

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO.ATT of 2022

In the Matter of
THE LEGAL PRACTITIONERS ACT
(2022 Revision)

- and -

In the Matter of
RACHEL KELLY
to be granted general admission as an Attorney-at-Law
in the Cayman Islands

AFFIDAVIT

I, **RACHEL KELLY**, of 36 Grangewood Road, Dundonald, Belfast, Belfast, BT16 1GW being duly sworn MAKE OATH AND SAY as follows: -

1. I am a Solicitor formerly practicing in Northern Ireland.
2. I was admitted to the Roll of Solicitors in Northern Ireland on 6 February 2014. A copy of my current Practising Certificate is now produced and shown to me and exhibited hereto at p.1 of Exhibit "RK-1".
3. I confirm that I am not or have not been the subject of any criminal convictions or proceedings, and I exhibit hereto at p.2 of Exhibit "RK-1" a copy of a police clearance certificate dated 31 December 2021.

4. I confirm that I have not been the subject of any disciplinary or other similar proceedings relating to professional misconduct of any kind. A copy of my current Certificate of Good Standing is now produced and shown to me and exhibited hereto at p.3 of Exhibit "RK-1".
5. I now produce at pp.4-7 of Exhibit 'RK-1' a copy of my resume.
6. That I make this Affidavit in support of my application for general admission as an Attorney-at-Law in the Cayman Islands. There is now produced and shown to me and exhibited hereto at pp.8-10 Exhibit "RK-1" a copy of my Temporary Work Permit.
7. I confirm and that I will file an application for an Annual Work Permit with the Workforce Opportunities & Residency Cayman Department of the Cayman Islands Government prior to the expiry of my current Temporary Work Permit and, upon receipt of the Annual Work Permit, I shall provide the same to the Court.

SWORN at George Town, Grand Cayman
This day of 2022
before me:



CLERK OF THE COURT



RACHEL KELLY

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. ATT of 2022

In the Matter of
THE LEGAL PRACTITIONERS ACT
(2022 Revision)

- and -

In the Matter of
RACHEL KELLY

to be granted general admission as an Attorney-at-Law
in the Cayman Islands

EXHIBIT "RK-1"

This is the Exhibit referred to as "RK-1" in the Affidavit hereto.

SWORN at George Town, Grand Cayman

This day of 2022

before me:



RACHEL KELLY

CLERK OF THE COURT



Practising Certificate

For the Year Ending 05/01/2023

Pursuant to the Solicitors (Northern Ireland) Order 1976, the Registrar of Solicitors appointed by the Law Society of Northern Ireland under the Said Order hereby certifies that:

Rachel Kelly

Of

Cleaver Fulton Rankin Limited
50 Bedford Street
BELFAST

Is duly enrolled as a Solicitor of the Court of Judicature of Northern Ireland, and is entitled to practice as such Solicitor.

Given under the hand of the Registrar, this 07/02/2022

Registrar.

David A. Lawe

I certify that this is a true copy of original document.

Signs: K. Ball

KAREN BAKER, Solicitor, BSc, 2 Franklin Street Belfast

Miss RACHEL KELLY
36 Grangewood Road
Dundonald
Belfast
Belfast
D0WN
BT16 1GW



**ACCESS
NORTHERN
IRELAND**

www.nidirect.gov.uk/accessni

Access NI
PO Box 1085
Belfast
BT5 9BD

t: 0300 200 7888
e: ani@accessni.gov.uk

Date of issue: 04 July 2022

BASIC DISCLOSURE CERTIFICATE

AccessNI No. 2001553181

Applicant Name & Address:

Miss RACHEL KELLY, 36 Grangewood Road, Dundonald, Belfast, Belfast,
BT16 1GW

DOB:

04/01/1987

CONVICTIONS

No information found

DISCLOSURE ENDS



TO WHOM IT MAY CONCERN

I hereby certify that Miss Rachel Kelly was, on the 6th day of February 2014 duly admitted to the Roll of Solicitors in Northern Ireland as a solicitor of the Court of Judicature in Northern Ireland. Her name continues on the Roll and I confirm that her name does not appear in the records of the Solicitors Disciplinary Tribunal appointed to hear proceedings relating to the conduct of solicitors nor are any such proceedings currently pending.

