

Sean Kinney

Location: Road Town, Tortola, BVI

Telephone: +1 284 340 4664

Email: kinney.sean@icloud.com

LinkedIn: sean-kinney

Profile

A dynamic, reliable, and detail-oriented litigation professional with a proven track record of securing favourable outcomes for clients in complex, multifaceted and high value commercial disputes with a practice focus on fraud and asset tracing, trust and corporate disputes, and insolvency proceedings.

A Chartered Governance Professional with detailed knowledge and skills in corporate governance, risk management, compliance, and ethical decision-making who leverages such competencies to advise and support clients on complex and sensitive legal matters, delivering high-quality and effective commercial solutions.

Admission

- Chartered Company Secretary/Chartered Governance Professional, The Chartered Governance Institute (2022)
- Solicitor of The Eastern Caribbean Supreme Court (2022)
- Solicitor of The Senior Courts of England and Wales (2019) (non-practising)
- Solicitor of The Court of Judicature of Northern Ireland (2018) (non-practising)

Career

Associate

Carey Olsen (BVI) L.P. (Road Town, Tortola, BVI)

April 2022 – Present

I advise clients on all aspects of commercial litigation, with a broad practice focus including fraud and asset tracing, trust and corporate disputes, and insolvency proceedings.

Recent experience

- Acting on behalf of a sovereign sub-Saharan state in relation to a multi-jurisdictional claim for dishonest assistance/knowing receipt of property acquired using the proceeds of a multi-billion-dollar fraudulent scheme arising out of the granting of an oil prospective licence, obtaining urgent injunctive and other interlocutory relief to seize and protect assets pending final determination of the BVI proceedings. Working with the lead partner and King's Counsel and dealing with numerous interlocutory applications including issues involving disclosure, funding, security for costs, fortification, receivership.
- Acting for a sovereign state's national bank in relation to the enforcement of a US\$500m dollar judgment in the BVI and securing urgent injunctive relief to freeze assets held by BVI companies in the jurisdiction. Working with the lead partner and senior junior banking counsel and dealing with numerous interlocutory applications including issues involving asset disclosure, service, interim receivership, and Norwich Pharmacal relief.
- Acting for the founders of a cryptocurrency hedge fund in their defence of allegations of fraud involving multiple jurisdictions including Singapore and the BVI. Dealing with issues of service, forum non conveniens, stay and variation applications relating to a freezing injunction and discharge application. Working with lead partners and King's Counsel.

- Acting for a sovereign eastern European state and its national bank relating to the enforcement of several English costs orders against BVI companies in the jurisdiction in longstanding, multi-jurisdictional litigation involving allegations of mass fraud and money laundering in connection with a US\$500m Swedish arbitration award. Working with lead partners and King's Counsel, the case involves highly sensitive and complex legal issues, urgent interlocutory applications, and close liaison with onshore counsel.
- Acting for an African, state-owned oil and gas conglomerate in its claim for unfair prejudice following a systematic dilution of its shares currently listed for trial. Working with the lead partner and King's counsel in all aspects of trial preparation, including disclosure, witness evidence, and valuation expert evidence.

Associate

Myerson Solicitors LLP (Manchester, UK)

January 2019 – April 2022

Working in the Tier 1 Dispute Resolution & Litigation Team, I advised on all aspects of commercial litigation, with a broad practice focus including shareholder and boardroom disputes, trust and corporate disputes, professional indemnity claims, and insolvency proceedings.

Case highlights

- Acting for a minority shareholder in a property development company in complex derivative claim proceedings under s260-263 of the Companies Act 2006 against the sole director and majority shareholder for mass misappropriation of company assets. Working closely with the firm's Head of Litigation and a (then) Queen's Counsel in successfully appointing receivers to seize and protect the company's assets pending the final determination of the claim.
- Acting for a major fibre optic broadband supplier in its dispute with a UK Government Department concerning the financial administration of a multi-million-pound tendering process in respect of a national digital infrastructure project. Working closely with the firm's Head of Litigation to facilitate a successful mediation of the dispute, saving the client from entering an insolvency event. potentially existential crisis.
- Acting for an exclusive and highly profitable UK sales agent in its claim for outstanding commissions and compensation following termination of the agency by the principal under The Commercial Agents (Council Directive) Regulations 1993, and securing a favourable outcome for the client.

