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ASIA FORUM:

4TH INTERNATIONAL ARBITRATION &

COMPETITION LAW SUMMIT – HONG KONG

Wednesday, 31 July 2024, 9:00am - 5:45pm

Venue: Fangda Partners

(This conference will be conducted in English)



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SPEAKERS



Sadaff Habib
Independent Arbitrator
Chairperson



Peter Yuen
Partner, Fangda Partners
Welcome Message



William M.F. Wong
SC, Des Voeux Chambers
Keynote Speaker



Catrina Lam
Barrister, Des Voeux Chambers
Moderator – 4th Grand Panel



Gary Gao
Partner, Zhong Lun Law Firm



Howard Chan
Partner, Fangda Partners



Norman Nip
S.C., Barrister – Senior
Counsel, Rede Chambers



Jon Nicklin
Director, Beijing, Accuracy



James Kwan
Partner, Hogan Lovells



Ben Bury
Director, Group General
Counsel Gammon
Construction Limited



Jeremy Bartlett
S.C. Barrister,
Princes Chambers



Cathryn Neo
Associate Director,
Aon Asia Transaction
Solutions Team



Wayne Walsh SC
Head, Parkside Chambers



Carter Chim
Barrister, Denis Chang's
Chambers



Joanne Lau
Secretary-General,
Hong Kong International
Arbitration Centre

9:10 – 9:20	Welcome Message by Chairperson Sadaff Habib, Independent Arbitrator
9:20 – 9:40	Welcome Opening Message & Update on Hong Kong Arbitration Peter Yuen, Partner, Fangda Partners
9:40 – 10:00	Keynote Session: Recent Developments Affecting Global International Arbitration and the Outlook for 2024 William M.F. Wong, SC, Des Voeux Chambers
10:00 – 10:40	1st Grand Panel: Asia: Enforcement of Awards – Regional Focus and Important Updates in 2024 Moderator: • TBC Panellist: • Norman Nip, S.C., Barrister – Senior Counsel, Rede Chambers • Joanne Lau, Secretary-General, Hong Kong International Arbitration Centre
10:40 – 11:00	M&A Disputes in Hong Kong & Asia – Issues to Consider After the Pandemic
11:00 – 11:20	Managing Financial Uncertainties with Litigation Risk Solutions in Arbitrations Cathryn Neo, Associate Director, Aon Asia Transaction Solutions Team
11:20 – 11:45	Networking Break & Morning Refreshment
11:45 – 12:10	ESG Disputes & Compliance in Hong Kong and the Region
12:10 – 12:50	2nd Grand Panel: Med v Arb v Negotiation – The Arbitrators/Mediators Toolbox in 2024: Different Regions & Industries = Different Best Outcomes? Moderator: • TBC Panellist: • Gary Gao, Partner, Zhong Lun Law Firm • Ben Bury, Director, Group General Counsel Gammon Construction Limited
12:50 – 13:55	Networking Lunch
13:55 – 14:40	3rd Grand Panel: Shareholders, Stakeholders & Director Disputes with Hong Kong & Foreign Companies: Best Practices to Protect the Company Moderator: • TBC Panellists: • Jon Nicklin, Director, Beijing, Accuracy • Jeremy Bartlett, S.C. Barrister, Princes Chambers • James Kwan, Partner, Hogan Lovells
14:40 – 15:00	Digital Assets: Disputes and Regulatory issues in HK
15:00 – 15:25	Anti-Trust: Back to the Future: Monopolisation & Dominance and the Long Road Ahead
15:25 – 16:05	4th Grand Panel: Anti-Trust Law: Digital, Compliance & Regulatory Issues with Hong Kong & Foreign Companies: Trends in Enforcement & Leniency Moderator: • Catrina Lam, Barrister, Des Voeux Chambers Panellist: • Carter Chim, Barrister, Denis Chang's Chambers
16:05 – 16:30	Networking Break & Afternoon Refreshment
16:30 – 16:50	Rise of Cyber Fraud & Abuse of Data Privacy in Hong Kong & the Region
16:50 – 17:35	5th Grand Panel: FRAUD – Risks in 2024 in China & Hong Kong Outbound Investment Risks, Technology's Role (Good & Bad) & Internal Investigations Moderator: • TBC Panellists: • Howard Chan, Partner, Fangda Partners • Wayne Walsh SC, Head, Parkside Chambers
17:35 – 17:40	Closing Remarks & Lucky Draw
17:50 – 18:45	Cocktail Reception

