**Speakers’ Bio – Considering Possible Settlement: Asian Parties in Court**

**Hon Justice David Goddard, Court of Appeal Judge and Chair of the Borrin Foundation**

Hon. Justice Goddard began his legal studies at Victoria University before studying at Oxford University on a Rhodes scholarship. He taught law at Bristol University from 1986 to 1988 before returning to New Zealand in 1989 to practise law. After 10 years at Chapman Tripp, he went to the bar in 1999 and was appointed Queen's Counsel in 2003.

Justice Goddard had a wide-ranging practice with particular focus on appellate advocacy before the Court of Appeal and Supreme Court. He spent the 2018/2019 academic year at New York University as a Senior Global Fellow in the Hauser Global Law School before being appointed as a judge of the High Court and Court of Appeal in July 2019.

Justice Goddard has had extensive involvement in law reform in New Zealand and overseas, advising ministers and government agencies on various policy issues. He has represented New Zealand in bilateral and multilateral treaty negotiations and chaired intergovernmental meetings at the Hague Conference on Private International Law that culminated in the adoption of the Hague Convention on Enforcement of Judgments in Civil and Commercial Matters in June 2019.

**Hon Justice Sally Fitzgerald, Chief Judge of the High Court**

Justice Fitzgerald graduated with an LLB (Senior Scholar) from Victoria University of Wellington in 1992 and was admitted to the New Zealand bar in the same year.

Justice Fitzgerald joined the Wellington office of Russell McVeagh as a solicitor in 1992, before relocating to London in 1994, where she was admitted as a Solicitor of the Supreme Court of England and Wales in 1999. She worked as a Senior Solicitor at Clifford Chance until 1997, and then at Debevoise & Plimpton from 1998 to 2001.

In 2001 Justice Fitzgerald returned to Russell McVeagh in Wellington. In 2003 she became a Senior Associate, Dispute Resolution at Sydney firm, Mallesons Stephen Jaques, and was admitted as a solicitor of the Supreme Court of New South Wales in 2003.

She returned to Auckland in 2006, and joined the partnership of Russell McVeagh in 2007, specialising in complex commercial dispute resolution, including regulatory investigations and proceedings, tax litigation, and arbitration law and practice.

Justice Fitzgerald was appointed a Judge of the High Court in 2016. From February 2020 to August 2023, she was the Auckland Criminal List Judge, with oversight of all criminal jury trials in the Auckland High Court. She was appointed the Chief Judge of the High Court of New Zealand in December 2023.

**Mai Chen, Barrister at Mai Chen and President of NZ Asian Lawyers**

Mai Chen (LLB(Hons)(Otago)), (LLM(Harvard)), (HonLLD(Otago)), (CMInstD), barrister, is a leading constitutional and administrative law expert and was previously:

* Founding and Managing Partner, Chen Palmer Public and Employment law Specialists, New Zealand, NZ’s first public law specialist firm she founded with the Rt Hon Sir Geoffrey Palmer KC.
* Former Adjunct Professor at University of Auckland School of Law and former Adjunct Professor in Commercial and Public Law at the University of Auckland, Business School, and Senior Law Lecturer, Victoria University of Wellington Faculty of Law.
* Chair of the Superdiversity Institute of Law, Policy and Business.
* President of New Zealand Asian Lawyers.
* Former independent non-executive Director, Bank of NZ Board and Chair, BNZ People and Remuneration Committee.
* Securities Commission member.
* Inaugural Chair, NZ Global Women, NZ Asian Leaders, Superdiverse Women.
* Top 10 finalist, 2014 and 2016 New Zealander of the Year.
* Top 50 Diversity Figures in Public Life, Global Diversity List supported by *The Economist.*
* Author of many books and articles including *Public Law Toolbox*(Lexis Nexis, 2nd ed); *Public Law in New Zealand* (Oxford University Press, co-authored) and *Culturally and Linguistically Parties in the Courts: A Chinese case study* (Superdiversity Institute, November 2019).
* Conferred with an honorary Doctor of Laws by the University of Otago in 2023 for her contribution to the legal profession and to Public Law.

When Mai’s family emigrated to New Zealand from Taiwan, she only spoke two words of English.