David A. Lavery

David A Lavery CB

Registrar

6th July 2022

*I certify that this is a true ~~copy~~ copy of original document
Signed: *K. Baker*
KAREN BAKER, Solicitor, BSc, 2 Marlborough Street
Belfast
Dates: 7/7/22*

RACHEL KELLY
36 Grangewood Road
Belfast
BT16 1GW
E-mail: rachelkelly989@gmail.com
Tel: 07712203910

I am a highly driven and motivated legal professional and am dual qualified to practice in Northern Ireland and England and Wales, having qualified on 1 December 2013. I have over 8 years post qualification experience in a number of Northern Ireland's leading commercial firms acting for a variety of clients in a broad range of mostly contentious commercial legal matters.

EDUCATION

September 2008 to June 2009	The College of Law, Chester. Legal Practice Course Commercial and Private Pathway Commendation (77% average)
September 2005 - July 2008	Queen's University, Belfast LLB (Hons) Law (2.1)
September 1998 – June 2005 June 2005	Belfast Royal Academy. 3 'A' Level's - History (A), Religious Studies (A), Music (B)
June 2003	10 GCSEs - (2 A*s, 5 As and 3 Bs)

RECENT WORK HIGHLIGHTS

- Acting on behalf of a structural engineering company, the multi-disciplinary design consultant (together with their PI Insurers), in the defence of a multi-party class action issued by 93 apartment owners, in respect of structural defects at the landmark Victoria Square Complex in Belfast;
- Acting on behalf of Northern Regional College in the defence of a procurement challenge issued by a contractor in the Commercial Court relating to the award of a contract for the construction and design of its Ballymena Campus;
- Acting on behalf of Sir Robert McAlpine Limited in a jurisdictional challenge by way of a strike out application in the Commercial Court in respect of proceedings issued by Lagan Construction Limited in Northern Ireland under a construction contract governed by English law where Arbitration proceedings remain extant in England;
- Acting on behalf of the Administrator of Advance Engineering Group Limited in respect of a Director's appointment and all connected advices to the Administrator;
- Acting on behalf of HSBC and BDO as receivers in two sets of connected proceedings in the Chancery Court, where a borrower's husband issued proceedings against the Bank and the receivers challenging the validity of the appointment of receivers and the Bank's security;
- Advising BDO as Liquidators of Lowry Brothers Limited in respect of an application for directions to the Bankruptcy Master to determine the validity of a purported Trust in respect of a Project Bank Account constituted by virtue of a construction contract;
- Acting on behalf of Grant Thornton as Trustee in Bankruptcy of a high net worth individual in a challenge to various transactions to defraud creditors in proceedings before the Bankruptcy Court;
- Acting on behalf of AIB Group (UK) Plc in enforcement of personal guarantees against former directors of a leading Northern Ireland environmental company;

- Advising a local high net worth individual in respect of a professional negligence action against his former accountant on foot of negligent tax planning and structuring advice on the sale of shares in a company;
- Acting for AS Watson in all its Northern Ireland contentious property matters across the Superdrug, Savers, Three and The Perfume Shop retail properties to include requests for new tenancies pursuant to the Business Tenancies (Northern Ireland) Order 1996 and all related Lands Tribunal proceedings; and
- Acting for a high net worth individual in a property dispute involving attempted extinguishment and re-routing of a right of way to a number of islands owned by our client at Strangford Lough, title to which can be traced back to King James I.

EXPERIENCE

June 2019 – present

Associate solicitor, Cleaver Fulton Rankin

One of Northern Ireland's leading commercial law firms, providing a full legal service to both commercial and private clients. A firm with 17 Directors across the full range of commercial legal services and with a particular strength and depth within its litigation team.

