



Jimmy Yim, Senior Counsel
Chairman, Drew & Napier LLC

LL.B. (Hons), National University of Singapore

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Advocate & Solicitor, Singapore

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Appointed Senior Counsel (1998)

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ABOUT JIMMY YIM

Jimmy Yim is the Chairman of Drew & Napier LLC and was the Managing Director of Singapore's most celebrated Dispute Resolution practice for 15 years.

Mr Yim graduated with top honours from the National University of Singapore, clerked at Baker & McKenzie in London and Hong Kong and made associate at another leading practice firm. From 1985 to 1988, he was appointed regional delegate of an international organisation based in Paris. Mr Yim returned to private practice at Drew & Napier in 1989, made partner in 1991 and was conferred Senior Counsel in 1998, with the honour of being one of the youngest Senior Counsel below 40 years of age at that time.

Mr Yim has over three decades of experience in civil and commercial litigation and international arbitration involving high stakes, multiple jurisdictions, and renowned parties. His experience in trials and international arbitration ranges from energy projects, building and construction, joint-venture, infrastructure, telecommunications to technology.

He has appeared as lead counsel before the Supreme Court, SICC and international arbitration tribunals on numerous occasions. He is familiar with arbitrations under the rules of SIAC, ICC, LCIA and UNCITRAL.

Mr Yim is recognised as a leading practitioner by all independent ranking publications such as The Legal 500, Chambers and Partners and asialaw Profiles.

EXPERIENCE

Mr Yim's experience in **international arbitration** ranges from disputes concerning energy projects, telecommunications, building construction, satellites, pharmaceutical

contracts, distributorship agreements and joint-venture contracts of various kinds. Some of his notable arbitration cases:

- Successfully recovered millions of dollars for a Norwegian corporation in an arbitration resulting from a marine accident in the South China Sea. The dispute involved issues of seaworthiness of vessels, obligations under the International Convention for the Safety of Life at Sea 1974 and gross negligence.
- Acted for the respondent, Vietnamese state-linked entity (employer) against the claimant Chinese state-linked construction company (contractor) in a VIAC arbitration over a hydro-electric dam project in central Vietnam. The claimant raised a litany of claims against the respondent essentially justifying their termination of the FIDIC-based contract. The complexity and scale of disputes in this massive project required close cooperation with quantum and delay experts and a detailed understanding of the construction process of hydro-electric dams and the use of tunnel-boring machines.
- Successfully acted for a Japanese corporation in a joint-venture dispute with a Hong Kong public-listed corporation over solid waste disposal systems and incineration plants where the claims exceeds US\$10 million and the contract is governed by Japanese law.
- Successfully defended a Malaysian conglomerate in a multi-million dollar ICC arbitration against a Thai company over the design, installation and commissioning of a steam boiler in Thailand. The dispute was governed by Thai law and involved issues of commissioning, emission standards, contractual breaches and negligence.

