

# Maria Kennedy

CALL: 2018 (ENGLAND AND WALES); 2022 (BRITISH VIRGIN ISLANDS)

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Languages: Russian (Fluent), Ukrainian (Proficient), German (Proficient)



## Overview

Maria has a broad commercial practice with a particular focus on fraud, insolvency, jurisdiction, service, and international arbitration. She frequently appears both led and as sole counsel in Court and arbitral proceedings.

Before coming to the Bar, Maria was a qualified solicitor-advocate. She spent five years working at a top international law firm, where she specialised in commercial litigation. During this time, she gained first-hand experience in oral and written advocacy, spent six months in the firm's Singapore office and worked on cases in Russia, Norway and Zambia.

Maria speaks fluent Russian and has lived and worked in Russia, Kazakhstan and Ukraine.

She has a double first class degree in Modern and Medieval Languages from the University of Cambridge and is admitted to the Bar of the Eastern Caribbean Supreme Court, British Virgin Islands.

Maria has been labelled a Rising Star for Civil Fraud by *The Legal 500*.

## Publications

- *Different jurisdictions' approaches to Quincecare: England and Wales lead the expansive approach*, JIBFL 2022
- *Quincecare: where we are, and where we are going*, TL4 FIRE Magazine Issue 11 2022

## Professional memberships

- COMBAR
- Inner Temple

## Education

- BPP Law School: Civil Higher Rights of Audience (2017)
- BPP Law School: Accelerated Legal Practice Course, Distinction (2014)
- BPP Law School: Graduate Diploma in Law, Distinction (2013)
- University of Cambridge, Jesus College: BA in Modern and Medieval Languages, First Class with distinction in oral Russian (2011)

## Prizes / scholarships

- Bar European Group Phoenicia Scholar (2020)
- Elliott Prize for Languages (2011)
- Modern and Medieval Languages Prize (2011)
- Jesus College Scholarship (2009)

- *Application of modified universalism where Article 4 of Brussels I (recast) is engaged (WWRT v Tyshchenko)*, Lexis 2021
- *The updated OGA Decommissioning Strategy*, <https://www.twentyessex.com/the-updated-oga-decommissioning-strategy/>, 2021
- *Offshore decommissioning: Zeroing in on trends and challenges*, <https://www.twentyessex.com/offshore-decommissioning-zeroing-in-on-trends-and-challenges/>, 2021
- Jesus College Exhibition (2008)
- Jesus College Prize for Languages (2008)
- Stanley Lai Scholarship (2008)

## Example cases

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- Obtained urgent non-publication and privacy related injunctions in confidential proceedings arising out of cryptocurrency fraud (sole counsel).
- Represented court appointed receivers in respect of ongoing enforcement proceedings arising from the *Gerald Smith* litigation (including in relation to contempt and possession applications) (with Tony Beswetherick KC).
- Represented applicants in relation to international enforcement proceedings arising out of a large-scale fraud (including making enforcement related applications and conducting hearings in the British Virgin Islands) (with John Machell KC).
- Represented one of the defendants in the *Steinmetz* fraud litigation.
- Provided sanctions advice and obtained injunctions and summary judgment following the impact of the Ukraine war: *Havila Kystruten AS v STLC Europe Twenty Three Leasing Limited, STLC Europe Thirty Four Leasing Limited* [2022] EWHC 3166 (Comm) (with Nicholas Vineall KC and Edward Jones).
- Represented the claimant in High Court proceedings in respect of unlawful means conspiracy, breach of confidence and intellectual property claims and an application to use an alternative method of service (with Lawrence Akka KC and Josephine Davies).
- Represented defendants to international fraud claims, including making challenges to jurisdiction and service (with Paul Lowenstein KC).
- Advised trustees-in-bankruptcy in complex high-profile bankruptcy proceedings on the recovery of assets and potential claims against third parties.
- Advised trustees-in-bankruptcy in respect of a potential transaction defrauding creditors (with Tony Beswetherick KC).
- Represented claimants in LCIA arbitration proceedings concerning the rectification of a settlement agreement (with Lawrence Akka KC and Josephine Davies).
- Provided advice to the UK Department of Trade on the impact of Brexit on EU-derived legislation.
- In a pool of barristers engaged to provide advice to the Department of Trade relating to ongoing trade negotiations and their implementation into English law.

## Fraud

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- Obtained urgent non-publication and privacy related injunctions in confidential proceedings arising out of cryptocurrency fraud (sole counsel).
- Represented court appointed receivers in respect of ongoing enforcement proceedings arising from the *Gerald Smith* litigation (including in relation to contempt and possession applications).
- Represented applicants in relation to international enforcement proceedings arising out of a large-scale fraud (including making enforcement related applications and conducting hearings in the British Virgin Islands) (with John Machell KC).
- Represented one of the defendants in the *Steinmetz* fraud litigation.
- Represented the claimant in High Court proceedings in respect of unlawful means conspiracy, breach of confidence and intellectual property claims and an application to use an alternative method of service (with Lawrence Akka KC and Josephine Davies).
- Represented defendants to international fraud claims, including making challenges to jurisdiction and service (with Paul

## Jurisdiction and service

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- Representing various applicants in jurisdiction and service related applications (with Paul Lowenstein KC).

## Insolvency and asset recovery

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- Advised trustees-in-bankruptcy in a complex high-profile bankruptcy proceedings on the recovery of assets and potential claims against third parties (sole counsel).
- Represented court appointed receivers in respect of ongoing enforcement proceedings arising from the *Gerald Smith* litigation (including in relation to contempt and possession applications) (with Tony Beswetherick KC).
- Represented applicants in relation to international enforcement proceedings arising out of a large-scale fraud (including making enforcement related applications and conducting hearings in the British Virgin Islands) (with John Machell KC).
- Advised trustees-in-bankruptcy in respect of a potential transaction defrauding creditors (with Tony Beswetherick KC).
- Provided advice and court representation in relation to various administration and winding up proceedings (sole counsel).
- Drafted an application pursuant to s.366 of the Insolvency Act 1986 (sole counsel).
- Represented a party resisting an injunction preventing the presentation of a winding-up petition (sole counsel).
- Currently drafting a chapter on the impact of foreign insolvencies on English seated arbitration for a textbook on insolvency and arbitration.

## Shipping

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- Provided sanctions advice and obtained injunctions and summary judgment in relation to claims arising out of the impact of the Ukraine war: *Havila Kystruten AS v STLC Europe Twenty Three Leasing Limited, STLC Europe Thirty Four Leasing Limited* [2022] EWHC 3166 (Comm) (with Nicholas Vineall KC and Edward Jones).
- Represented the owners of an arrested vessel in arbitration proceedings involving bribery, unseaworthiness, and breach of unsafe port warranty allegations (with Tim Hill KC and Socrates Papadopoulos).
- Represented the owners of a vessel in arbitration proceedings arising out of the invasion of Ukraine by Russia (with Socrates Papadopoulos).
- Represented a major shipyard in a series of disputes arising out of the termination of shipbuilding contracts.

## Recommendations

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Maria is a sharp and thorough counsel. She is bright, strategic and tenacious in her approach to cases. [The Legal 500 UK Bar 2024](#)