* program is subject to change without prior notice

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Sadaff Habib, Independent Arbitrator

Sadaff Habib is an independent arbitrator based in Dubai, UAE. Born and raised in Kenya with Indian roots, she is a qualified attorney in New York. Sadaff has extensive experience in international arbitration, including disputes involving construction, infrastructure, property, commercial, desalination plants, and solar power projects. Prior to going independent, Sadaff worked with international law firms such as Beale & Co and Fenwick Elliott. Sadaff is recognized as a Future Leader by Who's Who Legal and is also ranked in Who's Who Legal as a Global Elite Thought Leader. She also holds a ranking in the Legal 500 Middle East Construction, where she is acknowledged for building a reputable presence in international arbitration as an arbitrator.

Peter Yuen, Partner, Fangda Partners

Peter Yuen is head of Fangda Partners' Hong Kong dispute resolution practice and his practice spans a number of areas including international and regional arbitration, China-related commercial arbitration and complex commercial litigation. Peter regularly acts for clients in complex commercial disputes before the Hong Kong courts and is experienced in acting as coordinating counsel in cross-border multi-jurisdictional disputes, particularly in matters involving court proceedings in China. He has also established a busy practice in the area of regulatory and corporate compliance and has conducted a considerable number of corporate internal investigations in Hong Kong and China.

Although Peter's professional career to date has focused on counsel work, he also accepts arbitral appointments and sits as arbitrator in his personal capacity and on a part-time basis. Peter conducts litigation and arbitration proceedings in both English and Chinese (Mandarin and Cantonese).

Peter is on the panel of Hong Kong International Arbitration Centre, Beijing Arbitration Commission/Beijing International Arbitration Center, the China-Africa Joint Arbitration Center and the Shenzhen Court of International Arbitration.

Peter has been ranked as a Leading Individual for International Arbitration and Litigation in Chambers Asia since 2010. He has also been recognized in the Global Arbitration Review Who's Who, Who's Who Legal (in the arbitration category), Benchmark Litigation (as a Litigation Star), Asia Law (as an Elite Practitioner), Asian Legal Business (as Asia Super 50 disputes lawyers) and Legal 500 (in the arbitration powerlist).

William M.F. Wong, SC, Des Voeux Chambers

Dr. Wong has been in practice in Hong Kong since 1997. In 2010, he was also called to the Bar of the British Virgin Islands. In 2013, Dr. Wong was appointed as a Senior Counsel in Hong Kong. He is also presently an Non-Executive Director of the Airport Authority and one of the Vice Chairmen of the Board of Review of the Inland Revenue.

Dr. Wong's practice covers a wide spectrum of contentious commercial litigation. He has a special focus and substantial experience in the areas of company, insolvency and securities law. He frequently represents clients in contentious shareholders and/or investors disputes and disputes in liquidation. He is the first Hong Kong barrister to be admit, on an ad hoc basis, in the Bermudian courts to conduct trials and appeals. He is experienced in offshore litigation. He also acted as an expert witness on HK company law in the People's Republic of China, and international arbitration. Dr. Wong also sits as an arbitrator in a substantial number of international commercial arbitration.

Dr. Wong also specializes in contentious trusts and probate matters. His case of *Chow Siu Po v. Wong Ming Fung* [2003] 1 HKC 146 establishes the burden of proof in propounding a will. He has also given legal opinion on various trust and probate matters. He was instructed to advise and work on a number of substantial trusts litigation and related matters.

Catrina Lam, Barrister, Des Voeux Chambers

Catrina is recognized as a leading senior junior barrister whose practice spans all aspects of contentious commercial disputes (including domestic and international arbitrations), administrative and constitutional law, competition (antitrust), securities and regulatory litigation. She is ranked as a Band 1 junior in the Commercial Dispute Resolution section of Chambers & Partners, a Band 1 junior in both the Competition and Commercial Disputes sections of The Legal 500 and a leading junior in the Administrative and Public Law section of The Legal 500.

She has represented domestic and multinational clients operating in a wide range of industry sectors, including banking and financial services, technology, telecommunications, real estate and construction, energy, media and entertainment, manufacturing, education, aviation and gambling. She is experienced in handling highly complex commercial disputes, many involving novel legal issues and/or technical evidence, and has been described as being "great for matters which concern very difficult facts and evidence". She is in demand for her "sharp legal mind", "quickness on her feet", "strong legal literacy" and as a practitioner who "thinks outside the box and always tests the limits of the evidence".

