

## **CURRICULUM VITAE (CV)**

LIM JIT KIONG graduated with a Bachelor of Laws degree with honours (second class upper division) from the University of Malaya in 1998 on a Skrine & Co. scholarship. Upon obtaining his law degree, Jit Kiong read in chambers at Skrine & Co. and was admitted as an Advocate & Solicitor of the High Court of Malaya in March 1999. Thereafter, Jit Kiong pursued his postgraduate studies at the prestigious National University of Singapore in which he graduated with a Master of Laws degree in August 2000. He is also a Registered Trade Mark Agent in Malaysia.

He has more than 20 years of experience as an Advocate & Solicitor and has represented clients including international and local banks, multi-national corporations, public-listed companies, private limited companies and prominent individuals in arbitration and at all levels of the courts including the apex court, the Federal Court. Many of the cases which he won were reported in the law journals.

Jit Kiong has worked together with a renowned retired Federal Court Judge Dato' Seri Gopal Sri Ram in several complicated disputes involving claims exceeding hundreds of million ringgit, one of which involved the Federal and State Governments.

He recently made history for handling the first cyberlaw case at the Kuala Lumpur High Court in which he successfully obtained an interim injunction to restrain the defendants from further publishing defamatory statements against the plaintiff on Instagram. He is currently handling several cyberlaw cases relating to online publications on Facebook, WhatsApp and Instagram.

In one of Jit Kiong's recent cases which was reported in the Malayan Law Journal as [2019] 6 MLJ 439, he successfully argued at the Court of Appeal in which the appellate court reversed the judgment of the High Court in a claim for negligence involving by a customer against a well-known slimming centre.

His name was also widely reported in the media (Malaysiakini, Malay Mail Online) in the trial of a public interest suit in which he successfully defended a committee member of a well-known NGO at the High Court, Court of Appeal and the apex court, the Federal Court. The Court of Appeal decision was reported in the Current Law Journal as [2016] 8 CLJ 330.

Jit Kiong had successfully argued and won a complicated land dispute involving a lienholder's caveat at the Court of Appeal reported as [2010] 3 CLJ 45 which decision was subsequently upheld by the Federal Court.

He is well-sought after as lead counsel for firms of solicitors for complex and complicated disputes. He has served as a member of the Bar Council Court Liaison Committee. He used to speak regularly on the topic of litigation at a major bank's national training centre. He has also spoken on the areas of contract and commercial laws at Institut Tadbiran Awam Negara (INTAN).

He has vast experience as an Advocate & Solicitor specialising in civil, commercial & employment litigation. His areas of specialty include the following (in alphabetical order):

- Banking
- Bankruptcy & Insolvency
- Building Contracts, Construction & Arbitration
- Commercial Contracts (software, agency, distribution, talent management, joint venture)
- Corporate (shareholders, directors & partnership)
- Commercial (insurance, sale of goods)
- Defamation (libel, slander, media & online defamation)
- Employment & Labour
- General & Professional Negligence
- Injunctions (anton piller orders, interlocutory, mareva & fortuna injunctions)
- Intellectual Property (trademark, copyright & confidential information)
- Information Technology
- Land and Tenancy
- Tort (trespass, assault, battery)
- Trusts, Wills, Probate & Administration of Estate

In January 2012, Jit Kiong left as a partner of one of the largest law firms in Malaysia, Soo Thien Ming & Nashrah in order to establish Messrs JK LIM, a boutique law firm specialising in commercial & civil litigation, intellectual property and corporate & commercial contracts.

Messrs JK LIM has been chosen as the winner of the prestigious Corporate INTL Legal Award for 'Emerging Boutique Law Firm of the Year in Malaysia' for 6 consecutive years from 2015 to 2020 by the UK based magazine. The Firm was also chosen as the winner of the 'Emerging Boutique Law Firm of the Year in Malaysia- 2020' in the Annual Global Law Experts Awards by the renowned international law organisation after an extensive nomination and research process.

Jit Kiong's experience and engagements include the following subject matters (in alphabetical order):

### **Banking**

Kuala Lumpur High Court Suit No. 22NCC-230-02/2013  
RHB Bank Berhad v R & Y Industries Services Sdn Bhd & 2 Others  
*Banking facilities- purported default*

Shah Alam High Court Suit No. 22NCVC-247-02-2013  
OCBC Bank (Malaysia) Berhad v R & Y Industries Services Sdn Bhd & 2 Others  
*Banking facilities- purported default*

Shah Alam Sessions Court Suit No. B52-115-06/2013  
Malayan Banking Berhad v R & Y Industries Services Sdn Bhd & 2 Others  
*Banking facilities- purported default*

Court of Appeal Application No. W-08-25-2010  
Gan Eng Chuan v Bank Industri & Teknologi Malaysia Bhd  
*Banking-setting aside default judgment-merit*

