

## Keoy Soo Khim

PARTNER | HONG KONG

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Soo Khim Keoy is a partner in the litigation and arbitration team.

He is experienced in complex corporate commercial disputes, joint venture and shareholders' disputes, contentious insolvency proceedings, arbitration, compliance and regulatory issues, including investigations, enforcement and disciplinary actions. Soo Khim is adept at providing client-tailored strategies and solutions. He was recognized by Legal 500 as one who "quickly identifies crucial points of disputes and associated risks".

Soo Khim has represented listed companies and financial institutions in complex commercial disputes in Court, at trial and at the appellate level, up to the Court of Final Appeal, and in investigations involving the Hong Kong Stock Exchange, the Securities and Futures Commission and the Financial Reporting Council.

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SECRETARY **WINDY LEUNG**

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### TRACK RECORD

Defending a Hong Kong listed gas company against claims brought by its former director, involving issues on the validity of share options worth over HK\$2 billion granted to them and damages of over HK\$130 million for allegations of wrongful dismissal/termination.

Advising a director of a Hong Kong listed company on litigation in four jurisdictions (Hong Kong, British Virgin Islands, Ontario and China) arising from a matrimonial dispute over assets worth over HK\$3 billion where injunctions have been obtained and receivers appointed over the investment holding SPV.

Acting for a Hong Kong listed shipping company in a tortious claim of US\$60 million against owners of the debtor company for giving false evidence in South African court proceedings to secure the release of a vessel arrested by the creditor.

Defending a prominent Swiss private bank against claims by former clients alleging mismanagement of discretionary portfolios resulting in alleged losses of over US\$10 million.

Acting for key witnesses in the ICAC investigation into the Hong Kong-Zhuhai-Macau Bridge incident.

Successfully recovered over HK\$400 million worth of shares pledged by the majority shareholder of a Hong Kong listed company which was transferred away without its consent or knowledge, including obtaining two injunctions in two weeks to freeze the assets of the lender and mortgagee.

Successfully struck out two arbitrations commenced against a 50% shareholder of a joint venture/shareholders' dispute by challenging the jurisdiction of an arbitral tribunal based on the claimant's failure to comply with the requirements of an arbitration clause.

Assisted a Hong Kong listed company to discharge provisional liquidators appointed in Hong Kong and the Cayman Islands over its subsidiaries listed in Singapore. Allegations against the companies include fraud and misappropriation of company funds. Also assisted client in SFC's dawn raid.

Assisted a client in enforcing a share charge over 16% shareholding of a listed company, taking control of the board of directors and disposing the said shareholding to a third party. Related steps included commencing court action under convertible bonds, issuing of winding up petition against the listed company and resisting injunction to convene SGM.

Successfully defended a Hong Kong listed company against claims by its former Chairman seeking inter alia a declaration of beneficial interest in the company's major assets (real properties in the Peak) worth over HK\$300 million. Advised the company in handling the regulators' enquiries on various related issues.

Assisted one of the largest full service banks in loan recovery/enforcement against security, including repossession of real properties and private jet, and in bankruptcy proceedings against a guarantor who ran a prominent diamond business in South Africa.

Obtained judgments and a settlement for a major US valve manufacturer against its senior employees in Hong Kong who had conspired to defraud its business for almost 10 years. Obtained Anton-Piller order and Mareva injunction at the outset.

Assisted a client in resisting a claim for specific performance brought by a Singapore listed company relating to the sale of a Hong Kong company owning a significant parcel of land (valued over RMB850 million) in Silver Bay, Beihai and obtained favourable settlement after commencing contempt proceedings against the Chairman of the purchaser.

Assisted a client in resisting an action in the Hong Kong High Court brought by the purchaser to overturn an interim award of an arbitral tribunal finding jurisdiction over the client's claim for over US\$20 million against the purchaser for goods sold and delivered.

Advised a Hong Kong company in investigation by the Dutch Tax Authority on suspected tax evasion and transfer pricing issues by an associated Dutch company. Assisted the client in managing the search warrant executed at company premises by the CCB, Interpol and Dutch Ministry of Justice, and subsequent summons to give evidence before a magistrate.

## ADMISSIONS

- Hong Kong, 2002
  
- England & Wales, 2001
  
- Singapore, 1998

## PUBLICATIONS

*'Would Party Autonomy Trump Winding-Up Petitions? An Analysis of Hong Kong's Position'*, Contemporary Asia Arbitration Journal - Dec 2020, co-author

*'The Long Arm of the Law in Hong Kong – The Power of the Court to Grant Alternative Remedies when Enforcing an Arbitration Award'* - October 2020, co-author

*'No longer alone: Casting the net wider through standalone Mareva injunctions in Hong Kong and Singapore'* - September 2020, co-author

*'Corporate insolvency in the time of the coronavirus pandemic in Hong Kong'* - May 2020, co-author

*'Keep calm in uncertain times: Know your obligations before you act'* - April 2020, co-author

*'The Art Market Adjusts: Protecting your assets from international creditors - UK and Hong Kong'* - April 2020, co-author

*'PRC Restructuring and Bankruptcy Law in the Asia Development Bank's'*, Asia-Pacific Restructuring & Insolvency Guide - 2009, co-author

## TALKS

*'Ready for a fight: How to make your contractual clauses work for you'*, Association of Corporate Counsel Hong Kong - 10 September 2019,

speaker

**EDUCATION**

London School of Economics and Political Science, Graduate Diploma in Business Studies  
Queen Mary & Westfield College, LL.B.

**LANGUAGES**

CANTONESE  
ENGLISH  
MANDARIN

**DATES**

JOINED: 2018

Hong Kong

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