She appears at all levels of court, as well as other specialist and disciplinary tribunals, including the Competition Tribunal, Securities and Futures Appeals Tribunal, Insider Dealing Tribunal and the Board of Review. In her public law and judicial review practice, Catrina has advised and represented many public bodies and officials, including acting for the Secretary for Justice intervening in the public interest, as well as private individuals. Catrina is "held in particularly high esteem for her accomplished competition law practice" and is "widely identified as Hong Kong's front runner for competition matters". She "stands out" for her "depth of knowledge in competition law".

Gary Gao, Partner, Zhong Lun Law Firm

Mr. Gary GAO is the Partner and the Head of Compliance & Regulatory Department of Zhong Lun Law Firm. Gary is a skilled litigator and arbitrator with over 28 years experiences handling complex, cross-border arbitration, litigation as well as sophisticated commercial disputes. He has represented clients in commercial arbitration before the ICC, HKIAC, SHIAC and other arbitral institutions.

He has rich experience in international arbitration, litigation and mediation, familiar with the strategic planning of dispute resolution in multiple jurisdictions, the collection, screening and rules of proof of cross-border evidence production. In particular, Gary is good at dealing with disputes involving corporate equity, partnership private equity investment, procurement contracts, cross-border mergers and acquisitions, insurance claims, etc., and often acts as an expert witness on Chinese law in international litigation or arbitration proceedings. Furthermore, Gary also provide legal advice on Chinese substantive and procedural law to foreign clients or international law firms.

In addition, Gary has served as arbitrator in arbitrations conducted under HKIAC, SHIAC, SHAC and other arbitral institutions, and is included in the Hong Kong International Arbitration Centre's List of Arbitrators, the LCIA Database of Arbitrators, the Korean Commercial Arbitration Board's Panel of Arbitrators, the List of WIPO Mediators and Arbitrators, the Shanghai International Arbitration Center's List of Arbitrators and the Shanghai Arbitration Commission's List of Arbitrators.

Howard Chan, Partner, Fangda Partners

Howard's practice spans a number of areas including complex commercial disputes before the Hong Kong court and arbitral tribunals, contentious regulatory and corporate compliance matters, alternative dispute resolution including mediation, and anti-corruption investigations in Hong Kong, China and Taiwan. Howard also regularly acts as coordinating counsel in cross-border disputes, particularly those involving court proceedings in China. Howard is experienced in acting for corporations, financial institutions, investment funds, and high net worth individuals. Howard has been recognized by The Legal 500 Asia Pacific and Asialaw for his contentious regulatory and internal investigations practice.

Norman Nip, S.C., Barrister – Senior Counsel, Rede Chambers

Norman Nip, S.C. has a broad civil practice with an emphasis on commercial and securities litigation. He has been described as "incredibly clever and hard-working" (Chambers & Partners 2023) and a "very user-friendly barrister" who is "extremely good on his feet" (The Legal 500 2023).

He has acted for the Securities and Futures Commission and parties under investigation in a number of cases before the courts and the specialist tribunals (Market Misconduct Tribunal and Securities and Futures Appeals Tribunal) and is "regularly singled out for his expertise in securities-related cases" (Chambers & Partners 2023). He has also testified as an expert witness on securities laws in offshore proceedings.

His expertise also spans other practice areas, including banking, company and shareholder disputes, competition, insurance, professional liability, land, trusts, employment, matrimonial, bankruptcy, PRC and international crossborder disputes, public law as well as white-collar crime.

In the arbitration sphere, Norman is currently serving as the Vice Chairman of the Committee on Arbitration of the Hong Kong Bar Association. He is also a Fellow of the Chartered Institute of Arbitrators, a member of the HKIAC List of Arbitrators and has sat as an arbitrator in various commercial disputes. As counsel, Norman has acted in a number of domestic and cross-border commercial disputes. He has also acted in court proceedings in aid of arbitration proceedings as well as applications to set aside the enforcement of arbitral awards.

As a mediator, Norman has conducted a number of mediations involving a wide variety of civil disputes (using English, Cantonese and/or Mandarin). He qualified as a CEDR accredited mediator in 2010.

Prior to joining the Bar, Norman had served as the tipstaff to the Honourable Justice Spering of the New South Wales Supreme Court and practised as a solicitor with Clayton Utz in Sydney and Linklaters in Hong Kong.

