

SIAC Academy

A Typical Arbitration Proceeding: Written Advocacy (Hybrid Format)

OPENING REMARKS



Mr Davinder Singh, SC

Chairman, SIAC; Executive Chairman, Davinder Singh Chambers LLC

Mr Davinder Singh, SC is the Chairman of the Board of Directors of SIAC and the Executive Chairman of Davinder Singh Chambers LLC.

Mr Singh's legal experience spans almost four decades. He has an active international arbitration practice involving complex commercial disputes, international clients and multiple jurisdictions. He has advised and/or acted in numerous institutional and ad hoc arbitrations.

At the Chambers Asia-Pacific Awards 2014, Mr Singh was conferred the "Outstanding Contribution to the Legal Profession" Award. He is the only litigator in Singapore to be ranked by Chambers & Partners as a "Star Individual" for twelve years running from 2011 to 2022. According to Chambers' and Legal 500 researchers, Mr Singh is "number one in Singapore"; "a bona fide star performer"; "in a class of his own" and a "standout figure in arbitration as well as litigation; "an exceptionally good lawyer - always top of the tree."

Mr Singh was the first lawyer in Asia-Pacific to be inducted into the "Hall of Fame" at Benchmark Litigation's 2019 Asia-Pacific Awards. According to Benchmark Litigation, this honour is a recognition of his distinguished legal career and achievements in dispute resolution in the region.

Mr Singh won the ALB South East Asia "Dispute Resolution Lawyer of the Year" award twice, in 2018 and 2022. In the recent 2022 Benchmark Litigation Asia-Pacific Awards, Mr Singh was named as Singapore's Lawyer of the Year and Litigation Star. He was also named "Disputes Star of the Year - Singapore" at the inaugural Asialaw Asia-Pacific Awards 2015, and "Disputes Lawyer of the Year" in Southeast Asia and India at the inaugural Asian Lawyer Emerging Markets Awards 2014.

Mr Singh also sits on the Board of Directors of the Singapore International Mediation Centre and Delfi Limited.

He was in the first batch of Senior Counsel appointed by the Singapore Supreme Court in 1997.

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Ms Lucy Reed

President, SIAC Court of Arbitration; Independent Arbitrator, Arbitration Chambers (New York)

Lucy Reed is an independent arbitrator with Arbitration Chambers (New York), also serving as President of the Singapore International Arbitration Centre Court and President of the International Council for Commercial Arbitration (ICCA). Lucy retired in 2016 from Freshfields Bruckhaus Deringer, where she led the global international arbitration group from the New York, Hong Kong and Singapore offices, and then was Professor of Practice and Director of the Centre for International Law at NUS through 2019. In addition to practicing international commercial and investment treaty arbitration, she served as an arbitrator on the Eritrea-Ethiopia Claims Commission (a humanitarian law/Geneva Convention claims commission), co-director of the Claims Resolution Tribunal for Dormant Accounts in Switzerland (a Holocaust claims tribunal) and, while with the US State Department, the US Agent to the Iran-US Claims Tribunal. Lucy, a member of the US Council on Foreign Relations, is a former President of the American Society of International Law. She was educated at the University of Chicago Law School and Brown University.



Mr Chong Yee Leong

Deputy Chairman, SIAC Board of Directors; Partner, Allen & Gledhill LLP

Yee Leong is the Co-Head of the Firm's International Arbitration practice and Head of the Firm's Restructuring & Insolvency Practice. In international arbitration, he focuses on the areas of construction, energy, oil and gas, power and infrastructure projects and investment and commercial disputes in South East Asia, South Asia, Japan and South Korea. In practice for more than 32 years, Yee Leong is recognized as a leading dispute resolution practitioner in the Asia-Pacific region.

For restructuring and insolvency, Yee Leong has been involved in the high-profile restructuring matter for Hyflux involving complex issues of insolvency law as well as myriad of regulatory and technical issues. Yee Leong was also involved in the cross-border restructuring of the Triyards Group.