Court of Appeal Application No. W-08-1374-2010  
Tho Tuck Woh v Hong Leong Finance Bhd  
*Banking-loan facility-validity of loan agreement-null and void for want of consideration-project abandoned*

Seremban High Court Suit No. 22-246-2003  
Malayan Banking Bhd v Atlanta Square (M) Sdn Bhd & 3 Others  
*Banking-charge-action against chargor for outstanding amount under charge upon auction of charged properties*

Kuala Lumpur High Court O.S. D24-213-2009  
Al Rajhi Banking & Investment Corporation v United Steelink Project Sdn Bhd & Anor  
*Islamic banking-insurance-interim injunction to restrain payment of insurance pursuant to a fire policy-beneficial owner*

Shah Alam High Court Suit No. MT4-22-1063-1998  
Malayan Banking Bhd v TCP Electronics Sdn Bhd & 2 Others  
*Banking-loan facilities-claim for outstanding amount-case management*

Kuala Lumpur High Court Suit No. D2-22-92-2007  
Citibank Bhd v Lion Electronics Enterprise (M) Sdn Bhd & Anor  
*Banking-loan facilities-claim for outstanding amount-Order 14 summary judgment*

Affin-ACF Finance Berhad v Phang Ngan Heong [2010] 7 CLJ 592  
*Banking-hire purchase-claim for breach of implied undertaking as to title of a car-total failure of consideration*

Court of Appeal Application No. N-08-990-2010  
Hong Leong Finance Bhd v Era Auto Enterprise  
*Banking-hire purchase-indemnity by car dealer-total failure of consideration*

Seremban High Court Civil Appeal No. 12-70-2008  
Hong Leong Finance Bhd v Haslinda Bte Hussin  
*Banking-hire purchase-claim for breach of terms and warranties-third party notice*

Seremban High Court Civil Appeal No. 12B-175-2009  
Hong Leong Finance Bhd v Teow Kwi Choon  
*Banking-hire purchase-claim for breach of terms and warranties-indemnity by hirer*

Kuala Lumpur Sessions Court Summons No. 5-52-13945-1999  
Lee Siow Pin v Public Finance Bhd  
*Banking-hire purchase-indemnity-third party notice*

### **Bankruptcy & Corporate Insolvency**

Mok Swee Kion v CIMB Bank [2018] 1 LNS 1669  
*Bankruptcy- appeal against Registrar's decision- Bankruptcy Notice struck out*

Shah Alam High Court Bankruptcy No BA - 29NCC - 7201 - 11 /2019  
Impro PDC Enterprise v Amin Nur Hafeez Bin Tahar  
*Bankruptcy- creditor's petition- substituted service*

Shah Alam High Court Bankruptcy No. BA-29NCC-3020-04/2017  
Yeng Ying Sdn Bhd & Anor v Lai Joong Khin  
*Bankruptcy-creditor's petition- opposition*

Shah Alam High Court Bankruptcy No. 29NCC – 6279 – 07/2015  
Southeast Asia Special Asset Management Berhad v Mok Swee Kion  
*Bankruptcy-bankruptcy notice invalid-res judicata applies*

Shah Alam High Court Bankruptcy No. 29NCC –2238 - 03/2016  
Southeast Asia Special Asset Management Berhad v Mok Swee Kion  
*Bankruptcy-bankruptcy notice invalid-no locus standi-wrong party*

Kuala Lumpur High Court Bankruptcy No. 29-4391-09/2011  
CIMB Bank Bhd v Mok Swee Kion  
*Bankruptcy-bankruptcy notice invalid-substituted service defective*

Temerloh High Court Winding Up No. 28-03-2009  
GR Plantation Sdn Bhd v Agensi KB Commodity Sdn Bhd  
*Insolvency-examination of former directors-removal of liquidator-stay of winding-up order*

Temerloh High Court Civil Suit No. 22NCVC-4-1-2012  
Agensi KB Commodity Sdn Bhd v Yee Plantation Sdn Bhd & 4 Others  
*Insolvency-undue preference-void transactions-security for costs*

Temerloh High Court Civil Suit No. 22NCVC-5-1-2012  
Agensi KB Commodity Sdn Bhd v Gelaran Prima Holdings Sdn Bhd & 4 Others  
*Insolvency-undue preference-void transactions-security for costs*

Court of Appeal Civil Appeal No.W-02-1292-2008  
Ahmad Imran B. Omar & 2 Others v Bumiputra Commerce Bank Bhd  
*Bankruptcy- beneficiary demands not in accordance with bank guarantees-estoppel*

Court of Appeal Civil Appeal No.W-03-352-2009  
Ghazali B. Haji Ibrahim v CIMB Bank Bhd  
*Bankruptcy-validity of bankruptcy notice-wrong procedure to challenge bankruptcy notice-amount claim excessive-wrongful calculation of interest*

