

## Representative Legal Matters

Gillian Lam

### Arbitrations

- Advising on and defending a Swiss multinational pharmaceutical corporation on a USD 30 million claim in ICC arbitration by a HK pharmaceutical company jointly owned by a HK listco and Shanghai listco, and commencing winding-up proceedings against the HK entity for debt owed to the Swiss entity.
- Acting for a US global pharmaceutical company in a HKIAC-administered arbitration against a Hong Kong-listed company (whose business is in China) to enforce its right as a minority shareholder under a subscription deed between the parties.
- Advising and defending a US-listed manufacturer of non-invasive radiosurgical device on its arbitration dispute with a Taiwanese distributor over PRC distributorship under ICC Rules in Hong Kong (Amount claimed: USD 157 million).
- Advising and defending a Chinese major automobile manufacturer in its arbitration disputes in Hong Kong with a potential joint venture partner from the United States under HKIAC Rules in Hong Kong (Amount claimed: USD 1.1 billion).

### Fraud/Cyber fraud recovery

- Advising and assisting more than 100 multinational companies who are cyber-fraud victims in recovery actions against defendants in Hong Kong and disclosure orders against banks.
  - Acting for a leading European manufacturer of home appliances in a “CEO” fraud loss of around EUR 21 million, which was transferred to 110 bank accounts in Hong Kong and mainland China.
  - Acting for a bank based in the Middle East in relation to a fraud committed through hacking into the bank's SWIFT system, causing around EUR 25 million to be transferred to various accounts in Hong Kong and mainland China. Successful recovery being 80%.
  - Advising a Hong Kong company whose internal email system is compromised and hacked by fraudsters, which issued fraudulent instructions to redirect USD 6.6 million to accounts in Hong Kong, Singapore and China.

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- Seeking disclosure application against Hong Kong banks and their Macau branches on behalf of a Middle Eastern government authority in aid of Cayman Island proceedings for breach of trust/breach of fiduciary claims.
- Defending a UK share custodian company on fraudulent misrepresentation claims relating to hypothecation of shares in a HK-listed company.

## **Litigations**

- Advising a BVI trustee on its obligations and strategy in a family dispute settlement.
- Advising a charitable foundation on shareholders' disputes.
- Assisting a Japanese gaming corporation to obtain urgent injunction to restrain the wrongful declaration of default under a USD 760 million bond.
- Defending a multinational software company in contractual claims by a start-up virtual bank.
- Advising and assisting high-net-worth individual clients on defamation claims.

## **Employment issues**

- Conducting employee investigation for a multinational insurance company in relation to misconduct/harassment issues.
- Conducting employee investigations on allegations of sexual harassment or past misconducts for an international school in Hong Kong.
- Advising a HK subsidiary of a Chinese regulated asset management company in defending an ex-employee's claim for unpaid wages and outstanding commission in breach of employment contract.
- Advising a major retail bank in Hong Kong on its action (injunction/subsequent claim) against ex-employee who sent client personal data to her personal email account.
- Advising a major multinational electronics company in settling discrimination complaints in the Equal Opportunities Commission.

## **Compliance/Product Liability**

- Assisting a multinational telecommunications company in its investigation in relation to potential breach of the competition laws in Hong Kong and its liaison with the Hong Kong regulators.



- Assisting US multinational infant formula company on its FCPA internal investigation related to matters raised by the SEC in China.
- Advising US gaming company on AML risks in Hong Kong branch office.
- Assisting a multinational company on its internal investigation on bribery issues in factories in PRC.
- Assisted with voluntary product recall for a well-known US audio equipment manufacturer and for a well-known toy brand.
- Completing a secondment with an investment bank handling investigations and compliance issues for its private wealth management department.