Associate

Carson McDowell LLP (Belfast, UK)

September 2018 – January 2019

I qualified into the Dispute Resolution & Litigation Team in Northern Ireland's largest independent commercial firm, consistently ranked 'Top Tier' by the Legal 500 and Chambers UK.

Case highlights

- Acting for an international collective investment fund in its defence of a multi-jurisdictional commercial debt claim by a major UK accountancy firm. Working closely with the firm's Head of Litigation, I was in regular contact with the client throughout the proceedings and made oral submissions before a High Court judge in an application hearing in respect of relevant legal technicalities concerning the service of proceedings out of the jurisdiction.
- Acting for an international automotive manufacturer in its multi-jurisdictional dispute with a supplier sub-contractor concerning the supply of bespoke machinery. Working with the lead partner, I was heavily involved in the detailed analysis of relevant contractual documentation and contemporaneous correspondence, preparation of an injunction application to compel specific performance of the contract and was in regular contact with the client throughout the proceedings.

Trainee Solicitor

Carson McDowell LLP (Belfast, UK)

September 2016 – August 2018

Seats completed

- Corporate & Commercial
 - drafting ancillary documents (board minutes, share certificates, stock transfer forms) and filing at Companies House;
 - assisting associates and partners with due diligence exercises;
 - liaising with clients during completion and compiling key document 'bibles';
 - assisting the lead partner and attending numerous client workshops to advise on GDPR implications.

- Dispute Resolution & Litigation
 - conducting legal research on nuanced and specific points of law;
 - liaising with senior associates and lead partners and preparing detailed instructions to counsel;
 - drafting comprehensive progress reports to clients
 - attendance at court hearings and assisting senior associates and partners at client meetings;
 - heavily involved in the selection and implementation of the firm's new case management system.

- Banking & Finance
 - drafting security and ancillary documents;
 - registering and discharging security;
 - liaising with local counsel in other jurisdictions involved in a transaction.

- Property & Private Client
 - registering various legal instruments over commercial property with the Land Registry;
 - assisting the lead partner in the preparation of UHNW wills and enduring power of attorney documents;
 - liaising with clients in the preparation of key documents pertinent to their high-value estates.

Litigation Paralegal

Carson McDowell LLP (Belfast, UK)

September 2015 – August 2016

I provided professional support to the firm's healthcare litigation team and assisted with high-value clinical negligence disputes by briefing counsel and experts, drafting pleadings and witness statements, conducting legal research, and attending court and client consultations.

Litigation Paralegal

DND Law (Belfast, UK)

April 2015 – September 2015

I assisted senior associates and partners predominantly in personal injury matters by briefing counsel, drafting pleadings and witness statements, researching key points of law, and attending client consultations.

Litigation Paralegal

Shine Lawyers (Brisbane, Australia)

September 2014 – January 2015

Working in one of Australia's largest specialist litigation firms, I assisted senior associates and partners in high-value personal injury claims by briefing counsel and experts, drafting pleadings, conducting legal research, and attending court. I assisted a lead partner in representing claimants and their families in international and domestic aviation accident cases.

Litigation ParalegalHWL Ebsworth Lawyers (Brisbane, Australia)June 2014 – September 2014

Working in the largest partnership firm in Australia, I assisted senior associates and partners in defending high-value insurance claims for blue-chip clients by regularly briefing counsel and experts, conducting research, and attending client consultations.

Litigation ParalegalQuay Central Chambers (Brisbane, Australia)February 2014 – June 2014

I assisted highly renowned Queen's Counsel in the defence of high-value commercial disputes by conducting legal research, reviewing commercial contracts, and assisting with the drafting of pleadings.

Legal ExecutiveJMK Solicitors Ltd (Belfast, UK)September 2012 – February 2014

Working in Northern Ireland's largest personal injury firm, I conducted my own caseload of files through to trial, instructing counsel and experts, consulting with clients, drafting pleadings and attending court.

Education**LLM Corporate Governance Grad CG (w/ Distinction)**

2022

The University of Law & The Chartered Governance Institute UK & Ireland

Postgraduate Diploma in Professional Legal Studies (w/ Commendation)

2017

Institute of Professional Legal Studies, Queen's University Belfast

International Computer Driving Licence (ICDL)

2012

BCS, The Chartered Institute for IT

LLB Law (2:1)

2011

Queen's University Belfast

A Levels (AAA)

2006

St. Mark's High School

AS Levels (AAA)

2005

St. Mark's High School

GCSEs (A*-C)

2004

St. Mark's High School

Referees

Available on request.