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## DENNIS KWOK

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### Admissions

2006	Barrister, Hong Kong
2003	Solicitor, England & Wales
2002	Solicitor, Hong Kong

### Academic

1999 – 2000	PCLL, University of Hong Kong
1996 – 1999	LLB, University of London, King's College

### Practice profile

Dennis Kwok has been practising in Hong Kong since 2002 with litigation experience in both branches of the legal profession. He has acted in a wide variety of commercial and civil cases. He also has extensive experience in a range of judicial review proceedings. His practice covers a wide range of commercial/civil litigation including general and financial regulatory work, shareholders' disputes and Sino-Foreign joint venture disputes, commercial arbitration and judicial review.

### Career

2006 – present	Barrister, Prince's Chambers
2002 – 2005	Solicitor, Herbert Smith, Litigation & Regulatory Group
2000 – 2002	Trainee Solicitor, Herbert Smith

### Public office

Legislative Councillor of the Hong Kong SAR, Legal Functional Constituency (2012 to present)

Member of the Hong Kong Housing Authority (Chairman of the Building Committee)

Non-Executive Director of The Hong Kong Mortgage Corporation Limited

Independent non-executive director of the Urban Renewal Authority (2012-2016)

Member of the Competition Commission of Hong Kong SAR

### Professional experience

#### Arbitration

- Acted for and advised on an ICC arbitration involving MNCs and jurisdictional challenge of the Tribunal
- Advised and acted for a HK construction contractor in a HKIAC arbitration dispute against a multi-national insurance company

- Advised and acted for a US company in a HKIAC arbitration against a hotel and resort conglomerate in the PRC in relation to contractual claims
- Acted for a German/Japanese construction JV in a HKIAC dispute in relation to construction disputes arising from the HK airport infrastructure projects

#### Commercial Litigation

- Acted for PCCW HKT in respect of a number of actions against telecommunications operators in Hong Kong for the alleged diversion of delivery fees payable on international calls
- Acted for the former chairman of a listed company in Shenzhen in recovering assets after a 6-year wrongful imprisonment in the PRC
- Acted for the chairman of a listed company in obtaining a Mareva injunction, enjoining and recovering the proceeds of a shareholders loan fraudulently diverted into a property investment
- Defended an inspector appointed under the Companies Ordinance in proceedings brought to set aside judgments obtained in a set of judicial review proceedings in 1993
- Advised a prominent Philippines family in respect of trust disputes in Hong Kong
- Advised a Middle Eastern telecommunications company in respect of its commercial disputes with a PRC manufacturer
- Advised the liquidator of several investment funds after their high profile collapse in Hong Kong

#### General and financial regulatory work

- Advised parties (including professional advisers) in respect of disciplinary proceedings brought by the Hong Kong Stock Exchange and Securities and Futures Commission
- Advised international and local corporations in respect of investigations brought by the Commercial Crime Bureau and the Independent Commission Against Corruption
- Advised an independent panel of inquiry appointed by the Hong Kong Government on administrative law principles and rules of natural justice in the context of an ad hoc governmental inquiry into the affairs of a public authority
- Advised various parties in obtaining interim injunctions against the Broadcasting Authority and the Securities and Future Commission in the context of judicial review proceedings.
- Advised a professional firm on Hong Kong laws and regulations in the context of a United States regulatory authority investigation into a PRC listed company
- Advised a European Bank on financial regulatory (Hong Kong Monetary Authority and Securities Futures Commission related) and litigation matters in relation to a cross-border dispute involving multiple jurisdictions.
- Acted as an examiner in a set of New York deposition proceedings which took place pursuant to a Hong Kong Court order made under the Evidence Ordinance (Cap.8) concerning a U.S. corporate and regulatory dispute
- Advised an investor on liabilities in relation to a set of Forex related derivative products worth over US\$200 million and a case of potential mis-selling by an international retail bank.