Seremban High Court Bankruptcy No. 29-876-2000  
Hong Leong Finance Bhd v Mohd Adli Bin Maaris  
*Bankruptcy-validity of bankruptcy notice-substituted service-estoppel*

Kuala Lumpur High Court Bankruptcy No. D4-29-2974-2000  
Perdana Merchant Bankers Bhd v Lee Aik Cheong  
*Bankruptcy-opposing debtor's discharge application under s33 Bankruptcy Act*

Kuala Lumpur High Court Winding Up No. D2-28-877-2005  
Public Bank Bhd v Beta Holdings Sdn Bhd  
*Winding Up-bona fide dispute over debts-section 218 notice defective-duty of care failing to dispose shares*

Shah Alam High Court Winding Up No. MT3-28-154-2006  
BIC-GBA Sdn Bhd v KPS Plywood Sdn Bhd  
*Winding Up-bona fide dispute over debts-company commercially solvent-existence of a valid claim for set-off*

Kuala Lumpur High Court Winding Up No. D5-28-1055-2000  
Sound & Light Electrical Engineering Sdn Bhd v Kin Hup Seng Constructions S/B  
*Insolvency-under preference- void transactions*

### **Contract**

Wong Kim Cheng [2014] 2 MLJ 63 (Court of Appeal)  
*Declaration- nominee shareholder- setting aside share transfer*

Acting for the Joint Management Body of Setiawalk for outstanding maintenance charges (more than 20 suits at the Shah Alam's Magistrate's Court) and other outstanding matters.

Acted and represented the Management Corporation of Genting Permai Park & Resort in a dispute on maintenance charges.

Rendered preliminary advice to a committee member of Joint Management Body of Tropics @ Tropicana City.

Acted and represented Sunway Masalam Sdn Bhd (a subsidiary of Sunway Group) in defending several claims for liquidated ascertained damages by purchasers.

Acted and represented Sunway Masalam Sdn Bhd in an action for construction defects by a purchaser.

Kuala Lumpur High Court Suit No. 22NCVC-198-02/2012  
Palm Management Consultants Sdn Bhd v Teo Hang Sam Realty Sdn Bhd  
*Construction-claim for breach of design agreement-damages*

Bandar Baru Bangi Sessions Court Summons No. 52-9-1-2012  
Oracle Design v Alexander a/l Raipan  
*Construction-claim for design and installation fees*

Shah Alam High Court Suit No. 22-83-1996  
System Drillers v Mudajaya Constructions Sdn Bhd  
*Construction-whether sub-contractor entitled to claim on a final sub-contract payment certificate based on a 'star rate'*

Kuala Lumpur Magistrate's Court Suit No. A72-120-02/2014  
Dawn Vector Sdn Bhd v Hasmida Binti Mohd Darus & 2 Others

*Action for purported breach of contract of sale-vehicles*

Shah Alam Magistrate's Court Suit No. A72NCC-944-05/2014  
Hee Wan Seng (t/a Wanwood Buildmat Enterprise) v Ong Sing Seng  
*Action for purported breach of contract*

Capatronics Malaysia Sdn Bhd & Anor v SMT Speedmark Forwarders Malaysia Sdn Bhd (CMA-CGM Malaysia Sdn Bhd as Third Party) [2011] 6 AMR 327  
*Shipping-exclusion clause in bill of lading exempted the freight forwarder from liability-privy of contract-liable for subsidiary company's losses*

ABP Perfab (M) Sdn Bhd v Nationwide Express Courier Services Behad [2012] 1 CLJ 704  
*Contract-limitation of liability clause in consignment note-going to the root of contract*

Kuala Lumpur High Court Civil Appeal No. R1-12-684-2005  
GD Express (Ipoh) Sdn Bhd v Mariwangsa Kraftangan Sdn Bhd  
*Contract-limitation of liability clause in consignment note-going to root of contract*

Shah Alam Sessions Court Summons No. 2-52-2154-2010  
Annie's Cooking Studio v Everpro Sdn Bhd  
*Contract-direct selling-claim for breach of 'smart partnership'*

Kuala Lumpur High Court Civil Suit No. S4-22-524-2008  
Enginext Sdn Bhd v Intraline Resources Sdn Bhd  
*Contract-claim for non-payment of invoices for lease of induction heating equipment and installation charges*

Melaka High Court Civil Appeal No. 12BNCVC-09-12/2011  
Intraco Hardware (M) Sdn Bhd v Pakatan Muhibah Sdn Bhd  
*Sale of goods-assignment of debts or novation of agreement*

Kuala Lumpur High Court Civil Appeal No. R3-12A-1015-2010  
Yow Keong Furniture v Soon Furnishing Design  
*Sale of goods-claim for non-payment of invoices-set off against damages*  
Shah Alam High Court Suit No. MT3-22-440-2005