Yee Leong has been consistently recommended for his capability in international arbitration in various leading legal publications. Amongst others, in Chambers Global and Chambers Asia-Pacific, a client highlighted his "*advocacy skills*" adding that "*he was able to point out certain angles the other lawyers didn't*", he was also mentioned as "*an active, very capable and well-known international arbitration specialist*" and was noted as a "*prominent figure in the region, thanks to his years of experience in countries such as Singapore, Malaysia and Laos*". Yee Leong was also one of the nominees (and the only Asian nominee) for the Global Arbitration Review inaugural "Advocate of the Year" award and has been named Singapore International Arbitration "Lawyer of the Year" by *Best Lawyers*. *Best Lawyers* honours a single lawyer in all major practice areas and regions as "Lawyer of the Year", based on peer-review assessments. The award reflects the high level of respect a lawyer has earned for excellence, professionalism and integrity.

Yee Leong is a Chartered Arbitrator and a Fellow of the Chartered Institute of Arbitrators (CIArb) and the Singapore Institute of Arbitrators. He is the Deputy Chairman of the Board of Directors for the Singapore International Arbitration Centre (SIAC) and also on the panel of arbitrators for SIAC, Asian International Arbitration Centre and CIArb Presidential Panel of Arbitrators. He is also a Jurisdictional Council Member for Singapore for Inter-Pacific Bar Association. Yee Leong also served as a director of Singapore LNG Pte Ltd from 2011 to 2015.

In 2018, he was among the inaugural batch of select practitioners to be recognised as a Senior Accredited Specialist in Building and Construction Law by the Singapore Academy of Law.

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Mr Chan Leng Sun, SC

Member, SIAC Court of Arbitration; Senior Counsel and Chartered Arbitrator, Duxton Hill Chambers (Singapore Group Practice)

Mr Chan Leng Sun, SC was appointed Senior Counsel in January 2011 and is a member of Duxton Hill Chambers (Singapore Group Practice). He is qualified in Malaysia, Singapore and England. He frequently acts as lead counsel and arbitrator in a broad range of commercial areas.

Apart from being counsel, Leng Sun is a Chartered Arbitrator and a Specialist Mediator of the Singapore International Mediation Centre. He was a member of the Singapore delegation to the UNCITRAL Working Group on Arbitration. Leng Sun is the Immediate Past President of the Singapore Institute of Arbitrators (SI Arb) and the former Global Head of Arbitration of an international law firm. He is the Deputy Chairman of the SGX (Singapore Exchange) Appeals Committee.

Leng Sun was a legal officer of the United Nations Compensation Commission in Geneva. He is the author of the book *Singapore Law on Arbitral Awards* and Co-Editor of *Conflict of Laws in Arbitration*.

Leng Sun is recognized among the top lawyers worldwide by legal directories, such as "Who's Who Thought Leaders – Litigation 2022", "Who's Who Legal - Arbitration 2022" and Acritas Stars 2021. He is described by WWL as being "among the very best disputes lawyers in the world" and lauded as one of ALB Asia's Super 50 Dispute Lawyers, which reported him to be "spectacular, with exceptional knowledge and depth of insight".



Mr Lok Vi Ming, SC

Managing Director, LVM Law Chambers LLC

Vi Ming is the Managing Director of LVM Law Chambers LLC.

He was appointed a Senior Counsel in 2005 and was President of the Law Society of Singapore in 2013 and 2014. He also served as a former Vice President of the Singapore Academy of Law.

Vi Ming is recognised as one of the leading aviation and insurance lawyers in Singapore. He is cited in numerous leading legal directories including Chambers, The Legal 500, The International Who's Who of Aviation Lawyers and Insurance Lawyers, and in Euromoney Legal Media's Guide to the World's Leading Aviation and the World's Leading Insurance & Reinsurance Lawyers. In its 2017 Edition, Chambers listed him as a leading litigation with a "solid reputation" in aviation and insurance litigation with "very sound understanding of legal complexities".

He also represents various statutory boards and government or government linked agencies including Infocomm Media Development Authority of Singapore ("IMDA"), National Parks Board ("NParks"), Singapore Tourism Board ("STB"), CAG ("Changi Air Group"), and the Land Transport Authority of Singapore ("LTA").

