





ALEXANDRA J. MURPHY

CALL – 2010

 [/alexandrajmurphy](#)

 amurphy@forumchambers.com

 020 3735 8070

PRACTICE OVERVIEW

Alexandra is a commercial barrister with a wide range of experience in commercial disputes and insolvency matters, including cross-border disputes.

Prior to joining Forum Chambers, Alexandra practised BVI and Cayman Islands law from law firms in the Cayman Islands and Hong Kong, and represented clients in complex and high-value commercial litigation matters.

AREAS OF EXPERTISE

COMMERCIAL LITIGATION

- Acting for the manager and general partner of a significant Cayman Islands private equity fund in litigation concerning reconstruction of capital account balances following group insolvency resulting from allegations of serious financial mismanagement and fraud. Successful appeal to the Cayman Islands Court of Appeal concerning disclosure obligations of the general partner under section 22 of the Exempted Limited Partnership Act.
- Acting for a Cayman Islands bank, in official liquidation, in respect of claims against former customers, and enforcement proceedings.
- Acting for a company which owned a large Cayman Islands resort, in respect of real estate claims for specific performance of a repurchase contract and a contested winding up petition.
- Acting for minority shareholders in respect of multiple family companies with a substantial group structure and incorporations in the BVI, Liberia, Malaysia, Papua New Guinea, Australia, and Singapore. Unfair prejudice claim in the BVI, and BVI derivative action on behalf of a foreign company. Responding to forum challenges.

- Successfully resisting strike-out application in respect of a just and equitable winding up petition where an offer had been made to buy the shareholder out, on the basis that the offer was not fair. Consent order entered into for court-supervised buy-out on agreed terms.
- Acting for minority shareholders and directors of PRC state-owned joint venture energy company in a BVI shareholder dispute involving allegations of breach of fiduciary duty, fraud, and expropriation of significant company assets in the PRC.
- Applications on behalf of majority lenders under syndicated loan to discharge provisional liquidators appointed over multiple BVI and Cayman Islands companies by the minority lenders.
- Summary judgment and strike-out applications.
- Responding to order compelling worldwide asset disclosure in conjunction with injunction.
- Advice concerning enforcement of foreign judgments in the Cayman Islands.
- Restoration of struck-off companies in the BVI and Cayman Islands.
- Advising on directors' duties and potential breaches of directors' duties in the Cayman Islands and the BVI.
- Applications for freezing injunctions and prohibitory injunctions.
- Applications for Norwich Pharmacal and Bankers Trust orders.
- Applications for permission for service of process out of the jurisdiction.
- Applications for security for costs.

INSOLVENCY

Alexandra regularly appears in bankruptcy and winding up petitions, and related insolvency applications.

- Advice concerning winding-up of fund structure and permissibility of in specie distributions of company stock to ultimate investors.
- Obtaining an order granting a director permission to be involved in a "phoenix company" under s.216(3) of the Insolvency Act 1986.
- Challenging appointments of provisional liquidators.

LITIGATION EXPERIENCE

AUGUST 2024 - DECEMBER 2024: **CONSULTANT AT PIERSON FERDINAND UK LLP**

Matters worked on include:

- Strategising and drafting in affidavit evidence in respect of notification injunction, by which the defendant was required to declare all assets worldwide above £100,000 in value. Responding to freezing injunction application against the defendant. \$13.5 million fraud litigation.
- Strategising and drafting applications for service out of the jurisdiction and extension of time for

filing and service of Particulars of Claim in £100 million litigation concerning allegations of breach of trust and dishonest assistance in relation to ownership of properties.

- Drafting letter of request for judicial assistance under the Hague Convention on the Taking of Evidence Abroad in Civil or Commercial Matters in respect of a declaratory judgment claim concerning life insurance.

APRIL 2021 - DECEMBER 2023: **ATTORNEY AT KSG ATTORNEYS-AT-LAW, CAYMAN ISLANDS**

Litigator with a broad practice including offshore funds litigation, company, insolvency, contentious trusts, and family law.

