



Paul Kennedy

Partner

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'Paul Kennedy is now the go-to name for contentious insurance work.' - Legal 500, 2022



Paul is a partner in our Litigation, Insolvency & Restructuring Group, based in the Cayman Islands office. His practice covers economic sanctions and other asset freezing measures, cross-border fraud and insolvency. Paul is also described by directories as the “go-to name for contentious insurance work” in the Cayman Islands and regularly advises professionals and their insurers on coverage and liability issues.

Paul is an experienced advocate and recently appeared as leading counsel in *Re Obelisk* and *Re Performance Insurance*, two of the most significant cases on segregated portfolio companies.

Expertise

- Economic Sanctions
- [Fraud and Asset Recovery](#)
- Professional Negligence
- Insurance and Reinsurance
- [Commercial Litigation](#)
- [Insolvency and Restructuring](#)
- Injunctions and Interim Measures

Work Highlights

- *Re Vanguardia Group FSD 185-191 of 2019 (Richards J)*: Lead attorney to liquidators of the Biscayne group of companies; pursuing claims in relation to international Ponzi scheme; judgments and recoveries exceeding US\$100m to date.
- *In the Matter of Performance Insurance Company SPC (in Official Liquidation) FSD 70 of 2021 (Parker J)*: Successfully challenged liquidators of captive insurance company on conflicts and fee allocation; acted as lead advocate at various hearings in Grand Court and currently before Court of Appeal.

- Palladyne International Asset Management B.V. v Upper Brook and Ors, FSD 68 of 2016 (Segal J); CICA Appeal No. 5 of 2019; JCPC 2020/0029: Economic sanctions; authority issues; writ process; collateral and express undertakings; admission of overseas counsel; coordination with overseas proceedings; letters of request; privilege; leave to appeal as of right and special leave.
- Pearson (Appellant) v Primeo Fund (Respondent), [2017] UKPC 19: (Lord Neuberger, Lord Mance, Lord Clarke, Lord Sumption, Lord Carnwath) Claims by redeeming shareholders; priority.
- Primeo Fund (In Official Liquidation) v EY, FSD 30 of 2010 (McMillan J): Delivery up of audit papers; improper use of liquidators' powers; indemnity costs orders in liquidation proceedings.

Qualifications and Admissions

- Trinity College Dublin, BA English and Classics, 2000 (William Roberts prize-winner)
- Technological University Dublin, Postgraduate Diploma in Law, 2005
- Solicitor, Ireland, 2008 (Non-Practising)
- Solicitor, England and Wales, 2012 (Non-Practising)
- Attorney, Cayman Islands, 2014
- Accredited Mediator, London School of Mediation, 2019
- Legal Practitioner, British Virgin Islands, 2021

Prior Career History

- Dillon Eustace, Dublin
- Appleby, Cayman Islands

Professional Associations

- IBA, Member of Asset Recovery Committee, Litigation Committee and Insolvency Section
- International Association of Restructuring, Insolvency & Bankruptcy Professionals (INSOL)
- Recovery and Insolvency Specialists Association (RISA) Cayman Islands
- Cayman Islands Legal Practitioners Association
- Fellow of the International Academy of Financial Crime Litigators

Recognition and Awards

- Nominated as a Fellow of the International Academy of Financial Crime Litigators, a collaboration of leading public-and private-litigation professionals working with the Basel Institute on Governance to expand worldwide access to solutions in economic crime cases.
- Shortlisted by RISA for "Attorney of the Year" four years running.
- Listed by Who's Who Legal as an "Asset Recovery Expert".
- Paul lived in Madrid for a number of years and is a fluent Spanish speaker.

Publications and News

Articles

- Cayman court sets test for winding-up branch of foreign bank
- Campbells authors Cayman Islands chapter, Lexology GTDT - Dispute Resolution 2023
- Segregation in the Liquidation of a Segregated Portfolio Company in the Cayman Islands: When Does It Matter?

Client Advisories

- Cayman Islands issues general sanctions licence for funds industry
- Cayman Court intervenes to preserve segregation of captive insurance portfolios