Jon Nicklin, Director, Beijing, Accuracy

Jon is a Director in Accuracy's Beijing office specialising in litigation support and forensic accounting. He initially trained at a top 10 accounting firm in the UK. He then spent time at a boutique consulting firm in London before joining the forensic accounting team of a Big 4 accounting firm in Shanghai.

James Kwan, Partner, Hogan Lovells

James Kwan is an International Arbitration partner who leads the International Arbitration practice in Hong Kong. He is a member of Hogan Lovells' International Arbitration Global Steering Committee leadership team. He specialises in technology, private equity, energy, and life sciences disputes. He has a range of international experience, having represented clients in arbitrations in Asia, the U.S., Middle East, and Europe under the major institutional and ad hoc rules, such as ICC, HKIAC, SIAC, CIETAC, LCIA, AAA, DIAC, and UNCITRAL. James has also sat as arbitrator and rendered awards in HKIAC, ICC, and DIAC arbitrations, and in addition is on the CIETAC, LCIA, SHIAC and KCAB and AIAC panels. James is a solicitor advocate with Higher Rights of Audience before the Hong Kong courts. James sat as a Temporary Judicial Registrar in the High Court of Hong Kong in 2023 and will be sitting as a District Judge in 2024.

James is widely recognised as a leading individual in International Arbitration by major legal directories, such as Legal 500, Chambers Asia Pacific, Chambers Global, Euromoney's Guide to the World's Leading Arbitration Lawyers, Practical Law Company's Which Lawyer?, Benchmark Asia Pacific: Arbitration, Global Law Expert and named one of Asian Legal Business' Hot 100 Lawyers of 2008 and 2011. James was also recognised as one of Asian Legal Business' Asia Super 50 Dispute Lawyers of 2023. He was named in the 2024 edition of Who's Who Legal (WWL): Arbitration, and in the Legal 500 Arbitration Powerlist - Hong Kong Region.

James is the author of a chapter in The Hong Kong Arbitration Ordinance Commentary and Annotations, Sweet & Maxwell, 2015 (2nd edition); Arbitration in China: A Practical Guide, Sweet & Maxwell, 2004; and co-editor of Construction Arbitration in Hong Kong: A Practical Guide, 2015, Wolters Kluwer.

Ben Bury, Director, Group General Counsel Gammon Construction Limited

Ben joined Gammon in 2023. For more than 18 years, Ben has worked on the legal aspects of major construction projects in Hong Kong, Singapore and across the globe. He is qualified in Hong Kong, England and Wales and was a Registered Foreign Lawyer in the Singapore International Commercial Court. Prior to joining Gammon, Ben was a Partner in the construction team at a large international sector-focused law firm. He has been based in Asia since 2011 and has been involved in complex assignments across the region. Ben is highly commended in the legal directories and, in 2021, at the age of 38, Ben was named by Asia Legal Business on their list of the 40 best lawyers in Asia under 40. Ben oversees the Legal Department covering governance, legal advice, compliance, insurance, and company secretarial services.

Jeremy Bartlett, S.C. Barrister, Princes Chambers

Prior to joining the Hong Kong Bar in 1999 Jeremy was in private practice at Herbert Smith and from 1994 to 1999 an international equity partner with Coudert Brothers where he was Head of the Litigation Department and Co-Head of the firm's Asia Region Arbitration Practice Group (9 regional offices). Following upon his extensive experience as advocate/counsel in arbitrations, Jeremy acts as arbitrator (sole, co-arbitrator or and presiding arbitrator) in international commercial arbitrations and has accepted appointments under the rules of various institutions as well as in ad hoc arbitrations. Jeremy acts in a broad range of commercial litigation, including company and shareholder disputes, insolvency, trusts and estates, international trade and shipping, conflict of laws, defamation, employment/restraint of trade, professional negligence and securities regulatory matters. His practice has involved numerous appearances in the appellate Courts, including in the Court of Final Appeal [1]. He has been a contributing editor to Hong Kong Civil Procedure. Jeremy has received rankings in successive editions of Chambers and Partners, Legal 500 (Commercial Disputes: Tier 1 leading silk; Family and Private Client: Tier 2 leading silk), Legal 500 Arbitration Power List and Who's Who Legal as well as in Euromoney's Guide to Experts in Commercial Arbitration. He regularly speaks at international conferences and gives lectures at Mainland Chinese universities and law firms on arbitration topics.