Matters worked on include:

- Acting for the manager and general partner of Neoma Private Equity Fund IV L.P. who are the claimant and additional defendant in capital account balance reconstruction litigation, following the Abraaj Group insolvency resulting from the discovery of fraud within the group. Drafting written advice on issues relating to the litigation and to the winding up of the fund. Substantial discovery exercise. Defending summary judgment application on defendants' counterclaims seeking document disclosure outside of discovery obligations. Preparing grounds of appeal and submissions for appeal to the Court of Appeal. Working with onshore legal team from Quinn Emanuel in London, and counsel Susan Prevezer KC of Brick Court Chambers. Primary Associate on the matter.
- Acting for the trustee of a family trust resisting a claim by beneficiaries for removal of trustee based on alleged breach of fiduciary duties. Successful protective application for trustee's costs. Drafting pleadings, submissions, and affidavit evidence. Preparing account of trust dealings by the trustee. Coordinating and attending multiple hearings. Working with counsel Ruth Jordan of Serle Court. Managing Associate and advocate in the case.
- Acting for the settlor of a Cayman Islands trust in a successful application to rescind the trust based on mistake caused by erroneous tax advice, following the principle in *Pitt v Holt*. Successful applications for pre-action confidentiality order, order for service out of the jurisdiction, and representation order. Working with onshore legal team from Charles Russell Speechlys in London, and counsel James Weale of Serle Court. Managing Associate on the matter.
- Defending an anti-suit injunction against threatened proceedings in the USA concerning a substantial employment discrimination claim, with multi-jurisdictional elements, by a former employee of a business in the Cayman Islands. Working with Thomas Lowe KC of Wilberforce Chambers. Primary Associate on the matter.
- Acting for a spouse in ancillary relief proceedings where potential assets exceeded US\$20 million. Issues regarding hidden assets, including business assets, appropriate adverse inferences to be drawn, and categorisation of matrimonial and non-matrimonial assets in relation to business ventures. Multi-week trial. Working with Philip Blatchly of 1 Hare Court. Primary Associate on the matter.
- Acting for a bank, in official liquidation, in respect of claims against former customers and enforcement proceedings. Successful summary judgment application. Drafting pleadings, submissions, affidavit and witness statement evidence. Liaising with US legal team regarding enforcement of judgments. Managing Associate on the matter.

- Acting for a company, which owned a large Cayman resort, in respect of real estate claims for specific performance of re-purchase contract and a contested winding up petition. Drafting pleadings, submissions, and affidavit evidence. Primary Associate on the matter.
- Drafting legal opinions and applications / claims in respect of issues including:
 - Winding-up of fund structure and permissibility of in specie distributions of company stock to ultimate investors;
 - Winding-up of companies based upon unsatisfied judgment debts;
 - Advice to liquidators during liquidation;
 - Service of process out of the jurisdiction;
 - Examination of judgment debtors;
 - Enforcement of foreign judgments in the Cayman Islands;
 - Trustees' duties;
 - Probate and claims by estate beneficiaries;
 - Injunction applications including freezing injunctions and prohibitory injunctions;
 - Applications for security for costs; and
 - Scope of litigation privilege and legal advice privilege.

NOVEMBER 2012 TO DECEMBER 2017: **ASSOCIATE AT HARNEY WESTWOOD & RIEGELS, HONG KONG, IN THE LITIGATION AND INSOLVENCY DEPARTMENT (BVI AND CAYMAN ISLANDS LAW)**

Matters worked on include:

- Acting for minority shareholders in respect of multiple family companies (following the death of the patriarch), with a substantial company structure and incorporations in the BVI, Liberia, Malaysia, Papua New Guinea, Australia and Singapore, and assets in Malaysia and Papua New Guinea. Unfair prejudice claim in the BVI on behalf of executor as minority shareholder in a quasi-partnership, and BVI derivative action on behalf of Liberian incorporated company against directors for breach of fiduciary duties. Fact-heavy case requiring liaising with legal counsel in Malaysia and Australia and senior counsel in Hong Kong in respect of global strategy. Responding to forum challenges. Assisting with all aspects of case preparation including drafting pleadings, skeleton arguments, affidavits, merit advice, and instructing experts, including on matters of Malaysian and Liberian company law. Working with counsel Victor Joffe KC, SC of Temple Chambers, Hong Kong. Primary Associate on the matter.
- Acting as managing counsel for a Bahamas just and equitable winding up petition by a minority shareholder. Successfully resisting strike-out application where an offer had been made to buy the shareholder out, on the basis that the offer was not fair. Consent order entered into for court-supervised buy out on agreed terms. Assisting with all aspects of case preparation, including drafting affidavit evidence, pleadings in respect of strike out application, consent order involving detailed process of conduct of valuation, and instructions to valuation expert.
- Acting for minority shareholders and directors of PRC state-owned joint venture energy company, with assets valued at close to US\$1 billion, in a shareholder dispute involving allegations of breach of fiduciary duty, fraud, and expropriation of significant company assets in the PRC. Injunctions to

restrain actions in the BVI, with mirror injunctions in Hong Kong. Drafting affidavit evidence and skeleton arguments.