**Professor Andrew Godwin, Associate Director of Centre for Asian Law**

Professor Andrew Godwin is Professor of Commercial Law at Melbourne Law School, Director of the Melbourne Law Masters, Joint Associate Director of the Corporate Law and Financial Regulation Research Program at the Melbourne Centre for Commercial Law and Associate Director (Commercial law) of the Asian Law Centre. Andrew works and researches in the areas of financial regulation, financial services law, corporate and insolvency law, property law, and the regulation of the legal profession. He has published extensively in both academic and professional journals. He is a co-author of *Sackville & Neave Australian Property Law* and *Ford, Austin and Ramsay Principles of Corporations Law*, and co-editor of *Research Handbook on Asian Financial Law* (Edward Elgar, 2020), *The Cambridge Handbook of Twin Peaks Financial Regulation* (Cambridge University Press, 2021) and *Technology and Corporate Law* (Edward Elgar, 2021). Andrew served as Special Counsel and Acting General Counsel at the Australian Law Reform Commission from September 2020 to February 2024. He is a fellow of the Australian Academy of Law, a Distinguished Fellow of the Singapore Academy of Law and a member of the Advisory Board of the Asian Business Law Institute in Singapore.

Andrew studied Mandarin as his Arts degree at University and has used his language skills in his professional work – both in practice and in academia – throughout his career. From 1996 to 2006 he spent 10 years in Shanghai, where he was the Chief Representative and Partner of an international law firm. He has done a significant amount of expert evidence work across a range of areas and has provided expert reports for proceedings in the Federal Court of Australia, the Supreme Court of New South Wales, the Supreme Court of Victoria, the County Court of Victoria, the Family Court of Australia, the Supreme Court of Queensland, the Supreme Court of South Australia, the Supreme Court of Western Australia, the High Court of New Zealand, and the Court of Appeal of Papeete, Tahiti.

Andrew has been extensively involved in judicial training and engagement in Australia and overseas, particularly in relation to culturally and linguistically diverse (CALD) parties in the courts. His experience includes the designing and delivering training to the Commercial Court of the Supreme Court of Victoria and the Federal Court of Australia. In September 2022, Andrew co-authored with Mai Chen an Issues Paper called *‘Culturally and Linguistically Diverse Parties in Australian Courts – Insights from New Zealand’*. Among other things, the Issues Paper reflected on the insights that the recommendations of the CALD Report offer to Australia and reported on the New Zealand case of *Donglin Deng v Lu Zheng* [2022] NZSC 76.

**Professor Mindy Chen-Wishart**, **Former Dean of Law at Oxford University**

Mindy Chen-Wishart is Provost’s Professor at the National University of Singapore. Until 2023, she was the Dean, and Professor of the Law of Contract at the Faculty of Law at Oxford University and a Fellow of Merton College. She remains an Emeritus at both institutions and a Visiting Professor at Oxford University. She is author of numerous articles on the theory, doctrine and comparative law of contract, including an international prize-winning article. She is an Editor of *Chitty on Contracts*(now 35th ed), of the six-book series on *Studies in the Contract Laws of Asia*, of which the first four have been published, and of the *Elgar* *Handbook in the Philosophy of Contract law*. She is author of *Contract Law,*7th ed (OUP), which is being translated into Chinese and Vietnamese.

Mindy was a member of the Advisory Group on *A Restatement of the English Law of Contract*andhas lectured to the Judicial College of England and Wales, and the judiciary in Hong Kong and Taiwan. She has also lectured at Law Schools in, China, Japan, Thailand, Indonesia, Vietnam, Hong Kong, Korea, Taiwan, Germany, South Africa, Chile, Australia, and New Zealand. In 2024, Otago University conferred upon her an Honorary Doctor of Laws, and she was further honoured with a Lifetime Achievement Award at the 17th Annual International Conference on Contracts (KCON XVII), the largest annual international academic conference dedicated to contract and commercial law.

**Yvonne Mortimer-Wang, Barrister at Britomart Chambers**

Yvonne has over a decade’s experience in litigation with particular expertise in commercial crimes, civil fraud litigation, proceeds of crime, regulatory and professional disciplinary proceedings.

Yvonne acts for clients in criminal and civil proceedings at all levels of courts. She is equally comfortable and experienced with acting as the sole or lead counsel on matters, or working together with senior counsel from across leading sets in New Zealand.