- Providing advice to Banks and leading financial institutions on appropriate enforcement strategies across various company and personal borrowing entities such as administration, liquidation, receivership and bankruptcy.
- Acting in relation to financial services litigation including contractual disputes, professional negligence claims and actions to enforce personal guarantees.
- Advising local and national Insolvency Practitioners on issues arising in respect of both personal and corporate insolvency and all related Court procedural matters including the recovery and realisation of assets and High Court challenges to antecedent transactions.
- Appearing before the Chancery and Bankruptcy Masters Courts in, for example, applications for possession, the presentation of winding up and bankruptcy petitions, annulment applications, dealing with applications for the restoration of companies and bona vacantia applications.
- Acting for clients in bringing or defending emergency injunctive proceedings in relation to land, commercial and residential premises.
- Acting on behalf of a number of public sector clients in high value, complex contractual disputes in a range of sectors.
- Advising a number of public sector clients in defending procurement challenges to set aside the award of high value contracts in various sectors.

June 2017 – June 2019

Associate Solicitor, Mills Selig

- Very broad range of general commercial litigation experience with a particular emphasis on property and banking litigation.
- Regularly advising in relation to emergency injunction applications in the Commercial Court relating to commercial property and land disputes.
- Dealing with a number of boundary and right of way disputes in relation to residential and commercial premises.
- Advising banks and leading financial institutions on enforcement options under their security and carrying out the enforcement work and dealing with resulting disputes.
- Advising shareholders and partners in shareholder and partnership disputes and related proceedings and ADR.

- Advising in relation to a number of challenges to jurisdiction as referrals from English and Scottish solicitors and issuing and attending to the resulting strike out proceedings in the Commercial Court.
- Advising corporate clients on IP disputes and emergency injunction proceedings in the High Court for breach of trademark/passing off.
- Appearing before the Court of Appeal for clients in actions brought by them and in actions to which they are the defending party.
- Appearing before the Lands Tribunal and Chancery Judge in relation to adverse possession claims and disputes brought by and against business tenants.

December 2013 – June 2017
Associate solicitor – Tughans

- Considerable experience in several areas of general commercial litigation to include commercial contractual disputes, construction disputes, IP disputes, property litigation, debt recovery, public law and judicial review and contentious procurement matters.
- Managing a team of paralegals in running an extensive electronic discovery exercise in an extremely high value dispute under a PFI contract.
- Experience in a wide range of insolvency matters to include advising Insolvency Practitioners on issues arising in respect of both personal and corporate insolvency and advising lenders and leading financial institutions in relation to enforcement options under their security.

June 2012 – November 2013
Trainee solicitor - Tughans

- 6 month seat in Commercial Property;
- 9 month seat in Commercial Contracts/Technology; and
- 4 month seat in Commercial Litigation in which I was offered a position as an Associate solicitor.

November 2010 – June 2012
Paralegal - Tughans

- Working in the Commercial Litigation and Insolvency team during a very busy period for insolvency work in Northern Ireland.
- Gained excellent hands on experience in dealing with a number of the highest profile insolvencies in NI arising out of the last recession.
- experience in a broad range of general commercial litigation matters.

November 2009 – November 2010
Paralegal - McCartan Turkington Breen

- Working within the litigation department of a large City Centre firm specialising in Plaintiff Insurance Litigation.
- Experience gained mostly in insurance litigation and debt recovery work.
- Duties included briefing Counsel, attending Court, taking instructions from clients, attending client consultations and drafting various legal documents.

February 2007 – August 2008
Legal secretary/Paralegal, McKenna Boyd Solicitors, Belfast.

- Working one day a week during term-time and full-time during holidays.
- Experience mostly in criminal, family and personal injury work.
- Duties included attending court, dealing with clients in person and over the telephone, audio and copy typing and general office responsibilities.

SKILLS

I have excellent IT skills and am highly proficient in the use of all office application software (Word, Access, Excel, PowerPoint, Publisher and Outlook)

2007 Achieved RSL level 2 in facilitation of music workshops.
2005 Passed grade VIII piano and grade VIII clarinet with merit.
2000 Passed grade V theory of music with merit

INTERESTS

- Enjoy swimming and travelling
- I play both piano and clarinet

References available on request.