- Acted for an Indonesian high net worth individual in resisting claims from an Indian energy conglomerate in relation to a dispute over the development of 3 coal mining concessions in South Sumatra. The arbitration required extensive arguments on multiple aspects of the infrastructure work associated with developing and operating a greenfield coal concession in Indonesia.
- Successful outcome for a Japanese corporation in a multi-million dispute between joint-venture partners over the sale and implementation of energy management systems to State Electricity Boards in India governed by ICC Rules. The claims included allegations of fraud, misrepresentation, misuse/conversion of intellectual property and loss of opportunity. The joint venture was governed by Japanese law.
- Successfully represented a Korean EPC contractor, in an ad hoc arbitration under the UNCITRAL Rules 2010 against the claimant, an Indian state-linked petrochemical company. The dispute relates to claims for losses arising out of the termination of a project for the construction of a High Density Polyethylene Plant in Asia's biggest petrochemicals complex, Dahej Petrochemical Complex in Gujarat, India. The case involves complex technical and legal issues as to differences in the efficiencies of the concerned licensor technologies in producing bimodal polyethylene products and the appropriate methodology for assessing extra costs incurred as a result of the termination of the contract by the contractor.
- Successful outcome for a Malaysian Government Linked Company that is advancing claims against its Chinese joint venture partner for breaches of a US\$45 million joint venture agreement in the heavy industry sector. This is a unique case, involving issues relating to the Chinese national policy for the entry of foreign investment in a predominantly Chinese industry.
- Successfully resolved a S\$20 million dispute over the collapse of a cement silo in Singapore arbitrated under SIAC Domestic Rules involving issues of negligence, novus actus interveniens and damages for notional repair. This case included 2 appeals to the Court of Appeal (allowed under SIAC Domestic Rules), which were both successfully argued by Mr Yim – [2004] 4 SLR 353 / [2004] SGCA 40 – Salcon Ltd v United Cement Pte Ltd.
- Successfully resolved a multi-million dollar dispute over the construction and delivery of boilers for a power plant project in Thailand. The arbitration was governed by the ICC Rules and it involved issues of build-to-order specifications, international product & material safety standards and the right to reject delivery governed by Thai law.
- Advised on a US\$200 million dispute over the construction and launch into orbit of a telecommunications satellite under UNCITRAL Rules. The dispute involved issues of delay, rescission of contract and force majeure due to inter alia a United States Department of State Public Notice prohibiting the launch of U.S. satellites by rockets from the People's Republic of China which was amicably settled.
- Successfully defended a US\$10 million claim over the licensing of data gathering & retrieval software arbitrated under ICC Rules involving issues of fraudulent misrepresentation and anticipatory breach governed by Thai law.
- Successfully defended a US MNC (a worldwide leader in IT and networking) in a multi-million dollar claim arising from highly complex and technical agreements to build, operate and manage a WiMAX network in Malaysia.
- Successfully defended a software copyright owner in a multi-million dollar claim by a mainland Chinese distributor of the most successful MMORPG (Massively Multi-Player Online Role Playing Game) in the People's Republic of China (with 70 million registered players). The arbitration was governed by Korean law and arbitrated under ICC Rules and it involved jurisdictional issues of incorporation of arbitration clauses, estoppel, cross claims by one Respondent against another and the effect of parallel lawsuits commenced by the parties on similar issues.
- Appointed as an ICC arbitrator in a multi-million dollar dispute governed by Sri Lankan law between a state owned enterprise in Sri Lanka with a monopoly in bunker supply to vessels and a commercial bunker supplier involving jurisdictional

issues on the arbitration agreement, estoppel and time bar as well as substantive issues on remoteness of damages and the duty to mitigate losses.

- Successfully defended Indonesian oil and gas tycoon and former Chief Executive of an offshore and marine company in the violation of the Securities and Futures Act. Obtained a favourable outcome as the 112 false trading and market rigging offences that the client was originally charged with was amalgamated to 6, and he was fined for those 6 charges, avoiding a custodial sentence.

ACCOLADES

asialaw Awards

Client Service Excellence Lawyer of the Year 2021: Singapore

Chambers Asia-Pacific and Chambers Global

Dispute Resolution:
Litigation – Singapore
2023 – Band 2 (14 years ranked)



Dispute Resolution: Arbitration – Singapore
2023 – Band 4 (14 years ranked)

Jimmy Yim SC is "a very impressive senior counsel in complex cross-border disputes"

Jimmy Yim SC "has a tremendous wealth and depth of experience, with both legal and commercial knowledge. He is a consummate professional."

Jimmy Yim SC is experienced before the High Court and International Commercial Court in Singapore. He is particularly active in shareholder and construction matters and one market source comments he is "a strong litigator - one of those lawyers who has been in the business for many years but is still doing trials regularly."

Jimmy Yim SC is an "old hand and everyone knows he is very strong in advocacy," according to one market source. He is an experienced lawyer who focuses on real estate and construction-related issues.

He is well regarded for his client service, in particular his attention to detail and "valuable tactical advice".

An experienced lawyer who focuses on real estate and construction-related issues, Jimmy

Yim SC has a reputation for providing advice that is "well thought through and well documented." It is also said that he is "thorough and has a great understanding of the matter".

Jimmy Yim SC comes highly recommended for his focus on commercial litigation work. One market source notes: "He is very well known in the industry as a litigator and he is always smooth and a gentleman in court." Jimmy Yim SC's practice spans energy and resources projects and construction-related arbitration. Clients say he "quickly understands different aspects of a case and proposes a viable strategy."