He is also highly sought after as arbitration Counsel, as arbitrator for both international as well as domestic disputes, and as a mediator on the panels of both the Singapore Mediation Centre ("SMC") and the Singapore International Mediation Centre ("SIMC"). He is presently appointed and sitting as sole arbitrator or as part of a Tribunal in several ongoing SIAC or ICC arbitrations and as Counsel in a number of high value disputes.

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Mr Ng Jern-Fei KC

Arbitrator, Temple Chambers, Hong Kong SAR

Ng Jern-Fei KC, one of the youngest Queen's Counsel to be appointed in 2018, specialises in a broad range of work across the commercial spectrum, especially in energy, commodity, shareholder, shipping and insolvency-related disputes. He acted as counsel in some 350 cases and as arbitrator in some 30 cases (as presiding, sole and co-arbitrator). Jern-Fei appears before courts and tribunals, sitting as arbitrator in different jurisdictions, including England, Hong Kong, Singapore, Malaysia, British Virgin Islands, Cayman Islands and Luxembourg.

In the legal directories, Jern-Fei is praised as a "brilliant strategist" who "can eat documents for breakfast" and who is "able to annihilate the opposing witness in cross-examination". He is "exceptional"; "formidable" and "truly superb advocate".

Jern-Fei is multi-lingual and is the only English KC who is able to accept instructions not only in English but also Mandarin Chinese (Putonghua), Cantonese and Malay and he is a member of the Panel of Arbitrators of HKIAC, SHAC & SCIA.



Mr Tan Chuan Thye, SC

Partner, Rajah & Tann Singapore LLP

Chuan Thye is a Senior Counsel of the Supreme Court of Singapore and a Fellow of the Chartered Institute of Arbitrators.

Chuan Thye has a broad commercial, corporate and financial dispute resolution practice as lead counsel in various court and arbitration proceedings. The practice has a wide geographical scope and he represents a range of domestic and international entities. He has been recognised by leading publications – such as Chambers Global – in the field of dispute resolution work.

Apart from his work as lead counsel, Chuan Thye has sat on a significant number of arbitration proceedings both as sole arbitrator and as part of a tribunal. He is on the panel of arbitrators of the ICC, the SIAC and the KLRAC.



Mr Timothy Cooke

Partner, Reed Smith

Timothy is an international arbitration barrister. He represents clients in arbitrations under the rules of the leading arbitral institutions with a focus on investment disputes in a wide range of sectors and across jurisdictions in Asia such as Vietnam, Indonesia, India and China. He has particular experience in complex joint venture and shareholder disputes, cases involving energy and natural resources, entertainment and media, and transportation. Timothy is also frequently appointed as sole, presiding and emergency arbitrator by arbitral institutions, fellow arbitrators and parties.

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Mr Edmund J. Kronenburg

Managing Partner, Braddell Brothers LLP

Edmund is the Managing Partner of Braddell Brothers LLP, Singapore's second-oldest independent law practice, founded in 1883. He is admitted as an Advocate & Solicitor (Singapore) and Solicitor (England & Wales), with over 25 years' experience in dispute resolution, litigation, and arbitration, regularly appearing as counsel before the Singapore courts as well as in international arbitrations. His diverse practice includes commercial and corporate disputes, energy and natural resources, media and telecommunications, breach of confidence, defamation, employment, medical and healthcare disputes as well as pre-emptive relief including Worldwide Freezing Injunctions.

Edmund also actively sits as an Arbitrator. He is a Fellow of the CI Arb, SI Arb, MI Arb, HKI Arb, AMINZ, PI Arb and ACICA, and has conducted arbitrations seated in Singapore, Hong Kong, Indonesia, Vietnam, Malaysia and Brunei as Sole Arbitrator, Tribunal Chairman / Presiding Arbitrator and Tribunal Member.