BIC-GBA Sdn Bhd v KPS Plywood Sdn Bhd & 2 Others  
*Sale of goods-distribution agreement-counterclaim for breach of collateral agreement*

Kuala Lumpur High Court Civil Appeal No. R4-11A-68-2009  
Beskom Teknologi Sdn Bhd v Unique Letronik Sdn Bhd  
*Sale of goods – automatic gate system – summary judgment*

Shah Alam High Court Suit No. 22NCVC-1025-09/2011  
Jining Xinao Agricultural Products Co Ltd v Evergreen Empower Sdn Bhd  
*Sale of goods-claim for outstanding invoices for agricultural produce in excess of USD495,000*

Kuala Lumpur High Court Civil Appeal No. R1-12-283-2008

Vijayan Kumaran a/l KK Nair v Hypermedia Communications Sdn Bhd  
*Claim for services rendered pursuant to oral agreement*

### **Corporate & Commercial**

Court of Appeal No. B-02(NCC)(A)-288-0/2020

Shah Alam High Court

Zarimah binti Abdul Rahim & Anor v EET Engineering Services Sdn Bhd

*Shareholders dispute- breach of fiduciary duties as directors- minority oppression*

Kang Hai Holding Sdn Bhd [2020] 6 MLJ 464 (Court of Appeal)

Kang Hai Holding Sdn Bhd [Muar High Court Suit No. 22NCVC-59-06-2013]

*Shareholders dispute- breach of fiduciary duties as directors*

Court of Appeal Civil Appeal No: W-02(NCC)(A)-1910-10/2016

Liaw Yeou Huah v Wong Kee Kian & 2 Others

*Minority Oppression-Shareholders Dispute*

KL High Court Civil Suit No. WA-22NCC-362-10/2016

Liaw Yeou Huah v Muhammad Fazli Kaw & 2 Others

*Shareholders Agreement-dispute*

Kuala Lumpur High Court Originating Summons No. WA-24NCC-171-04/2016

Liaw Yeou Huah v Wong Kee Kian & 2 Others

*Shareholders dispute-minority shareholders oppression*

Shah Alam Sessions Court Suit No. B52-115-06/2015

ACMT Technology Sdn Bhd v Chin Chee Leong & 2 Others

*Breach of director's duties-conspiracy to injure*

Kuala Lumpur High Court Suit No. 24NCC-155-04/2014

Lee Chun Hui v Chain Palazzo Sdn Bhd & Suruhanjaya Syarikat Malaysia

*Court declaration- ceased to be a director*

Mahkamah Sesyen Jenayah Shah Alam Kes Tangkap 62K-4-01/2015

*Breach of Money Services Business Act 2011*

Mahkamah Sesyen Jenayah Shah Alam Kes Tangkap 62K-5-01/2015

*Breach of Money Services Business Act 2011*

Drafted a software application development agreement between an investor and the software developer

Drafted a talent management agreement between a talent manager and artiste

Drafted a distributorship agreement between a well-known brand in Malaysia with a partner based in the Middle East

Advised a multi-national corporation as to the rights under a shareholders' agreement and joint venture agreement

Advised a multi-national corporation as to the rights of shareholders of preference shares in respect of distribution of profits

Advised a local company in respect of a support and maintenance services agreement to be signed with a multi-national corporation

Kuala Lumpur High Court Suit No. 22NCVC-1271-12/2011  
MBF Cards (M) Sdn Bhd v Borneo Vision Sdn Bhd  
*Dispute as to sponsorship agreement of a website and ownership of the site*

Kuala Lumpur High Court O.S. D-24NCC-388-2010  
Syarikat Bekalan Air Selangor Sdn Bhd v Kerajaan Negeri Selangor  
*Concession agreement-dispute as to the interpretation of the clauses in the agreement and adjustment of water tariff*

Kuala Lumpur High Court Suit No. 22NCC-543-2011  
Konsortium Abass Sdn Bhd v Syarikat Bekalan Air Selangor Sdn Bhd  
*Privatisation cum concession agreement-novation agreement-supplemental agreement-dispute as to the interpretation of clauses*

Platinum Victory Sdn Bhd v Sri Komakmur Sdn Bhd [2008] 5 AMR 704  
*Obtained an injunction to restrain the defendant from taking steps to wind-up the plaintiff (a well-known property developer) on the grounds of abuse of process*

Court of Appeal Civil Appeal No. W-02(IM)(NCC)-930-2011  
Teh Gong Kow & Anor v Cheang Boon Ngoh  
*Partnership dispute – Issue as to whether the Court has no jurisdiction*

Shah Alam Sessions Court Summons No. 2-52-2308-2009  
KHH Double Lion Distributors Sdn Bhd v Great Fusion Sdn Bhd  
*Distributorship agreement-trading agreements with high traffic outlets-dispute*