- Acting for the shareholder company in HK listco. (Cayman incorporated). Receivers appointed over shares in shareholder company; successfully enforcing rights of receivers to attend and participate in general meetings. Primary Associate on the matter.
- Acting for minority shareholders in a BVI company, with listed subsidiaries in the US holding assets (pharmaceutical trading companies) in the PRC. Multi-jurisdictional shareholders' dispute between multiple PRC based minority shareholders following exclusion from management in an alleged quasi-partnership. Acting against a team of five different law firms from BVI, HK, and PRC. Claim for a buy-out or winding up of the BVI company on the basis of unfair prejudice to the minority shareholders. Drafting pleadings, affidavits, and skeleton arguments.
- Successful novel claim in BVI to replace official administrator of estates with private estate administrators, on behalf of creditors of the estate, following several years of inaction. Primary Associate on the matter.
- Applications on behalf of majority lenders under syndicated loan to discharge provisional liquidators appointed over multiple BVI and Cayman Islands companies by the minority lenders. Assisting with drafting pleadings and affidavit evidence.
- Representing BVI company in unfair prejudice claim where the company was the only named defendant. Successful application to stay proceedings pending joinder of alleged wrongdoer (ex-majority shareholder). Responsible for drafting pleadings and affidavit evidence. Primary Associate on the matter.
- Advising professional trustees of substantial Hong Kong family BVI discretionary trust on duties towards beneficiaries and approach to receipt of letters of wishes from settlor. Primary Associate on the matter.
- Drafting legal opinions and applications / claims in respect of issues such as:
 - Restoration of struck-off companies in the BVI and Cayman Islands;
 - Stop notices and stop orders in respect of shares in the BVI;
 - Advice to the BVI government;
 - Litigation funding;
 - Accessing books and records as director/shareholder of BVI company;
 - Winding up of companies based upon unsatisfied judgment debts;
 - Service of process out of the jurisdiction;
 - Challenging amendments to Memorandum and Articles;
 - Directors' duties and potential breaches of directors' duties in Cayman Islands and BVI;
 - Injunction applications including freezing injunctions and prohibitory injunctions;
 - Appointment of provisional liquidators / liquidators in the BVI and Cayman Islands, and challenging appointments;
 - Changing the Registered Agent of a BVI company when the client of record could not be located; and
 - Applications for security for costs.
- Delivering CPD accredited presentations with Ian Mann, Partner, to onshore law firms including Baker & McKenzie, Ropes & Gray, and Howse Williams Bowers. Topics included *BVI and Cayman*

Courts' Approach to Trusts and Shareholder Disputes, and Offshore Litigation in Support of Onshore Proceedings.

OCTOBER 2011 – OCTOBER 2012: PUPILLAGE AT EAST ANGLIAN CHAMBERS

- Won Leonard Woodley Pupillage Scholarship.
- Mixed common law set with a focus on general crime, fraud, employment, family work, and PI.
- Crime: Prosecuting regularly for the Crown Prosecution Service in Norwich and Essex. Representing defendants at trial.
- Civil: Completing advisory paperwork, particularly in employment, contract, property law, and PI. Representing clients in civil trials and at ancillary hearings.

OTHER EMPLOYMENT

JANUARY - APRIL 2020: EXTERN AT THE PERMANENT MISSION OF THE MARSHALL ISLANDS TO THE UN

- Drafting legal opinions concerning the International Criminal Court and nuclear treaties, having regard to the relationships of the Marshall Islands with other states and its national and international priorities.
- Attending meetings at the UN on behalf of the Mission.