"known for his advocacy skill internationally"; "instrumental in defining the overall strategy, paying attention to the smallest details and the interrelationship between all the events and claims."

"familiarity with the judicial system, skill in conducting a trial and flair for cross-examination"; "His eye for detail and precision in drafting arguments (both written and oral) has also resulted in successful outcomes in the course of handling a dispute for us."

"One client notes his skill in handling negotiations, while another highlights his ability to analyse issues from a legal and regulatory perspective"

"a very sharp and very eloquent counsel."

"the judges love him"

"he makes the difference in complex cases."

"'very good' performance as counsel, where he 'always works with great stamina'."

"Recognised as an 'extremely persuasive advocate'."

"Clients are impressed that 'he understands key issues super-quickly'."

"Brilliant and experienced counsel"

"Hailed as a brilliant litigator by market sources, and is considered a highly experienced senior counsel."

"Wins plaudits for his diligence and performance in international arbitration matters"

"Known for his deep experience and proactive manner"

"Has a gentlemanly style, and is well liked by the bench and competition"

The Legal 500 Asia Pacific
Dispute Resolution 2023 –
Leading Individual
for 22 consecutive years



International Arbitration 2023 –
Leading Individual for 9 years

Projects & Energy 2023 – Recommended
lawyer for 7 consecutive years

Construction 2023 – Recommended lawyer
for 2 consecutive years

"Jimmy Yim SC is an outstanding and respected lawyer, at court and outside. He has the knowledge to guide his team to find the right arguments for our company to stand and win our legal disputes."

"Jimmy Yim SC is a phenomenal advocate."

"Jimmy Yim SC's oral advocacy is exceptional – he is eloquent and very persuasive, and has a certain presence in the tribunal hearing room. He is clearly well respected by tribunals and opposing counsel."

Sources say *"Jimmy Yim SC has shown excellent advocacy in the court room. He is very cordial, but strong and very persuasive."*

"Jimmy Yim, SC has an ability to simplify very complex and technical arguments to narrow it down to the key issues in dispute, and deliver them passionately and eloquently with fierce persuasion."

"a super excellent lawyer", "always provides precise and to the point advice" and "is good at thinking out of the box"

"very quick to narrow down the key issues, craft strategic and tactical solutions, and has a lot of drive and passion in the delivery of legal arguments"

"Commended for his 'advocacy skills and in-depth knowledge'"

The Legal 500
Arbitration Powerlist:
Southeast Asia 2022



Recognised as a leading arbitrator in the
Southeast Asia region

Best Lawyers International: Singapore
(2023 edition)

Litigation – Endorsed individual for 15
consecutive years

Arbitration and Mediation – Endorsed
individual for 13 consecutive years

Construction Law – Endorsed individual for 9
consecutive years

Who's Who Legal

Thought Leaders Guide: Commercial
Litigation 2022 – Thought Leader

Global Guide: Commercial Litigation 2022 –
Recommended Lawyer for 3 consecutive
years

National Guide: Southeast Asia - Arbitration
2022 – Recommended Lawyer 2 consecutive
years

National Guide: Southeast Asia - Litigation
2022 – Recommended Lawyer 2 consecutive
years

Jimmy Yim SC is applauded by market
sources as *"an exceptional trial lawyer"* who is
*"brilliant in cross-examination and successful
in exposing untruths on the stand"*.

*"Jimmy Yim SC possesses a strong litigation
practice and draws accolades from peers for
his work in the construction industry."*

Jimmy Yim SC is *"well regarded"* by
respondents for his standout work, energy,
construction and joint venture-related
disputes.

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.

asialaw Leading Lawyers

Dispute Resolution 2023 – Elite Practitioner
for 7 consecutive years

Energy & Natural Resources 2018 – Market
Leading lawyer for 2 consecutive years

*"Jimmy Yim SC is outstanding. He takes pains
to understand and provide a holistic approach
to the resolution of disputes. His legal
strategies leave no stone unturned. His
eagerness to use cutting-edge methodology
and technology to drill at details is
commendable."*

"He is a great lawyer."

"Jimmy Yim SC is a powerful leader of his team and very knowledgeable."