Edmund has received wide recognition in the Legal 500, Chambers & Partners, Best Lawyers, Benchmark Litigation, Who's Who Legal and Asialaw guides. He has been variously described by the Legal 500 as "aggressive", "articulate", "good advocate", "best in class" and providing "great, practical, no-nonsense advice in international arbitrations". Chambers (Asia-Pacific) reports that Edmund "*has the ability to think beyond the conventional and has brilliant ideas in terms of legal strategy*". Asialaw cites the following client-feedback : "*Kronenburg is a strategist and tactician par excellence ...*"



Ms Amanda Lees

Partner, King & Wood Mallesons

With more than 21 years' international arbitration experience in Asia and Australia, Amanda has been based in Singapore for 11 years.

Amanda acts as counsel in large complex disputes across a range of industries. She represented the Republic of Indonesia in its successful defence of a USD580M bilateral investment treaty claim under the India-Indonesia bilateral investment treaty.

Amanda sits as an arbitrator regularly and has had 22 appointments as arbitrator, including as emergency arbitrator and presiding arbitrator. Amanda is listed on the SIAC, HKIAC, AIAC and ICDR (AAA) panels of arbitrators.

Amanda is a Fellow and Director of the Chartered Institute of Arbitrators in Singapore, Fellow of the Singapore Institute of Arbitrators and Regional Leader of the South East Chapter of ASA (the Swiss Arbitration Association). As part of the CIARB Faculty, Amanda has taught international arbitration to hundreds of lawyers and other professionals throughout Asia.

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Mr Nicholas Lingard

Partner and Head of Freshfields' International Arbitration Group in Asia, Freshfields Bruckhaus Deringer

Nick is the head of our international arbitration group in Asia, he is an experienced international arbitration specialist, he represents clients in arbitrations across a variety of industries, under all the major arbitral rules, including the SIAC, ICC and UNCITRAL Rules, and under all major systems of law.

Nick also leads the most active investor-State arbitration practice in the region, representing both investors and States in high-profile, politically complex cases across Asia and the world. He is an expert member of the Energy Charter Treaty Secretariat's Legal Advisory Taskforce and writes and speaks widely on international arbitration.

Recently named Asia International Arbitration Lawyer of the Year, Nick is also recognised as a "Leader in his Field" by Chambers Asia-Pacific and a Band 1 practitioner in international arbitration in Singapore by Legal 500.



Ms Joy Tan

Joint Head of Commercial & Corporate Disputes Practice, Corporate Governance & Compliance Practice and the Financial Services Regulatory Practice, WongPartnership LLP

Joy Tan is the Joint Head of the Commercial & Corporate Disputes, Corporate Governance & Compliance and Financial Services Regulatory Practices at WongPartnership LLP. Her main practice areas are banking, corporate and commercial dispute resolution, international arbitration, and contentious investigations.

Joy is a Fellow of the Chartered Institute of Arbitrators, sits on the Panel of Arbitrators of the Singapore International Arbitration Centre (SIAC), and is also a Panel Member of The Law Society Disciplinary Tribunals appointed by The Honourable Chief Justice under the Legal Profession Act. She was a Member of the 1999 Rules of Court Working Party (sub-committee of the Law Reform Committee) and the Singapore Association of Women Lawyers. Joy also sits on the first Audit and Risk Management Committee of Tripartite Alliance Limited (TAL), the tripartite body established by the Government, unions and employers to promote the adoption of fair, responsible and progressive employment practices in Singapore.

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Ms Kate Apostolova

Member, YSIAC Committee; Counsel, Mayer Brown

Kate is a counsel based in Mayer Brown's Singapore office and has experience in both international commercial and investor-State arbitrations.

Ranked #1 in Asia-Pacific by Who's Who Legal 2020, Kate has extensive experience representing clients in a wide-range of industries, including oil & gas, mining, nuclear power, construction, finance, technology. She has been involved in cases before the US courts, ICTY, ECHR, ITLOS, and all major arbitral institutions. She has also undertaken sovereign advisory work in international law-related areas.

Kate has a juris doctorate degree from the University of California, Berkeley School of Law, where she was editor-in-chief of the Berkeley Journal of International Law. She is admitted to practice in England & Wales, New York, before the Supreme Court of the United States and the Singapore International Commercial Court.

