

Denis McNamara moves over to Lowndes Associates

Corporate and commercial law firm Lowndes Associates has appointed former Simpson Grierson partner, Denis McNamara, to the position of consultant.

Mr McNamara had practised as a barrister and solicitor at Simpson Grierson since 1975. A news release issued by Lowndes managing partner, Mark Lowndes, says Mr McNamara's new role will focus on a broad range of commercial and corporate law work, including the retention of consultation to and within the hotel industry.

"Mr McNamara has considerable experience in corporate governance and management of international legal associations and alliances. In his practice he has advised on New Zealand-based housing, land development and residential and commercial property and hospitality and tourism matters; direct foreign investment activity (including by Brazilian, Japanese, Singaporean and Australian interests); and for *pro bono* clients such as the Coalition of Parents to Special Needs Children.

"Mr McNamara has held a number of company directorships, including for Genesis Power from 2002 to 2008 and for a number of overseas owned companies. He previously served as a member of the Inter Pacific Bar Association, and is currently the deputy chairman of NZPECC, Honorary Consul to Mexico, and a member of the Institute of Directors.

"He has also advised several iwi on commercial issues, and his current caseload includes an NZAID project in Niue," Mr Lowndes said.

Mr McNamara said he had enjoyed his time with Simpson Grierson but it was a time for new challenges. "After weighing all options, I decided to join Lowndes Associates largely because of the culture Mark Lowndes has created and his innovative but fully professional approach to adding value through excellence in providing legal services."

Lowndes Associates has also appointed Warren Butterworth to the position of partner from his own practice Warren Butterworth Lawyers. His field of practice is general commercial law, with particular expertise in aircraft transactions including cross-border tax issues, leasing and securitisation. Other areas of particular interest and experience are intellectual property, business sales and purchases, asset protection including trusts and the law relating to charities.

"Mr Butterworth brings more than 40 years of law office experience to Lowndes Associates, mostly as a partner," Mr Lowndes said. "He has practised as a litigator in a variety of cases in the High Court and Court of Appeal and has acted as both mediator and counsel in a number of mediation cases. He is a great asset and we look forward to introducing him to clients."

Mr Butterworth has had courtroom success in a large number of cases, including several substantial intellectual property claims, landmark contract cases, and product liability claims.

He is trustee of a Maori educational and environment charitable trust under the auspices of the Te Uri O Hau Settlement Trust board, and trustee of a Northland charitable trust operating medical facilities, a rest home and a retirement village. He also serves as Vice-President of and solicitor to the West End Rowing Club.



Auckland conference in April will discuss judicial review

The boundaries of judicial review in commercial cases will be examined at a Legal Research Foundation conference from 8.30am to 4.55pm at the Pullman Hotel, at the corner of Princes St and Waterloo Quadrant Auckland on Friday April 1.

The conference will provide an update on "the latest commercial judicial review cases" and will consider "whether a sound, fair and coherent theory is being applied".

Entitled, "Judicial review in commercial cases: The ongoing struggle for simplicity", the conference will be addressed by Justice Arnold

from the Court of Appeal; Francis Cooke QC; Dr Mark Elliott of Cambridge University; Jessica Gorman, co-author of the recent second edition of *GDS Taylor's Judicial Review: A New Zealand Perspective*; Dean Knight and Hanna Wilberg, Victoria and Auckland University law schools' judicial review specialists; and international lawyer Sadeq Bigdeli of the Harvard Law School and Tehran University.

The conference will be of interest to commercial litigators who practise in administrative law, and for commercial solicitors and in-house counsel who advise decision-makers.

"The nature of judicial review has changed significantly over the last 20 years and administrative law challenges are now common in a commercial context," says LRF Council member Laura O'Gorman.

"The challenge for academics, lawyers and the courts has been to develop a coherent theory of judicial review in a wide range of different circumstances."

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