accounting experts to identify, formulate and prosecute claims. See: <https://www.caymancompass.com/2020/09/09/liquidators-sue-platinum-auditors-bdo/>.
- **Carlyle Capital Corporation Limited** - Represented the Liquidators in claims arising from the collapse of a US\$22 billion listed investment fund in the Channel Islands (Guernsey) and the United States. The Liquidators' US\$1 billion claim against the company's former directors, sponsor and related-entities for breach of directors' duties and other wrongdoing was the subject of a six-month trial in Guernsey in 2016: <https://www.ft.com/content/8afb6696-89f8-11df-bd30-00144feab49a>; <https://www.wsj.com/articles/carlyle-goes-on-trial-for-a-financial-crisis-meltdown-1468865131>. Intimately involved in all aspects of progressing the matter to trial (including various bitterly-fought interlocutory disputes) and preparing for and conducting the trial. Areas of focus included the preparation of lay and expert evidence regarding the financial markets in which the company

operated, assisting counsel in preparation for cross-examination of opponents' lay and expert witnesses, and the preparation of opening and closing submissions. Matter settled whilst awaiting an appeal to the Privy Council.

- **China Forestry Group** – Representing the Liquidators of Hong Kong-based entities in the China Forestry Group in claims against their former auditor KPMG, arising from KPMG's alleged failure to detect a massive fraud by former directors: <https://www.bloomberg.com/news/articles/2019-11-03/china-forestry-s-liquidators-sue-kpmg-for-166-million>. The alleged fraud involved the fabrication of accounting records to conceal the misappropriation of millions of dollars meant for the purchase of forestry plantations in Mainland China. Trial set for 10 weeks in 2021.

#### ***Pro-bono involvement***

- Advising unsuccessful asylum seekers on the merits of seeking judicial review of the decision to refuse them a protection visa as part of the Refugee and Asylum Seeker Project ("RASP").

#### **Clerkships (further information available on request):**

- Piper Alderman – Dispute Resolution (September 2011 – July 2012)
- Cosoff Cudmore Knox – Transactions (August 2011 to September 2011)
- Lipman Karas – Dispute Resolution (July 2011)

#### **PERSONAL INTERESTS**

- Playing music (guitar and piano).
- Fitness and hiking.
- Reading.
- Dining with friends, cooking, food and wine.

#### **REFEREES**

##### **Matt Simpson**

Principal – LK Law (formerly Lipman Karas)  
Email: msimpson@lipmankaras.com  
Phone: 0422 226 162

##### **Stephen Phillips**

Barrister - Bar Chambers (formerly Principal – Lipman Karas)  
Email: sphillips@barchambers.com.au  
Phone: 0449 684 016