PROFILE

DREW & NAPIER

Gary Low
Director, Dispute Resolution
Co-Head, Criminal Law Practice

LL.B. (Hons), National University of Singapore (1997)
Admitted to the Singapore Bar (2000)
Advocate & Solicitor, Supreme Court of Singapore (2000)
Solicitor, England and Wales (2003)
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ABOUT GARY

Gary practices both civil and criminal litigation. He has an active civil/commercial practice and has acted in a wide variety of matters, including disputes in banking and finance, commercial disputes, arbitrations, directors'/shareholders' disputes, minority oppression, tortious liability, property and contractual disputes.

He regularly acts for major local and foreign banks in relation to all aspects of banking disputes, including banking fraud, anti-money laundering practices, banker-customer obligations, banking secrecy, financial advisory services and obligations in respect of the sale of financial products. In the aftermath of the global financial crisis, he represented banks, corporations and individuals in several claims relating to the mis-selling of financial products, including complex financial instruments such as accumulators, options, swaps and credit linked notes.

Gary also has wide experience in criminal matters and was formerly a Deputy Public Prosecutor. He has represented clients involved in diverse offences, including commercial crimes, corruption and securities offences such as insider trading, market manipulation. He has also been involved in investigations by various corporations into alleged wrongdoings of employees in relation to fraud, criminal breach of trust, cheating, breach of fiduciary duties and other misconduct.

EXPERIENCE

Some of the matters that Gary has handled include the following:

Arbitration

- Acting for a subsidiary of a Malaysian public listed company in an arbitration against the Johor State Government for breach of a privatisation and development agreement for the construction of a waterfront city in Johor Bahru.
- Acting for a Malaysian company in an arbitration against the Selangor State Government for breach of an agreement for the sale and development of land.
- Acted for a global accountancy and consultancy firm in the arbitration of a claim filed by an ex-director for wrongful dismissal.

Banking Disputes

- Acting for a financial institution against the liquidators of Lehman Brothers on claims arising from the unwinding of derivatives transactions with Lehman Brothers.
- Acting for a foreign financial institution in respect of a claim for breach of mandate, breach of implied terms and duties of care relating to an alleged wrongful transfer and sale of security.
- Acted for a financial institution against a claim by Indonesian customers for alleged misrepresentation and misspelling of complex financial products, including accumulators, equity-linked convertible instruments, equity-linked notes and dual currency returns.
- Acted for an Indonesian investor against a foreign bank in respect of the forced liquidation of the investor's investment in shares accumulator contracts.
- Acted for a global US bank in a claim for over S$12 million against two directors/shareholders of a public-listed company under a Deed of Undertaking.
- Advised a company listed on the Main Board of the SGX-ST in respect of its rights against a foreign bank in relation to its purchase of S$10 million worth of credit-linked notes from the foreign bank.

Contract/Commercial Disputes

- Acted for a construction company listed on the Main Board of the SGX-ST in a suit for breach of joint-venture agreement.
- Acted for a manufacturer and distributor of soft drinks products listed on the Main Board of the SGX-ST in a claim by its Indonesian franchisee for alleged breach of a Franchise Agreement and unlawful interference with the franchisee's trade.
- Advised a manufacturer and distributor of soft drinks and dairy products which is listed on the Main Board of the SGX-ST on the breach of distributorship agreement by its Australian supplier of dairy products.

Company Disputes

- Representing shareholders in suits against the controlling shareholders for oppression.
- Representing corporations in claims against former employees for breach of duties, breach of confidentiality and breach of non-compete covenants.

Trust/Fiduciary Cases

- Acted for the administrator of an estate in successfully resisting the sale of the estate's property by the co-administrator at an undervalue.
- Representing related corporations in actions against its former director/fiduciary to recover unauthorised payments and monies misappropriated by the director/fiduciary.
- Representing a jeweller and its director against a claim for dishonestly assisting in the dissipation of trust monies by the former solicitor of the Plaintiffs who absconded with the Plaintiffs' monies.

Property disputes

- Acted for the administrator of an estate in successfully resisting a claim for adverse possession of the estate's land.
- Acted for purchasers of properties to obtain specific performance against the sellers for breach of options to purchase or breach of sale and purchase agreements.
- Acted for the majority owners of a strata development in their appeal against the dismissal by the Strata Titles Board ("STB") of their application for STB's approval of the development's collective sale worth S$34 million.

Tort

- Represented an auxiliary police officer and his employer in defending a claim made by a private investigator for aggravated, exemplary and special damages for alleged assault, battery, wrongful arrest and false imprisonment.

Criminal Cases

- Defended a managing director of a Singapore-listed company against alleged offences under the Securities Industry Act based on charges of alleged market manipulation, and making of alleged false and misleading statements in a public announcement to the Singapore Exchange Securities Trading Limited.
- Defended a businessman against an offence under the Securities Industry Act for market manipulation of the market for the shares of a public listed company.
- Defended an Advocate & Solicitor of Singapore, against a charge of insider trading under the Securities and Futures Act for communicating price-sensitive information of a takeover deal to third parties.
- Represented a former CFO of a listed company under the civil penalty regime of the Securities and Futures Act for insider trading of the company's shares.
- Defended a former MINDEF executive against a corruption charge involving the receipt of commission from a contractor who had been awarded a MINDEF contract.
- Defended a businessman charged with over 20 counts of conducting his business with intent to defraud creditors.
- Defended a multinational shipping company and the Master of one of its vessel against charges of overloading of its vessels.
- Acted for a leading cable services provider in private prosecutions against sellers of unauthorised decoders which allow users to view cable television programmes for free.

ACCOLADES

The Asia Pacific Legal 500
Dispute Resolution 2020 – Recommended lawyer for 3 consecutive years

Sources say Gary is *"sound and accurate"*

Who's Who Legal
Business Crime Defence 2019 - Recommended lawyer for 3 consecutive years (Corporates chapter)

Global Investigations Review 100 (GIR 100) 5th edition (2019)

Recognised as a leading individual for investigations. The GIR 100 identifies top 100 firms worldwide that handle complex cross-border government-led and internal investigations.

Benchmark Litigation Asia-Pacific 2020 edition

Dispute Resolution Star – Commercial and Transactions, White Collar Crime for 2 consecutive years

MEMBERSHIPS

- Advocate & Solicitor, Supreme Court of Singapore
- Solicitor, England & Wales
- Member, Law Society of Singapore
- Member, Singapore Academy of Law
- Member, Business Network International, Singapore