Court of Appeal Civil Appeal No. W-03(IM)-173-2008  
Perniagaan Jamee Eksport & Import & 2 Others v Hwa Tai Food Industries (Sabah) Sdn Bhd [related to Shah Alam High Court Civil Appeal Nos. 12-335-2010 and 12-337-2010]  
*Claim for goods sold and delivered-application to set aside-Court has no jurisdiction to hear*

Shah Alam High Court Suit No. MT4-22-1-2005  
Ngit Engineering Works v Melela Steel Industries Sdn Bhd  
*Injunction-locus standi to sue*

### **Employment, Labour & Industrial Relations**

Court of Appeal Civil Appeal No. W-01(A)-182-04/2019  
Tan Lee Hiang v The Embassy of Libya & 2 Others  
*Employment- judicial review- certiorari- decision of Minister*



Court of Appeal Civil Appeal No. W-01(A)-190-03/2020  
Lim Kim Leng v Fujitsu (Malaysia) Sdn Bhd & Anor  
*Employment- judicial review- certiorari- constructive dismissal*

Industrial Court No 20/4-2292/20  
Mohammad Aslam Raja v Velesto Drilling Sdn Bhd  
*Employment – unlawful dismissal – allegation of misconduct*

Penang Industrial Court Case No. 9/4-2222/19  
N Sivananthan A/L Nadarajah v The Ship (KL) Sdn Bhd  
*Employment – unlawful dismissal- regional director*

KL High Court Judicial Review No WA-25-357-08/2019  
Lim Kim Leng v Fujitsu (Malaysia) Sdn Bhd & Anor  
*Employment- judicial review- certiorari- constructive dismissal*

KL High Court Judicial Review No WA-25-439-09/2019  
Foo Lan Fang v Huntsman P & A Asia Sdn Bhd & Anor  
*Employment- judicial review- certiorari- constructive dismissal*

Kuala Lumpur High Court Judicial Review  
Embassy of Libya v Tan Lee Hiang [2019] 1 LNS 752  
*Employment- unlawful dismissal- sovereignty of an Embassy*

Industrial Court No 15/4-2696/18  
HCT v Uoorico (M) Sdn Bhd  
*Employment – unlawful dismissal*

Industrial Court No 14/4-2315/2018  
FLF v Huntsman P & A Asia Sdn Bhd  
*Employment-claim for constructive dismissal*

Labour Court No KBR/11001/2018/1598  
Neo Kien Chong v MG Empire Venture  
*Labour-claim for non-payment of salaries*

NBI v I-Yuno Malaysia Sdn Bhd  
*Employment-claim for unlawful dismissal*

JCSH v Bo Le Associates Sdn Bhd  
*Employment dispute-settlement agreement*

CL v The Bank of Nova Scotia Bhd  
*Employment laws-opinion*

The Embassy of Ecuador  
*Employment laws- opinion*

MPL Company  
*Employment laws- opinion on termination of business and retrenchment*

Industrial Court No 3/4-941/17  
Liaw Yeou Huah v Mastools Precision Technology Sdn Bhd  
*Employment-claim for constructive dismissal*

Industrial Court No 6/4-102/18  
Mohd Ismail Mohd Yunus v Bank Pembangunan Malaysia Bhd

Industrial Court No 19/4-522/17  
DLKL v Fujitsu (Malaysia) Sdn Bhd  
*Employment-claim for unlawful dismissal*

GCK v OCK Recycle Sdn Bhd  
*Employment-claim for unlawful dismissal*

VN v Brother International (Malaysia) Sdn Bhd  
*Employment-claim for unlawful dismissal*

Industrial Court Case No. 25/4 – 885 /15  
Chin AN v EME Engineering Sdn Bhd  
*Employment-claim for unlawful dismissal at the Industrial Court*

Yip HS v Ace Greencemt Venture (M) Sdn Bhd  
*Employment-breach of terms of employment*

Phoon PM v Wyann International (M) Sdn Bhd  
*Employment-breach of terms of employment*

VIP Plaza Malaysia  
*Retrenchment and redundancy*

Norlina Binti Abdullah v Koperasi Jurukur Tanah Berlesen Berhad  
*Employment-claim for unlawful dismissal*

Industrial Court Case No. 2/4-250/13  
Tsen Siong Yun v Chan Furniture (M) Sdn Bhd  
*Employment-claim for unlawful dismissal at the Industrial Court*

Labour Summons No. KBR 110002/2013/0051  
Mohammed Ali Bin Bakar & 7 Ors v EPS Solutions (M) Sdn Bhd  
*Labour-claim for retrenchment benefits-closure of factory*

Kuala Lumpur High Court Civil Appeal No. R3-16-06-2010  
Capatronics (M) Sdn Bhd v Agnes a/p Armstrong George  
*Labour- termination of employment-retrenchment benefits*