MARCH - AUGUST 2019: DLA PIPER REGIONAL RISK MANAGER FOR ASIA, HONG KONG

- Responsible for DLA Piper legal Risk issues in HK, PRC, Thailand, Singapore, Japan, and South Korea.
- Providing in-house training and legal advice to lawyers on professional and regulatory obligations, risk and compliance issues, and money laundering reporting duties. Supporting lawyers and staff working in IT security, human resources, and other service areas in respect of risk and compliance concerns, and tax matters.
- Assisting the international operational risk team on Hong Kong-specific issues arising in respect of the 2019 protests.
- Liaising with General Counsel concerning the structuring of Asian firm entities, regulatory issues, and taxation.
- Providing risk assessments for new firm initiatives and potential areas of business growth.

JUNE TO SEPTEMBER 2018: LEGAL ADVISOR TO ASYLUM SEEKERS, ADVOCATES ABROAD, CHIOS, GREECE

- Running legal advice clinics providing information on the process of applying for asylum in a

Greek hotspot. Assisting clients with preparation for, and attendance at, their interviews. Drafting narrative statements of individuals' experiences, placing them within the appropriate criteria for asylum protection. Conducting research to corroborate factual accounts and to evidence conditions in countries of origin. Liaising with other NGOs to provide non-legal support.

- Representing the NGO at UN and inter-NGO meetings, and providing training and shadowing opportunities.

MARCH 2011 – SEPTEMBER 2011: **INTERNSHIP IN THE OFFICE OF THE INTERNATIONAL CO-PROSECUTOR IN THE EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA**

- Recipient of Inner Temple Internship Award.
- Assisting with the preparation of the prosecution case in the war crimes trials of four defendants in Case 002, and the appeal of Case 001. Reporting directly to the International Co-Prosecutor, Andrew Cayley KC. Work included:
 - Opening submissions for trial on genocide committed against a minority Islamic group;
 - Submissions on rape as a distinct crime against humanity as a matter of customary international law;
 - Appeal against order by Co-Investigating judges to retract prosecution public statement;
 - Motion concerning admissibility of different types of documentary evidence;
 - Research concerning the implications of the filing of frivolous appears on preliminary matters, with reference to ICTY and ICTR, and implications of death of accused whilst in custody.

OCTOBER 2010 – FEBRUARY 2011: **ADJUDICATOR AT THE FINANCIAL OMBUDSMAN SERVICE, LONDON**

- Adjudicating consumer complaints against the financial services industry. Managing a case load of around 50 cases.

BAR ADMISSIONS

- 2010: England and Wales: Barrister (Inner Temple)
- 2013: British Virgin Islands: Barrister
- 2021: Cayman Islands: Attorney

EDUCATION

- 2020: **LL.M at Columbia Law School** in the City of New York (Harlan Fiske Stone Scholar) P.E.O. International Peace Scholar; Parker School Certificate in International and Comparative Law; Public Interest Honoree.
- 2010: **LL.B (GDL and BVC) at The College of Law**, Bloomsbury, London (2:1) Exhibition

Scholarship and Duke of Edinburgh Entrance Scholarship, Inner Temple. BVC - Very Competent (including Outstanding in Civil Lit., Criminal Lit., Advanced Civil, Judicial Review).

Winner of the College of Law Bloomsbury BVC Mock Trial Competition and the College of Law BVC Negotiation Competition.
GDL - Commendation.

- 2007: Corpus Christi College, **University of Oxford**
BA Philosophy, Politics and Economics (2:1)
- 2001 - 2003: **Cheltenham College**
Major Academic Scholarship 2001-2003; Sixth Form Academic Prize awarded: 2003.
A levels: Biology (A); English (A); Mathematics (B); General Studies (A). AS levels: Chemistry (A); Philosophy (A). Advanced Extension Award (AEA) English: Distinction.
- 1996 – 2001: **The Cheltenham Ladies College**
10 GCSEs, all at A*
French Advanced O Level (A)

MINI PUPILLAGES AND MARSHALLING

- Mini-pupillages at Hailsham Chambers (2010), Henderson Chambers (2010), Furnival Chambers (2008), and 187 Fleet Street (2008).
- Marshalling at Clerkenwell and Shoreditch County Court with HHJ Cryan, HHJ Marshall, and DJ Sterlini (2010).

INTERESTS AND ACTIVITIES

- Saxophone: Playing in Caribbean jazz band (2022-2023).
- *Help for Domestic Helpers*, Hong Kong: Providing pro bono legal advice to domestic helpers facing issues with their employment and residence in Hong Kong (2017).
- Theatre: Secretary of the Inner Temple Drama Society (2009-2010), lead roles in productions at university and Inner Temple.