

Shaun Maloney

Partner

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VCARD



Areas of expertise

Banking Disputes >

Dispute Resolution >

Fraud and Asset Tracing >

Insurance Disputes >

Legal >

Restructuring and Insolvency >

Section 238 Shareholder Appraisal Rights >

Shareholder and Valuation Disputes >

Trusts Advisory Group >

Trusts Disputes and Applications >

Background and experience

Shaun's recent cases include:

- Acting for dissenting shareholders in the recent US\$3.2 billion privatisation of *Chindata Group*, a leading hyperscale data centre provider in Asia-Pacific emerging markets
- Representing the largest ever group of dissenting shareholders in the US\$8.7 billion privatisation of China's largest online classifieds marketplace, *58.com*.
- Advising dissenting shareholders in the US\$1.5 billion merger of *Arco Platform*, an educational software developer based in Brazil
- Advising dissenting shareholders in the US\$937 million take private of China's leading car services provider, *eHi Car*, including appearing in the leading decision on the availability of interim payments in section 238 proceedings
- Acting for dissenting shareholders in the appraisal of one of the world's largest manufacturers of solar power products, *JA Solar*, including appearing in the touchstone decision on pre-trial directions
- Appearing as trial counsel for dissenting shareholders in respect of the US\$556 million privatisation of leading business-to-consumer e-commerce company *E-Commerce China DangDang*.
- Acting for dissenting shareholders in the US\$480 million merger of leading Chinese online food delivery business, *Xiaodu Life Technology*, with an entity that was ultimately acquired by Alibaba

- Representing dissenting shareholders in the US\$1.4 billion Nasdaq delisting and appraisal trial of *iKang Healthcare*
- Advising dissenting shareholders in the US\$2.6 billion delisting of *SINA Corp*, a leading technology services provider (and parent to China's second largest social media platform)
- Acting for the executors of an estate worth over US\$75 million in relation to numerous issues arising in its administration, including bringing an application to determine the will's proper construction and advising on the potential liability of the executor personally
- Advising trustees as to competing claims being asserted against trust assets and allegations of improper distributions being made by beneficiaries
- Representing the court appointed guardian of an incapacitated settlor and beneficiary in cross-jurisdictional proceedings challenging the trust's validity
- Implementing the multi-award winning privatisation of Taiwan Cement Corporation through the use of a Cayman Islands scheme of arrangement.
- Contesting supervision orders appointing official liquidators over solvent investment funds on the basis that such orders would not facilitate a more effective, economic or expeditious liquidation
- Challenging an order obtained by the Cayman Islands Monetary Authority (acting at the request of an Australian regulator) for the disclosure of information in support of an investigation into market manipulation.
- Obtaining common law recognition and assistance to liquidators appointed by the High Court of Hong Kong over a Cayman Islands company in circumstances where there were no parallel insolvency proceedings in Cayman
- Advising the Joint Provisional Liquidators on the restructuring of Ocean Rig - the Cayman Islands' largest ever successful restructuring and one of the largest globally, resulting in an exchange by creditors of approximately US\$3.7 billion of debt for new equity

Shaun has worked in Ogier's Cayman and Jersey offices since joining the firm in 2011. Before joining Ogier, Shaun worked at a specialist commercial litigation firm in New Zealand, where he was admitted as a barrister and solicitor in 2007.

Shaun is a member of INSOL International and has had articles published in many leading publications. He is also recognised in both the Citywealth Leaders List and Legal 500.

Admitted in:

2016 - Cayman Islands

2007 – New Zealand (non practising)

Examples of work

[View more examples of work >](#)

18 June 2019 | 1 min read

Ogier in Cayman advises on successful jurisdiction challenge in English Commercial Court

Rachael Reynolds KC


Team: Shaun Maloney, Rebecca Findlay

 Cayman Islands

Case

12 February 2018

Taiwan deal involving Ogier's Hong Kong and Cayman teams recognised with three awards

Oliver Payne 

Team: Nathan Powell, Florence Chan, Edwin Gomez, Shaun Maloney

 Cayman Islands, Hong Kong

Deal

2 January 2018 | 0 min read

Fair value disputes – section 238

Rachael Reynolds KC

Team: Shaun Maloney

 Cayman Islands

Case

News and insights

[Find out more >](#)

29 January 2024 | 8 min read

Section 238 roundup: recent developments in Cayman Islands appraisals

Shaun Maloney

Team: Dunzelle Daker

 Cayman Islands

Insight

25 July 2023 | 1 min read

Overpayment of dividends – a common mistake

Oliver Payne 

Team: Shaun Maloney

 Cayman Islands

Insight

25 July 2023 | 3 min read

Interim payments in Cayman Islands shareholder appraisal actions - principles and pitfalls

Shaun Maloney

Team: Farrah Sbaiti

 Cayman Islands

Insight

5 June 2023

Trina Solar: dissenting shareholders successfully challenge fair value awarded by Cayman Grand Court

Shaun Maloney

Team: Michael Snape 


 Cayman Islands, Hong Kong


Insight

19 May 2023

Update on costs awards in Cayman Islands shareholder appraisals

Shaun Maloney

Team: Michael Snape 

 Cayman Islands, Hong Kong, Jersey

Insight

18 May 2023

Privilege in Cayman Islands appraisals – the door opens for dissenting shareholders

Shaun Maloney
Team: Dunzelle Daker

📍 Cayman Islands

Insight

1 March 2023

Short-form mergers – the appraisal saga continues in Changyou.com

Shaun Maloney
Team: Farrah Sbaiti

📍 Cayman Islands, Hong Kong, Jersey, London

Insight

10 November 2022

Appraisal rights confirmed in Cayman Islands short-form mergers

Shaun Maloney
Team: Farrah Sbaiti

📍 Cayman Islands, Jersey, London

Insight

26 October 2022

FGL Holdings – Cayman Court determines fair value at transaction price

Shaun Maloney
Team: Farrah Sbaiti

📍 Cayman Islands

Insight

Recognition

"Team of the Year – Litigation"

"Rising star"

Legal 500 Caribbean, 2020

"An exceptional lawyer... his technical knowledge is really first-rate"

Citywealth Leaders List 2019

"Next generation lawyer"

Legal 500 Caribbean, 2019

"Very capable"

Client feedback, 2019

"Shaun Maloney was very good, pretty forthcoming, and an easy guy to talk to"

Client feedback, 2018

"He is technically adept, but wears his learning lightly. He was always extremely responsive, client-focused and practical, and easy to get along with"

Citywealth Leaders List 2018

"Shaun Maloney was very sensitive to the international and cross border issues. He was very capable in explaining things, working with the court, and with regards to the strategy behind what we were doing. For an associate he was very mature in his assessment of what was happening in the court and what the strengths and weaknesses of our case were"

Client feedback, 2018

"I have been impressed with their responsiveness and their willingness to make themselves available, in addition to their feel and flair for the Cayman Islands' insolvency community"

Client feedback, 2018

"Shaun is first-rate"

Client feedback, 2018