

Kim Francis

Barrister, Bankside Chambers

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Kim is a leading commercial litigator with over 25 years' experience in complex commercial, regulatory and insolvency disputes. He has successfully appeared at all levels of the New Zealand court system. Kim is known for his rigorous legal approach balanced by pragmatic commercial advice.

Kim has particular expertise in arguing complex legal and factual issues in trials, appeals and arbitrations – from technical insolvency disputes to complex regulatory issues.

Before joining Bankside Chambers in 2026, Kim was a partner at specialist disputes firm Lindsay Francis Mangan & Lee (formerly Lindsay & Francis) from 2021 and prior to that a partner from 2014 at litigation-focused firm Meredith Connell. Kim has acted for a variety of liquidators, receivers, regulators (Commerce Commission, Financial Markets Authority, NZ Transport Agency) and regulated parties, as well as company owners and directors. He has also acted in property disputes (including landlord-tenant and mortgagee issues) and other general civil and commercial disputes.

Kim is recognised by legal rankings such as *Chambers & Partners* as an "outstanding practitioner" who has "excellent litigation skills, is an innovative thinker and has great commercial sense", and as a very strong litigator with "a sophisticated rigorous approach to complex issues and a wonderful client service ethic". *Benchmark Litigation* quotes feedback that "Kim is a superstar – diligent, intelligent, and perceptive. He excels at managing files and client relationships".

Kim has been involved in leading cases in a wide range of areas for leading corporate and public sector clients. He has appeared in over 20 cases reported for their legal significance.

Kim is a contributing author of leading texts *Morison's Company Law* and *Heath & Whale on Insolvency Law* and has previously taught as an adjunct lecturer on courtroom advocacy at the University of Auckland.

Representative cases

Representative cases as instructing solicitor and/or counsel include:

- Representing (with Brian Dickey KC) **Talley's Group Limited**, one of New Zealand's largest privately owned groups, in ongoing shareholder and joint venture-related proceedings against ASX-listed Bathurst Resources Limited. The case has involved numerous complex interlocutory hearings and is due for trial in 2028.

- Representing (with Marc Corlett KC) the Chair and independent non-executive directors of **CBL Corporation Limited (in liq)** in two FMA proceedings, as well as two shareholder class actions and two liquidator claims, with total claims totalling over $800m. The civil claims were settled in mid-2023, and the High Court approved civil pecuniary penalties in the FMA proceedings in December 2023.

- Successfully representing **Maat Consulting** (with counsel Sam Lowery) in striking out proceedings pursued for an ulterior commercial purpose.

- Acting for the liquidators of **Ex-CM Limited (in liq)** (formerly Claymark Ltd) in relation to a challenge by the secured parties and receivers to the validity of their appointment.

- Significant High Court litigation for landowner **Green & McCahill Holdings Limited** on issues regarding caveats and a $35 million mortgagee sale arising from a troubled land development, including a successful appeal to sustain caveats.

- Successfully representing the **Commerce Commission** in a Supreme Court test case regarding consumer credit fees chargeable under the CCCFA (*Sportzone Motorcycles* litigation).

- Appearing for liquidators of **Property Ventures Ltd (in liq)** in a range of complex disputes in relation to competing claims by mortgagees, secured creditors, liquidators and receivers (*Property Ventures Ltd* litigation), as well as civil claims against the group's directors and auditors (*Walker v Forbes*).

- Acting for a shareholder on 2024 complaints to the Takeovers Panel and NZ RegCo (NZX) regarding voting arrangements concerning the recapitalisation of **Synlait Milk Limited**.

- Representing **Du Val Mortgage Fund** investors in potential claims against the Du Val Group, and working with the statutory managers to seek to facilitate returns.

- Representing **NZ Transport Agency** in striking out negligence claims based on novel duties of care.

- Acting for **Deloitte** as liquidators in appeals concerning a voidable transaction with a trade creditor (*West City Construction v Levin*).

Recognition
Kim is recognised as a leading commercial disputes lawyer and/or insolvency lawyer in *Chambers & Partners*, *Legal 500*, *Benchmark Litigation* and *Who's Who Legal*.

Career

- 2026-present Barrister, Bankside Chambers
- 2021-2026 Lindsay Francis Mangan & Lee (Auckland), Partner
- 2010-2020 Meredith Connell (Auckland/ Wellington), Partner (from 2014)
- 2010 Dechert LLP (London)
- *2009-2010* *University College London, studying for LLM (Distinction)*
- 2005-2009 Dewey & LeBoeuf LLP (London)
- 2002-2004 Lowndes Jordan (Auckland)
- 2001-2002 Russell McVeagh (Wellington)

Admissions

- New Zealand, Barrister & Solicitor (2001)
- England & Wales, Solicitor (2006) (non-practicing)
- Australia (New South Wales and Federal Court), Solicitor (2023) (non-practicing)
- Samoa, temporary 12-month bar admissions (2022-present)