Immigration (Transition) TWP & BVP, Regulations 2019 Temporary Work Permit

Permit Number: 155083
Date of Issue: 01-Nov-2022
Period Covered: 01-Nov-2022 to 30-Jan-2023

PARTICULARS OF PERMIT HOLDER


Surname: KELLY
Other Names: RACHEL
Date of Birth: 04-Jan-1987
Citizen of: UNITED KINGDOM
Passport Number: 537762717
Sex: Female
Worker Reference: 0235511
Term Limit:



PARTICULARS OF EMPLOYMENT

Employers Name: PRIESTLEYS ATTORNEYS AT LAW
Employers Address: c/o PRIESTLEYS ATTORNEYS AT LAW
P.O. Box 30310 Grand Cayman KY1-1202 CAYMAN ISLANDS
Primary Occupation: ASSOCIATE ATTORNEY
Location: GRAND CAYMAN



Signed: 
On behalf of
Director Of W.O.R.C.

Dated: 1st November 2022

PLEASE READ CONDITIONS PRINTED ON THE BACK OF THIS DOCUMENT

This Permit is subject to SPECIFIC CONDITIONS outlined below and STANDARD CONDITIONS shown on the attached Appendix.

Specific Conditions:

- (1) This Temporary Work Permit has been granted in accordance with Regulation 4 (1) and (2) of THE IMMIGRATION (TRANSITION) (TEMPORARY WORK PERMITS AND BUSINESS VISITORS PERMITS) REGULATIONS (2022 Revision). A Temporary Work Permit is granted for a continuous period of up to six months and this period may neither be extended nor renewed. If granted for a period of less than six months it may be renewed for a period not exceeding six months.
- (2) Please note, all references to the Immigration Law (2015 Revision), Immigration (Transition) Law 2018, and/or Immigration (Transition)(Temporary Work Permits and Business Visitors' Permits) Regulations, 2019, and the varying sections are now replaced by the Immigration (Transition)(Temporary Work Permits and Business Visitors' Permits) Regulations (2022 Revision) and the varying sections. All references to Chief Immigration Officer are now replaced by the Director of WORC.

End of Specific Conditions

THE PERMIT HOLDER SHALL NOT BE EMPLOYED OTHER THAN BY THE EMPLOYER NAMED ON THIS DOCUMENT WITHOUT PRIOR APPROVAL.

THIS PERMIT WILL BE AUTOMATICALLY TERMINATED IF EMPLOYMENT IS NOT TAKEN UP WITHIN 30 (THIRTY) DAYS OF THE DATE HEREOF.

FAILURE TO COMPLY WITH ANY OF THE TERMS AND CONDITIONS SHOWN ON THIS DOCUMENT OR THE APPENDIX HERETO AUTOMATICALLY RENDERS THIS PERMIT SUBJECT TO REVOCATION.

A COPY OF THIS PERMIT IS GIVEN TO BOTH THE EMPLOYER AND THE EMPLOYEE.



Work Permit Appendix

Standard Conditions:

- (1) You are hereby informed that under the existing Law and Regulations the granting of this permit in no way confers any entitlement to, or preference in connection with, the granting of any application for the renewal hereof or of any application for The Right to be Caymanian.
- (2) Application for renewals of a work permit, applications for a grant of Permanent Residence with right to work, applications for the grant of The Right to be Caymanian, are all considered on their own merits and in the light of circumstances existing at the relevant time.
- (3) That the holder of this Work Permit will not be allowed to change his employer during the term of this Work Permit except in special extenuating circumstances and with the prior approval of the Board or Director of WORC as applicable.
- (4) Without the prior consent of the Workforce, Opportunities & Residency Cayman the holder's authority to remain in the Islands ceases in the event that the permit is revoked, expires or if the employment is terminated.
- (5) That the holder shall not be permitted to have any dependants or relatives not named on this Work Permit enter and remain or reside with the holder without prior approval.

Work Permit License Appendix 1.0.2