





Whitestone Chambers

NICOLA MCKINNEY

CALLED AS A BARRISTER: 2004

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EDUCATION

B.A., (Hons.), University of Harvard.

M.Sc., (Hons.), London School of Economics.

LL.B., (Hons.), Queen Mary, University of London.

PROFILE

Nicola graduated from Harvard in 1999 and went on to study International Relations at L.S.E. before reading Law at Queen Mary, University of London. She completed her pupillage at Whitestone in 2006. Nicola is dual qualified and took partnership at Grosvenor Law in 2017.

MEMBERSHIP

Call to the Bar, Gray's Inn, 2004.

Call to the Bar of the Commonwealth of the Bahamas, 2004.

PRACTICE

Nicola's civil practice encompasses:

- Commercial.
- Insolvency.

Nicola has particular experience in advising on high-value hotel and property disputes as well as multi-jurisdictional insolvency and professional negligence cases in this jurisdiction and in The Bahamas.

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COMMERCIAL

Nicola acts and appears for both claimants and defendants in contractual and property disputes, including a high-value hotel development in the Privy Council in an adverse possession claim. She is instructed on both contentious and non-contentious matters relating to the purchase and sale of commercial property and breach of trust claims involving pension trust companies.

REPORTED CASES

- ***Arriva London Limited v k Eleftheriou UKEAT/0272/12/LA***: After successfully representing the claimant and securing his reinstatement at the employment tribunal in his claim for unfair dismissal, successfully resisted an appeal of the reinstatement order and cross-appealed a Polkey deduction, achieving a higher monetary award.
- ***Re: Hartmayes (in liquidation), Companies Court, Chancery Division High Court***: Representing liquidator in proceedings against company director, including private examination and arrest warrant.
- ***Kenneth Higgs v Leshelmaryas [2009] UKPC 47***: Appeared for defendants in Chancery Privy Council appeal, successfully arguing against adverse possession claim over commercial land situated in The Bahamas.
- ***Zobra Bi and Others v Elena Cloughton and Direct Line Insurance, High Court QBD***: Acted for claimant wife and child in multi-track Fatal Accidents Act claim with complex settlement negotiations involving both co-claimants (parents and siblings) and defendants. Cross-jurisdictional/Immigration issues and complex quantum calculations. Obtained sizeable settlement.
- ***Dalriada Trustees Limited v South Horizon Trading Limited and Others, High Court, Chancery Division***: Acted for defendant pension companies in claim for breach of trust.

INSOLVENCY

Nicola is regularly instructed by companies, company officers, liquidators and creditors to appear in a range of proceedings in the Companies Court including: winding up petitions, validation orders, private examinations and arrest warrants. She has advised in relation to misfeasance, fraud, creditors' rights, asset-tracing and recovery disputes. Nicola regularly advises on high-value corporate insolvencies in the Bahamas, including cross-jurisdictional questions on the duties and professional negligence of company auditors and advisors.