

Company & commercial



What we do

- We act for corporates, financial institutions, insurers, and their directors, officers, and employees in high profile and complex commercial disputes across a wide range of industries.

How we help

- Working closely with our clients and their in-house teams, we provide strategic and practical advice that helps clients achieve their commercial objectives. We aim to maximise the prospects of early resolution and mitigate the risk of dispute escalation.
- Our lawyers are experienced advocates before the courts at all levels, in arbitrations, mediations and other dispute resolution forums. We have the resources to handle disputes of any size, including large-scale, document-intensive matters.

Experience

- advising SkyCity on numerous disputes arising out of a \$450m construction project suffering significant delays and cost overruns
- acting for PwC in relation to civil claims and regulatory investigations following the collapse of the CBL group of companies
- acting for a major bank in defending a litigation-funded class action brought by investors following the collapse of Ross Asset Management, a financial adviser revealed to have been running New Zealand's largest Ponzi scheme
- acting for a New Zealand electricity "gentailer" in multiple arbitrations relating to disputes arising out of hedge contracts
- acting for a New Zealand oil and gas company in an international arbitration in Singapore in a dispute arising from a drilling contract
- advising a major bank in relation to complaints, investigations and disputes arising from fraudulent banking activities

- acting for former directors of Feltex in the liability and loss phase of the \$200m class action brought on behalf of more than 3,600 shareholder claimants arising from the Feltex IPO in 2004
- acting for Jones Lang LaSalle in recovering a substantial commission payable on the lease of the site of the Kumeu Film Studio to Auckland Unlimited
- acting for a mining prospecting company in declaratory proceedings arising from a dispute with the purchaser of mining rights, relating to non-payment of two performance payments of US\$40m each
- acting for one of New Zealand's largest construction businesses in defending an urgent injunction application for specific performance
- acting for a managed funds operator in proceedings issued against its fund administrator alleging breach of contract and negligence arising out of an erroneous share sale
- advising a leading infrastructure company in relation to various contractual disputes with its suppliers and customers
- acting for a Hong Kong company operating as a wholesale distributor of petroleum in successfully obtaining worldwide freezing and ancillary orders against a debtor resident in New Zealand
- defending a major bank against substantial civil claims arising from the sale of interest rate swaps
- advising on a wide range of issues arising as a result of the Covid-19 pandemic, including force majeure and material adverse change clauses, frustration and cancellation rights, liquidated damages and penalties, statutory demands and other insolvency procedures
- defending a firm of accountants from a claim brought by investors following the collapse of a group of companies, alleging misleading and deceptive conduct in relation to preparation and distribution of the group's financial accounts
- advising lenders on internal and external investigations relating to compliance with the Credit Contracts and Consumer Finance Act
- acting for a borrower in proceedings concerning whether a \$30m late payment fee was an unenforceable penalty
- acting for a local government organisation seeking to claim from Mobil Oil the substantial cost of cleaning up contaminated land on the Auckland waterfront

Key Contacts

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