Kate is described by clients as "a fine arbitration lawyer with outstanding knowledge in the field," "articulate and responsive," and "quick in analysing complex legal situations."



Ms Chui Lijun

Member, YSIAC Committee; Partner, Bird & Bird ATMD LLP

Lijun specialises in international arbitration and has acted as counsel in international and domestic arbitrations (both ad hoc and under the SIAC, ICC, LCIA, LMAA and UNCITRAL rules). The industries she has covered include banking and financial services, construction, consumer goods and retail, shipping, and energy. In addition to her work as counsel, Lijun is also an arbitrator (she is a Fellow of the Chartered Institute of Arbitrators and on the SIAC Reserve Panel) and an accredited mediator.

Lijun has substantial experience with tech disputes and regularly advises on cybersecurity and data issues and on emerging technology such as smart contracts, block chain and distributed ledger technology. Lijun speaks English and Mandarin.



Mr Tomas Furlong

Partner, Herbert Smith Freehills

Tomas is a generalist, and particularly enjoy helping private capital, energy and tech/telco clients, dealing with fraud, joint venture and commercial disputes. Based in Singapore, many of Tomas's recent matters have involved clients or counterparties in the PRC, India or the Philippines.

Tomas act as counsel (advocate) and arbitrator. As well as arbitrations (SIAC, ICC, ICSID, HKIAC, LCIA and CIETAC), Tomas assist clients with litigation, injunctions, and set aside/enforcement and arbitrator challenge proceedings around the world, and particular in Singapore.

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Mr Jonathan Lim

Partner, Wilmer Cutler Pickering Hale and Dorr LLP

Jonathan Lim is a Partner in WilmerHale's International Arbitration Practice Group. He represents states, companies and individuals in commercial and investment arbitration disputes, particularly in the energy, financial services, and technology sectors. He also advises governments on public international law issues and has assisted with the drafting of arbitration legislation. Jonathan has also worked on WTO dispute settlement matters and is part of the team representing the government of Somalia in its WTO accession.

Jonathan has received appointments as sole and party-appointed arbitrator in proceedings seated in Europe and Asia (including bilingual English-Chinese disputes and disputes under the CISG). He is also a Visiting Senior Fellow at the National University of Singapore, where he teaches international arbitration.

Jonathan is listed by Who's Who Legal as a Future Leader in International Arbitration, with clients and peers describing him as a "very smart all-round lawyer with a strong work ethic," who "provides top-of-the-class legal and strategic advice," and a "sure bet as a future global leader."



Ms Wendy Lin

Co-Chair, YSIAC Committee; Partner, WongPartnership LLP

Wendy Lin is a Partner in the Commercial & Corporate Disputes and International Arbitration Practices at WongPartnership LLP. Wendy has an active practice in high-value, multi-jurisdictional, and complex disputes spanning a wide array of commercial and corporate, cross-border trade and investment, fraud, and asset recovery matters. She regularly appears as counsel before the High Court and Court of Appeal, as well as in arbitrations conducted under various arbitral rules, including the SIAC, ICC, HKIAC, LCIA, UNCITRAL, ICSID and LMAA rules.

Wendy earned the rare distinction in 2020 of being selected as a Global Leader by Who's Who Legal in 3 practice areas: Litigation, Arbitration and Asset Recovery. This built on her achievement in 2018 where her peers selected her as a "standout practitioner" and one of the 4 most highly-regarded litigation partners in Asia-Pacific under the age of 45 in the inaugural edition of Who's Who Legal: Litigation – Future Leaders. Wendy has also been recommended for her dispute resolution and international arbitration work by various legal publications, where she has been variously complimented as "a first-class advocate, with the unparalleled ability to cut through numerous complex facts and legal arguments, extract the winning arguments, and to convey them effectively, with absolute charm and ease"; "a highly distinguished litigator who fully understands and is able to manoeuvre comfortably in commercial aspects that are highly technical and complex"; "an extremely knowledgeable and a highly-strategic thinker unfazed by the pressures of high stakes litigation".

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Ms Ong Pei Ching

Partner, TSMP Law Corporation

Ong Pei Ching is a Partner with the dispute resolution practice division at TSMP Law Corporation. She specialises in intellectual property disputes, shareholder disputes and other commercial litigation as well as defamation and medical negligence.