Cathryn Neo, Associate Director, Aon Asia Transaction Solutions Team

Cathryn leads the litigation and contingent risk solutions offering in the Aon Asia Transaction Solutions team. She has a broad commercial disputes practice with experience in international arbitration, litigation, insolvency and restructuring, and mediation. Prior to joining Aon, she practiced at a leading international law firm and a boutique disputes firm in Singapore. She also assisted arbitral tribunals as tribunal secretary for leading arbitrator, Dr Michael Hwang SC. An accredited mediator with the Singapore Mediation Centre, she is also a Fellow of the Chartered Institute of Arbitrators (FCI Arb) and the Singapore Institute of Arbitrators (SIArb). She was recently shortlisted as a finalist in Euromoney's APAC Women in Business Law 2022 and 2023 awards under the category of Rising Star (Arbitration). She is qualified in Singapore, England & Wales, and Australia.

Wayne Walsh SC, Head, Parkside Chambers

Wayne Walsh SC is Head of Parkside Chambers. He is known for his specialist and redoubtable skill set in the courtroom particularly in the context of cross-border litigation. He is a prominent barrister in Hong Kong known for being tactically astute and for being user-friendly. He brings to bear 25 years of experience as a prosecutor with the Department of Justice and 3 years as a former Inspector in the Royal Hong Kong Police Force giving him a distinct edge and unique perspective in public international and criminal law. At the DOJ, he led cases relating to white collar crime and corruption, extradition, mutual assistance, proceeds of crime and asset recovery. He has established for himself a stalwart reputation as a prosecutor. Wayne moved to the Bar in 2018, and has since represented persons and entities facing financial crime and regulatory compliance investigations and prosecutions. He was a lead advisor to the Government on implementation of the criminal justice standards of the Financial Action Task Force (FATF). Locally, he has a practice acting for high-net-worth individuals in high profile cases and additionally for financial institutions. He is also frequently instructed by the Hong Kong Government, and on a regional level, he has been asked to represent foreign governments in transnational crime cases and in nuanced anti-money laundering cases and complex policy work. Wayne is noted for his analytical and persuasive manner and his particular attention to detail and distinguished advocacy skills. He is consistently listed as a leading silk in Chambers & Partners and Legal 500 for White Collar Crime, WWL for Business Crime Defence and Doyles Guide as a Leading Criminal Law Barrister. In his capacity as a leading silk he has authored "Cross-Border Crime in Hong Kong: Extradition, Mutual Assistance, Financial Sanctions" LexisNexis, 3rd edition 2024. Additionally, he is a Lecturer in Law for the LLM programme, University of Hong Kong.

Carter Chim, Barrister, Denis Chang's Chambers

Carter is a distinguished barrister in competition law at Denis Chang's Chambers. Recognised as a Tier 1 Leading Junior in Competition Law by The Legal 500 (Legalease) since 2021, Carter has demonstrated exceptional prowess in this field.

In 2015, Carter joined the Competition Commission (Hong Kong) as a Legal Counsel, where he played the role of the first case manager in the Commission's inaugural public enforcement action, Competition Commission v Nutanix Hong Kong Ltd v Others (CTEA 1/2017).

Upon returning to private practice in 2016, Carter has been consistently retained by leading law firms to advise on complex competition matters. His extensive client portfolio features prominent cases such as Competition Commission v W Hing Construction Co Ltd and Others (CTEA 2/2017), Competition Commission v TH Lee Book Co Ltd and Others (CTEA 2/2020), Competition Commission v Linde HKO and Others (CTEA 3/2020), and Competition Commission v Multisoft Ltd (CTEA 1/2023).

Carter is currently the Vice-Chairman of the Hong Kong Bar Association's Committee on Competition Law and was a non-governmental advisor to the International Competition Network (2018-2022).

Joanne Lau, Secretary-General, Hong Kong International Arbitration Centre

Joanne is the Secretary-General of the Hong Kong International Arbitration Centre. As HKIAC's principal officer, she leads the Secretariat and is responsible for the overall management of the centre, including overseeing its international dispute resolution services and operations across its Hong Kong, Shanghai and Seoul offices. She also works closely with the HKIAC Council and committees in the development and implementation of HKIAC's strategies and initiatives.

Prior to joining HKIAC, Joanne was a Partner at Allen & Overy, specialising in international arbitration. As counsel, she represented clients in both international commercial arbitrations and investment treaty arbitrations in a wide variety of cases, across multiple sectors, jurisdictions and arbitral rules. She also regularly advised on arbitration-related court matters and sat as arbitrator.

Joanne is a past co-Chair of the HK45 Committee. She has been recognised in leading legal directories, including Chambers & Partners, Legal 500 and Who's Who Legal.

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