



Cecil Hanafin Senior Associate

LLB (University of Canterbury)

Barrister and Solicitor of the High Court of New Zealand

Dispute Resolution and Commercial Litigation

Cecil is an experienced commercial litigator providing strategic advice and representation in relation to commercial disputes. She appears regularly as counsel in the New Zealand courts and other alternative dispute resolution forums including mediation, arbitration and adjudication. Prior to joining Morrison Mallett, Cecil worked as a senior associate in the commercial litigation department at a leading New Zealand commercial firm, having previously spent time working as a junior barrister in a highly respected Chambers. Cecil also regularly instructs and assists barristers (including Queens Counsel) providing extensive file management support and appearing as counsel as needed.

PROFESSIONAL EXPERIENCE

- :: Dispute Resolution and Commercial Litigation
- :: Corporate Insolvency and Debt Recovery including Personal Property Securities Act 1999
- :: Property and conveyancing related disputes
- :: Employment disputes
- :: Company and Directors Duties
- :: Securities Law
- :: Alternative Dispute Resolution - settlement negotiations, mediations and Judicial Settlement Conferences
- :: Interim relief - injunctions and freezing orders

Important recent cases include:

- :: ***Priest v Ross Asset Management*** - Acted for successful plaintiffs in respect of their claims to recover shares held by two companies formerly owned and managed by David Ross, involving complex issues as to bare trusts, equitable tracing, competing equities and corporate insolvency.
- :: ***Carolyn v New Zealand Real Estate Credit Limited & Ors*** - Acted for defendants in their successful defence of claims bought by a former employee relating to the recovery of a significant loan made to the plaintiff to purchase a residential property. The claims were bought following the lender having issued a Property Law Act notice.
- :: ***BDM Grange Ltd v Trimex Pty Ltd*** - Acted for the defendant in its successful defence of claims brought following the termination of a long term distribution agreement based on allegations of partnership and/or joint venture with

alleged breaches of fiduciary duties. Counterclaims were also successfully pursued seeking recovery of unpaid royalties.

- :: ***Liquidation of the Hurlstone Group*** - Acted for the New Zealand appointed liquidator of the Hurlstone Group of Companies in respect of numerous applications for directions sought by both the liquidator and the Hurlstone Group's Australian-based receivers. Also acted in numerous applications bought by the liquidator to set aside voidable transactions resulting in successful recoveries (either by judgment or favourable settlement) for the ultimate benefit of the general pool of unsecured creditors.

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:: **Grounding of the MV Rena off the Port of Tauranga** - Acted for the charterers of the vessel, Mediterranean Shipping Co S.A, following her grounding on the Astrolabe Reef in respect of numerous complex matters and issues arising as a consequence of the loss of the ship and its cargo.

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:: **Pegasus Town Ltd** - Acted for Pegasus Town Ltd in respect of a significant number of successful summary judgment applications seeking specific performance of Sale and Purchase Agreements for sections bought in Pegasus Town, Canterbury.

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CONTACT DETAILS

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