

Profile: Company

Experience and Expertise

Martin has substantial experience of shareholder disputes, including unfair prejudice claims, and has regularly advised on directors' duties and companies' constitutional issues.

Cases and Work of Note

- Acting for a bank which provides finance to developing and emerging markets in relation to a secured loan to a shareholder of a Bermuda company which is developing an international pipeline. The case involved the enforcement of the security over the shares in that company, the construction of the shareholders agreement and an application to rectify the share register.
- Acting in complex proceedings for the directors and majority shareholders of a Bermuda investment advisory company facing claims arising out of a merger of their business. The case involved claims for damages relating to a past shareholder's entitlement to deferred consideration and a claim for damages by a minority shareholder alleging breach of their shareholders agreement. The claims depended to a large extent on issues of business valuation relating to fund management.
- Advising US Counsel including Gibson, Dunn & Crutcher LLP, for a major US/multinational manufacturing and services group in relation to its US District Court trial against a former director of its Bermudian entity arising out of the misappropriation of USD20 million. Also advising in relation to briefs for the successful appeal to the United States Court of Appeals for the Second Circuit. Reported at *Tyco International Limited v Frank E. Walsh Jnr* (Case No. 10-4526-cv, United States Court of Appeals, Second Circuit, January 11, 2012.)
- Acting for a US hedge fund in an unfair prejudice claim in Bermuda against a Singapore publicly listed company arising out of the company's disposal of a significant interest in its most profitable subsidiary at an alleged undervalue.
- Acting for a US hedge fund in an unfair prejudice claim in Bermuda against a Hong Kong publicly listed company. The claim arose out of a transaction whereby the entire operations of one of the company's Chinese subsidiaries was leased on allegedly uncommercial terms to a BVI company as an alleged attempt to avoid the blocking of over related party transactions involving transfer pricing.
- Acting for a minority shareholder and former director in an unfair prejudice claim in Bermuda against the majority shareholder and director of a multinational supplier of music and audio equipment in a claim valued at over USD10 million.