James Stephen Aruputhasamy v Golden Corrugated Box (M) Sdn Bhd [2010] 2 LNS  
0485  
*Employment-claim for constructive dismissal at the Industrial Court*

Canpac Sdn Bhd v Nazari Mohd Jani [2005] 2 ILR 740f  
*Employment-claim for unlawful dismissal at the Industrial Court*

NKR-Continental (M) Sdn Bhd v Wong Wai Kit [2005] 2 ILR 749q  
*Employment-claim for unlawful dismissal at the Industrial Court*

NKR-Continental (M) Sdn Bhd v Boey Mun Seng [2005] 3 ILR 744h  
*Employment-claim for constructive dismissal at the Industrial Court*

## **Insurance**

Johor Bahru High Court Civil Appeal No. MT1-12-12-2009  
Broadway Transport & Forwarding Sdn Bhd v MUI Continental Insurance Bhd  
*Insurance-repudiation of claim-marine policy-unattended vehicle extension endorsement*

Kuala Lumpur Sessions Court Summons No. S11-52-22307-2006  
Formtex Medical Sdn Bhd v MUI Continental Insurance Bhd  
*Insurance-claim under group personal accident insurance policy-repudiation of claim*

Kuala Lumpur High Court Civil Appeal No. R5-12-38-2008  
MUI Continental Insurance Bhd vGlovco Holdings Sdn Bhd  
*Insurance-outstanding premiums under policy-default judgment*

Temerloh High Court Suit No. 22-29-1999  
Public Bank Berhad v Messrs Rosni Francis Tan & Ho  
*Professional indemnity insurance scheme by Malaysian Bar - pre mature cause of action-striking out against firm of solicitors*

Advised and acted for a firm of solicitors with branches in Kuala Lumpur and Ipoh being sued for negligence.

Advised an insurance broker as to the repudiation of a claim by an insurer.

## **Intellectual property**

Kuala Lumpur High Court Suit No. 22IP-34-06/2014  
Lee Foo Wong v EME Mac (KL) Sdn Bhd & 4 Others  
*Interlocutory injunction - action for passing off – trade name of company – breach of directors' fiduciary duties – breach of employment contract – conspiracy to injure*

Kuala Lumpur High Court Suit No. 22NCC-172-05/2014  
LF Asia (Malaysia) Sdn Bhd & Anor v Chan Kar Ming & 7 Others  
*Interlocutory injunction - action for breach of confidence – breach of employment contract – conspiracy to injure*

Shah Alam Sessions Court Suit No. B52-115-06/2015  
ACMT Technology Snd Bhd v Chin Chee Leong & 2 Ors

*Action for breach of fiduciary duty- director's duties – conspiracy to injure*

Kuala Lumpur Sessions Court Suit No. B52NCVC-123-12/2013  
Hub Industrial Supplies Sdn Bhd v Ng Yak Hwa & Anor  
*Passing off- Interlocutory injunction- action for breach of directors duties*

Kuala Lumpur High Court Suit No. D8-22-1279-2006  
Elster Metering Limited & Anor v Damini Corporation & Anor  
*Copyright-artistic works in drawings-security for costs-striking out*

Kuala Lumpur Sessions Court Summons No: S11(12)-52-8889-2004  
Zen Australia Pty Ltd v All Best Clothing Sdn Bhd  
*Contract – Licensing agreement non-payment of royalties*

Advised and acted for a public-listed company on the registration several trade marks

Advised and acted for a public-listed company for a potential trade mark infringement by a foreign company

Advised and acted for a private company in issuing warning notice to distributors for a potential trade mark infringement

## **Land**

Shah Alam High Court Land Reference No: BA-15-199-06/2018  
Lim Wah Tian v Pentadbir Tanah Daerah Klang  
*Compulsory land acquisition under Land Acquisition Act 1960*

Shah Alam High Court Land Reference No: BA-15-207-06/2018  
Lim Wah Tian v Pentadbir Tanah Daerah Klang  
*Compulsory land acquisition-land under rentis-quantum of compensation*

Shah Alam High Court Land Reference No: BA-15-54-03/2017  
Mycron Steel CRC Sdn Bhd v Pentadbir Tanah Daerah Klang  
*Compulsory land acquisition- sufficiency of compensation*

Federal Court Application No. 08(f)-115-2009  
Mohd Nor Rahmat & Anor v Perwira Affin Bank  
*Land-novel questions of law-whether an auction pursuant to a lien-holder's caveat requires leave of the court under the Rules of the High Court 1980*

Perwira Affin Bank Berhad v Selangor Properties Sdn Bhd & 2 Ors [2010] 3 CLJ 45 (CA)  
*Land-whether a lien-holder's caveat is valid as title not deposited by the registered proprietor*

Kuantan High Court Civil Suit No. 22NCVC-145-06/2012  
Low Kim Boon v Kuantan Marine Engineering Sdn Bhd & 2 Others  
*Land-declaration as registered proprietor-equitable owner*