Yvonne has appeared as counsel representing the New Zealand Bar Association and the New Zealand Law Society in notable cases, as well as having been appointed as counsel to assist the High Court and the Supreme Court. She is a senior prosecutor on the Serious Fraud Office prosecution panel.

Yvonne is a co-chair of the Advocacy Committee and a member of the Diversity Committee of the New Zealand Bar Association. She is a board member of the New Zealand Asian Lawyers, and a co-chair of its Litigation Committee.

Born in Shanghai, and raised both there and in New Zealand, Yvonne is bilingual in English and Chinese. She is routinely asked to act or consult on matters where parts of the primary evidence (whether oral or documentary) is in Chinese.

**Michael Taylor, Partner at Russell McVeagh**

Michael is recognised as a leading partner specialising in construction, infrastructure, arbitration and related areas of professional liability. He practiced at the London commercial bar for over 15 years at a leading construction set, before joining Russell McVeagh.

Michael is much sort after and highly regarded by clients, and is described in the directories as "*a superb construction lawyer"*with*"commercial awareness and strategic insight, along with an eye for detail",*who*"gets results."*

Michael advises and represents clients in all manner of construction disputes. He regularly acts in largescale, complex cases. He enjoys highly technical cases, especially those involving large teams of experts and is an experienced cross-examiner. He has significant experience of insolvency-related construction disputes.

**David Campbell, Partner at Dentons and Vice President of New Zealand Law Society**

David manages commercial and civil disputes and provides advice on contentious issues. He focusses particularly on competition law, product liability, liability insurance, and trust disputes. He has been involved in major multi-party litigation including class actions.

David also works with the Construction team at Dentons on the insurance issues that arise out of construction disputes. His expertise extends to advising private clients on disputes over wills and estates. He also he has experience in media law and defamation.

Having represented listed companies, multi-nationals and significant private companies in many forms of dispute resolution, David knows how to effectively reduce delay, cost, and uncertainty. He also has particular expertise in assisting clients who require emergency relief from the courts. In this area, he has successfully acted in relation to search orders, freezing injunctions, mandatory injunctions, and restraints of trade.

David is a past-President of the Auckland Branch of the Law Society and served on the Women's Advisory Panel.

**Brent O'Callahan, Barrister at Arapata Chambers**

Brent O’Callahan, barrister, is an experienced trial and appellate advocate practising in the senior courts. He has appeared in more than 60 reported cases and has settled more than 80 cases at mediation. Brent is one of New Zealand’s most experienced lawyers in private international law issues and regularly acts for Asian litigants, in particular those from China and India.

**Nick Malarao, Barrister at Richmond Chambers**

Nick has 24 years of litigation experience, with extensive expertise across civil, commercial, tax, and regulatory disputes. His expertise is particularly sought after in company and insolvency law, especially in the dynamic area of directors’ duties. He has appeared in or supervised over 100 directors’ duties proceedings in the High Court and has overseen hundreds of liquidation and bankruptcy cases. In 2019, he argued New Zealand’s first substantive and precedent-setting directors’ duties case before the Supreme Court. Nick has devised innovative solutions both within and outside the Companies Act 1993 and Property Law Act 2007 to effectively pursue and secure outstanding debts.

Nick’s tax expertise is built on years of representing Inland Revenue in complex civil disputes and prosecutions. His tax acumen led to his appointment in 2018 to the government’s Tax Working Group, chaired by Sir Michael Cullen, to consider improvements to New Zealand’s tax system.

In addition to his legal qualifications, Nick holds an undergraduate degree in accounting, enhancing his expertise in financially focused legal matters.

Nick joined the independent bar in July 2024. Prior to this, he was a senior litigation partner at Meredith Connell, having joined the firm in 2000 and becoming a partner in 2010. He is authorised by the New Zealand Law Society to accept direct instructions from clients.

Nick has consistently achieved successful outcomes for all his clients, whether they are individuals, insolvency practitioners, public or private companies, or government agencies. He remains committed to continuing this track record of success.

Nick thrives in the courtroom and a selected record of his recent litigation experience is set out below. However, most disputes that Nick has acted on are satisfactorily and confidentially resolved, often against the backdrop of Court proceedings.