#### **Selected cases**

##### Public law

- *Tam Heung Man Mandy v Hong Kong Institute of Certified Public Accountants* [2007] 5 HKC 1: acted for a legislative councillor in a set of judicial review proceedings against the professional body in relation to its decision in refusing to circulate political materials to its members
- *RMBSA Corporate Services Ltd & Anor v Secretary for Justice & Anor* [2006] 4 HKC 198 and [2008] 2 HKC 81: acted for a foreign law firm in resisting a search warrant executed against the firm by the Secretary pursuant to a mutual legal assistant request made by a foreign government on the grounds of legal professional privilege
- *Chu Yee Wah v Director of Environmental Protection* [2011] 3 HKC 227 and [2012] 1 HKC 35: acted for a public interest representative litigant in challenging the Director's decision to issue a set of environmental permits for the HKSAR government in relation to the construction of a major regional infrastructure project
- *Lo Hom Chau v Director of Marine* [2009] HKCU 1244: acted for the captain of a fishing boat and a political activist against the Director in his decision in refusing to allow the boat to depart Hong Kong waters for the purposes of participating in a protest against Japanese occupation in the Diaoyu Islands (leave stage)
- *Tong Wai Ting v Secretary for Education & Anor* [2009] HKCU 1242: acted for a group of mentally disabled children in a set of judicial review proceedings against the Secretary in relation to the HKSAR government's policies on special education on the grounds of disability discrimination
- *A v The Chief Executive & Ors* (HCAL 33 of 2010, 25 September 2013): acted for a prisoner convicted for murder and serving a mandatory life sentence in his judicial review against the Chief Executive and the Long-Term Prison Sentences Review Board on human rights grounds
- *Law Yiu Wai, Ray v. Medical Council of Hong Kong and Others* (HCAL 46 of 2015 dated 12 October 2015). Acted for a complainant in a set of judicial review proceedings which successfully overturned the Medical Council's decision to dismiss the complaint in a medical negligence case. A landmark case where the HK Court critically examined the medical complaint procedures

General commercial/civil and others

- *Hong Kong Forex Investment Limited v Securities and Futures Commission* (Securities and Futures Appeal Tribunal No. 6 of 2007): acted for the Securities and Futures Commission in a set of disciplinary proceedings against a firm of Forex traders under the Securities and Futures Ordinance (Cap. 571)
- *Achieve Goal Holdings Ltd v Zhong Xin Ore-material Holding Co Ltd* [2012] HKCU 540: acted for a party in a long running Sino-Foreign joint venture dispute involving the ownership of a coal mine in the PRC
- *Asian Powers Ltd v Lo Mei Kin Stella* [2011] HKCU 334: acted in a large family estate dispute involving fraud claims
- *Stonehill Asia Ltd & Ors v Farwealth Consultancy and Services Ltd & Ors* [2010] HKCU 661: acted in a family dispute involving a prominent family in Thailand with asset holdings in Hong Kong
- *Yu Man v Liquidators of CA Pacific Securities Ltd (in liq)* [2007] HKCU 334: represented the liquidators in the Court of Appeal in respect of a restricted application order against a vexatious litigant
- *Lo Kai Bun v Pong Man Yi & Ors* [2006] HKCU 2111: appeared in the Court of Appeal in divorce related proceedings
- *Tsui Wai Kuen v Cheung King Chung Ray & Ors* [2007] HKCU 1984 and [2008] HKCU 1211: acted in a shareholders dispute involving a models construction company in Hong Kong and Mainland China (injunction)
- *Sunny Tadjudin v Bank of America NA* [2011] HKCU 2504: acted on behalf of an investment banker in a claim against her former employer on the grounds of sex discrimination (discovery application)

- *Pagoda Ventures Ltd v JE Fulfilment Ltd & Anor* [2008] HKCU 914: acted for a multi-national corporation in relation to a contractual dispute with a supplier (split trial application)
- *Re Performance Investment Products Corporation Ltd* [2007] HKCU 1749: acted for a group of investors in a high profile collapse of an investment fund in Asia against the provisional liquidators (removal application)
- *Lo Pui Fan (administratrix for deceased) v Hong Kong United Dockyards Ltd* (HCPI 171/2011, 29 July 2013): acted for the defendant in opposing an application by the third party for permanent stay on the grounds of arbitration
- *ZC v.CN (CACV 255 of 2013, 11 August 2014)*: acted for the respondent in successfully appealing against the Family Court's decision on jurisdiction and a forum non conveniens application in the context of divorce proceedings
- *Re New Century Latrical Inv. Management Limited (HCMP 3353 of 2014, 13 November 2015)*: acted for a party in a Sino-Foreign joint venture dispute involving a hospital in Mainland China. Opposed a jurisdictional challenge brought by the respondents
- *Chris Au v. Steve Kim (HCA 1285 of 2014, 25 November 2016)*
- *Angela Wang v. Axa Wealth Management (HK) Ltd. and others* (HCA 2016 of 2014 30 November 2017): acted for a multi-national insurance company against allegations of mis-selling insurance products (trial of a statutory limitation period issue)
- *Li Guozhu v. New Century Latrical Inv. Management Ltd. and others* (HCMP 3353 of 2014 dated 26 April 2018) - a Sino-Foreign joint venture shareholders' dispute involving a hospital in Jiangsu Province of PRC. Obtaining a buy-out court order for one of the shareholders at trial