Shah Alam High Court Suit No. 21NCVC-4-2011  
Locus Ace Sdn Bhd v Ayasamy a/l Munusamy & 2 Others  
*Land-declaration as registered proprietor-moneylending agreement-caveatable interest-validity of private caveat*

Kuala Lumpur High Court O.S. S24NCVC-5-2010  
Taipan Focus Sdn Bhd v Malaysia Trustees Bhd  
*Land-caveatable interest-validity of private caveat*

Kuala Lumpur High Court Suit No. S22NCVC-130-2010  
Malaysian Trustees Bhd v Taipan Focus Sdn Bhd  
*Land-declaration as equitable charge-title tainted with inequitable conduct-sale and purchase agreement was a sham and therefore void*

Muar High Court Suit No. 23-21-2011  
Lim Gau v Er It King  
*Land-validity of transfer-fraud and misrepresentation-removal of caveat*

Kuala Lumpur High Court O.S. S1-24-2534-2006  
Public Bank Bhd v Wang Kong Tek  
*Land – removal of private caveat – caveatable interest*

Kuala Lumpur High Court O.S. S7-24-1567-2006  
Malayan Banking Bhd v Abdul Jamal B. Mohamed Merican  
*Land-foreclosure proceedings-absence of any cause to the contrary*

Ipoh High Court O.S. M2-24-153-2006  
Malayan Banking Bhd v Krishnan a/l Arumugam  
*Land-foreclosure proceedings-absence of any cause to the contrary*

Kuala Lumpur High Court Suit No. S3-22-928-2005  
Abdul Rahiman Bin A.S. Dawood v Mampu Jaya Sdn Bhd  
*Land-claiming against successors-in-title/permitted assigns-revived abandoned project*

Tan Ah Tong v Perwira Affin Bank & Ors [2001] 7 CLJ 500  
*Land-striking out a claim tainted with illegality-contravention of Housing Developers (Control and Licensing) Act 1966*

## **Tenancy**

Flash Café v Tesco Stores (Malaysia) Sdn Bhd  
*Notice of termination of tenancy- fundamental breach*

Court of Appeal Civil Appeal No. W-04(IM)-368-2010  
The Esquire Kitchen Sdn Bhd v Berjaya Times Square Sdn Bhd  
*Tenancy-unexpired term-misrepresentation-summary judgment*

Court of Appeal Civil Appeal No. W-04(IM)-646-2010  
The Esquire Kitchen Sdn Bhd v Berjaya Times Square Sdn Bhd  
*Tenancy-unexpired term- striking out*

Kuala Lumpur Sessions Court Summons No. S12-52-32885-2008  
Eng Lian Enterprise Sdn Bhd v Podium Trading  
*Tenancy-claim for outstanding rentals and utilities-counterclaim for negligence of landlord-estoppel*

**Tort (negligence, defamation, personal injury)**

Federal Court Civil Application No. 08(f)-211-05/2019  
London Weight Management Sdn Bhd v Thene Arulmani Chelvi [2019] 6 MLJ 439  
*Tort- negligence- duty of care- slimming centres- remoteness*

Kuala Lumpur High Court Civil Suit No. WA-23NCVC-29-05/2019  
Kung Fu Tit Tar Sdn Bhd & Anor v Wah Toh Tit Tar Sdn Bhd & Anor  
*Defamation-Libel-Posting on Facebook-Damages*

Kuala Lumpur High Court Civil Suit No. WA-23CY-41-07/2019  
Hui Chee Soon v Kung Fu Tit Tar Sdn Bhd & Anor  
*Defamation-Libel-Posting on Facebook-Damages*

KL Sessions Court Civil Suit No. WA-B53CY-6-11/2019  
PMI Education Sdn Bhd v Tay Wan Rou  
*Defamation-Libel-Posting on Facebook-Damages*

Shah Alam Sessions Court Suit No. BA-B53CY-1-08/2019  
Rose Hu Quadros v Karen Siah E-Ling  
*Defamation-Libel-Posting on Facebook-Damages*

Shah Alam Sessions Court Suit No. BA-B52NCVC-142-02/2019  
Yew Yook Kheong v Long Mei  
*Defamation-Libel-Posting on Facebook-Damages-Harassment-Invasion of Privacy*

Kuala Lumpur High Court Appeal No: WA-12BNCVC-138-12/2018  
Viannie Undikai v Chow Tat Ming  
*Defamation-slander-words spoken and published-Appeal-findings*

Kuala Lumpur Sessions Court Suit No. WA-B53F-8-05/2018  
Viannie Undikai v Chow Tat Ming  
*Defamation-slander-words spoken and published-Damages*

KKS & Anor v China Press Berhad  
*Defamation-Libel-News article-Press conference-untrue*