Her recent SIAC arbitration matters include acting for a global zircon processor based in China against a major zircon supplier in a trade dispute, as well as defending a Thai owner of a resort against an international hotel operator for alleged unlawful termination of the hotel management agreement.

Pei Ching joined TSMP in 2018 with 10 years of legal experience under her belt at two large firms, also earning valuable client-side training when she was seconded to a bank to manage Madoff fraud-related litigation. Her insatiable curiosity means that she relishes working with a wide range of clients from individuals to restaurant chains and manufacturers.



Mr Mahesh Rai

Director, Dispute Resolution, Drew & Napier LLC

Mahesh acts as counsel in complex civil and commercial litigation and international arbitration matters. He has conducted ad hoc and institutional arbitrations under the SIAC, ICC, UNCITRAL, VIAC and LCIA Rules. He represents corporations, governments and high net worth individuals in disputes spanning a range of industries range of industries including telecommunications, technology, construction, private equity, shipping, energy and commodities. He is regarded as “a first-rate litigator” and “an excellent disputes lawyer and a master strategist with a deserved reputation for solving complex issues” by clients and peers. In 2021, a panel of Singapore judges awarded him the prestigious The Joseph Grimberg Outstanding Young Advocate Award for professional excellence, service to the profession and community, and upholding ethical standards.



Ms Charis Tan

Partner, Peter & Kim

Charis specialises in international commercial and investment treaty arbitration and public international law.

She is admitted in three jurisdictions (Singapore, England & Wales and New York) and her experience includes investment and commercial arbitrations under the rules of major arbitration institutions, including ICSID, ICC, SIAC, HKIAC, KCAB and SCC, as well as ad hoc proceedings under UNCITRAL Rules. Charis is appointed as Counsel and Arbitrator in both commercial arbitration and State-to-State cases.

Charis has been named in *Who's Who Legal*, Global Arbitration Review (GAR), and *Asia Pacific Legal 500*. An initiative she spearheaded for the training of Government officials was awarded the *Asia Pacific FT Innovative Lawyers Award*.

Charis is also co-editor and author of *Investment Protection in Southeast Asia, A Country-by-Country Guide on Arbitration Laws and Bilateral Investment Treaties* (Brill, 2017).

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Mr Tay Yong Seng

Partner, Allen & Gledhill LLP

Yong Seng has broad commercial disputes practice spanning both litigation and arbitration.

In the Singapore Courts, he has particular expertise in complex commercial injunctions, acting for top-tier companies like Itochu, Maersk and BGC Partners. At the Court of Appeal (Singapore's highest Court), he specializes in novel and difficult points of law. His successful cases include a landmark 5-Judge decision on defamation, and leading decisions on insolvency law and tort law. In 2022, he successfully argued Singapore's first civil action under the Personal Data Protection Act 2012 in a ground-breaking Court of Appeal decision.

Yong Seng's busy international arbitration practice involves representing heavy industries, power generators, aerospace and media companies. He has successfully acted for various leading MNCs in international arbitrations, and in defending arbitration awards in the Singapore Courts.

Yong Seng is recognized by leading directories like Legal 500, Benchmark Litigation and Chambers, noting that "[he] *has a very sharp and insightful mind and plans his court strategy like a chess grandmaster*", and [is] "*Oxford-educated and technically razor sharp*".

Yong Seng was educated at Oxford University (BA (Hons) Law (2003); BCL (2004)).



Ms Melissa Thng

Partner, Co-Head of International Trade Practice, Dentons Rodyk & Davidson LLP

Melissa has had over a decade of experience navigating complex commercial disputes. Her practice covers a broad range of industry sectors including energy/projects, shipping and trade, cryptocurrency/technology, insolvency, trust, family disputes and construction, and she is equally active in litigation and arbitration. Melissa specialises in cases involving tricky and novel issues, and she is always on the lookout for a new challenge. She has served on various committees within the YSIAC and CIArb over the years, and is a member of the SIAC Users Council.