KKS v 9 Tort-feasors  
*Defamation-Libel-Press conference-notices of demand*

Kuala Lumpur High Court  
Synergistic Duo Sdn Bhd v Lai Mei Juan [2017] 9 CLJ 244  
*Tort- defamation- on Facebook – interlocutory injunction*

Shah Alam Sessions Court Suit No. B52NCVC-175-12/2014  
Lye Poh Lin v Pharmaniaga Logistics Sdn Bhd  
*Tort-claim for personal injury-accident*

Shah Alam Sessions Court Suit No. BA-B53F-13-07/2016  
Blassius Liew Wu v Liew Tze Yau  
*Defamation-online posting on forum*

JD Automotive Sdn Bhd v PHW  
*Defamation- libellous posting on Facebook*

Mrs Malcolm Da Silva v SKN  
*Defamation- libellous posting on Facebook*

Accident on 18.5.2009 on Lingkaran Syed Putra, Kuala Lumpur involving vehicle registration no. BJJF 4048  
*Tort-claim for personal injury-accident*

Kuala Lumpur Sessions Court Summons No. -2005  
Lawrence Sinsua v Lee Hong Lian  
*Tort-claim for personal injury-accident*

Ampang Sessions Court Summons No. 53-393-1999  
Kosuke Hirao v Bahar Bin Munip & Another  
*Tort-claim for personal injury-accident*

En Naza & Puan Syawal v Datin J  
*Defamation- libellous postings on Facebook*

Agnes Chan v HSC  
*Defamation- libellous postings on Craig's list*

Shah Alam High Court Suit No. 22NCVC-1243-10/2012  
Ho Wan Seng v Perbadanan Pengurusan Genting Permai Park & 2 Others  
*Defamation-damages for libel against the management corporation and office bearers*

Bentong Magistrate's Court Suit No. A72NCVC-1-10/2013  
Ho Wan Seng v Gunasingam a/l Krishnan  
*Defamation-damages for slander*

Tjanting Handicraft Sdn Bhd v Utusan Melayu (Malaysia) Sdn Bhd & Ors [2001] 3 CLJ 571  
*Defamation-general and aggravated damages for libel*

Kuala Lumpur Magistrate's Court Suit No. A72NCVC-434-01/2014  
Chan Furniture (M) Sdn Bhd v Tsen Siong Yun  
*Negligence- loss of furniture*

Shah Alam Civil Suit No. 22-1957-2007

Hwa Tai Industries Bhd & 4 Others v Bina Management (M) Sdn Bhd & Anor  
*Professional negligence-share registrar-fiduciary duties*

Seremban Sessions Court Summons No. 2-52-912-2006  
Dr Oh Kok Leong v Malayan Banking Bhd  
*Negligence-banker-documents*

Kuala Lumpur Sessions Court Summons No. S11-52-4225-2007  
Gleneagles Hospital (KL) Sdn Bhd v Fardella Francesco  
*Counterclaim for professional negligence against hospital*

Kuala Lumpur High Court Suit No. S22-771-2009  
Engtex Sdn Bhd v Teo Bee Wah  
*Tort of conversion and misappropriation-trust-fiduciary duties-employment contract*

Haji Yusoff Haji Abdullah v Affin Bank Berhad [2009] 1 LNS 1793  
*Tort-ingredients of a claim for malicious prosecution*

### **Trusts, Wills & Probate**

Kuala Lumpur High Court Originating Summons No. 31NCVC-1090-09/2014  
Estate of Lilly D'Cruz Pereira  
*Letters of administration- administer estate*

Court of Appeal Civil Appeal No. W-02(NCC)-2229-09/2012  
Wong Kim Cheng v Aidil Fahmy Bin Zainal Abedin & 4 Others  
*Trust-claim for breach of trust and declaration that plaintiff is beneficial owner of share certificates*

Kuala Lumpur High Court Administration No. 32NCVC-960-07/2012  
Estate of Tan KC  
*Probate proceedings-caveators to show cause against making of a grant*

Court of Appeal Civil Appeal No. B-02-484-09  
Tan Sen Huat & Anor v Jean Louis Jayaraj a/l Joseph Selvan  
*Trust- duties of trustees*

Kuala Lumpur Sessions Court Summons No. 2-52-11327-2002  
Tiaraview Management Sdn Bhd v Sivakumar a/l Govindasamy  
*Trustees-stakeholder's duties as solicitors-breach*

Penang High Court Suit No. 22-1015-1998  
David Khoo Khay Wan & Anor v Chris Khoo Kay Beng & HSBC Trustee Bhd  
*Trustees-claim for breach of duties as trustees*

Kerajaan Malaysia v Ambiga Sreenevasan & 9 Others [2016] 5 MLJ 721 (Court of Appeal)  
*Constitution- Peaceful Assembly Act- breach of statutory duties*