"Very professional and up to date with legal advances, always has a good strategic approach."

"Intelligent, high EQ, very efficient and analytical."

"His experience and depth of knowledge of both the legal aspects and commercial realities of a case are faultless. He is extremely quick to grasp and identify the issues of the case, the client's problems and difficulties, and manages all aspects of a case brilliantly. In his preparation for trial and appeal, he was thorough, detailed and meticulous. Beyond a lawyer-client association, he also develops a personal and heartfelt relationship with his clients."

"Excellent Lawyer, very sharp in his assertion of the cases submitted and his recommendations. Because of Jimmy, our company won already two cases out of three and the 3rd one is still under review by the international court. Very pleasant person to talk to and also looking at costs at all times."

"Jimmy Yim has a great ability to understand esoteric concepts well very swiftly; that enables his advice to be relevant and applicable regardless of the permutations of the information and matter. His affable personality is a winner both off-court and on-court."

"He has an ability to quickly grasp complex issues. He has a strategic plan for the case and it is effective with the positive outcome."

"Jimmy Yim SC is an exceptional senior counsel and leader."

"Jimmy is a wonderful litigator and a great lawyer."

"The law is very clearly described with minimum legal jargon. [His] depth of legal knowledge helped us to win our recently concluded case in the Court of Appeal."

asialaw Profiles

Dispute Resolution 2023 – Outstanding practice for 13 consecutive years

Energy & Natural Resources 2018 – Outstanding practice

"Jimmy Yim SC is a first class international arbitration practitioner and he is supported by a strong team."

"Jimmy Yim continues to be an influential advisor in energy project disputes by partnering with the construction and engineering dispute resolution team."

Asian Legal Business Asia Super 50 Disputes Lawyers 2021

Recognised as being amongst the top 50 disputes lawyers in the region



"Jimmy is extremely genial, but at the same time can be strong and very persuasive. He has an ability to quickly grasp complex technical issues"

Benchmark Litigation Asia-Pacific 2022 edition

Commercial and Transactions – Litigation Star for 5 consecutive years

International Arbitration – Litigation Star for 5 consecutive years

"Jimmy Yim, SC does litigation very well."

"Yim is an outstanding advocate. His thinking is clear and he's always available."

Asia IP Experts 2016

Leading individual in IP Litigation

Client Feedback

"I had the good fortune of knowing Jimmy as a colleague and client for over 10 years. In that time, we did not lose a single case we worked together on. Few lawyers have his finesse and presence in court. Even in unfavourable circumstances, I have witnessed how Jimmy conjures "Get Out of Jail Free" cards for clients. Clients appreciate his strategic view and insights that are rooted in his vast experience and his incredible grasp of facts and the law." Client, Andrew Lee, Assistant General Counsel, Kaplan Singapore

"Mr Jimmy Yim, the Chairman is outstanding and has a very sharp mind which allows him to see perspectives which other lawyers are not able to think of. He is friendly, passionate about his work and genuinely puts his mind to the legal issues at hand. He is definitely a class above other lawyers." Client, Dr Michael Lim, MWH Medical Pte Ltd

"The D&N team on our case is lead and directed by Mr. Jimmy Yim, who obviously possesses vast experience and is a dedicated litigator, with a high sense of client care and

satisfaction, and takes the lead on all major Court interventions.” Client, Pierre Maxime Charron, General Counsel, ACASS

APPOINTMENTS/MEMBERSHIPS

- Regional Arbitrator, Singapore International Arbitration Centre
- Panel Arbitrator & Mediator, Asian International Arbitration Centre
- Recommended International Arbitrator, Pacific International Arbitration Centre, Vietnam
- Member, Panel of Mediators, Financial Industry Disputes Resolution Centre (FIDReC), The Association of Banks in Singapore
- Member, Governing Council, Nani Palkhivala Arbitration Centre (NPAC), India
- Member, Ministry of Law Steering Committee on Legal Aid
- Member, Criminal Legal Representation and Social of the Senior Counsel Forum
- Fellow, Singapore Institute of Arbitrators
- Member, Inter-Pacific Bar Association
- Former Chairman, Citizenship Committee of Inquiry, Ministry of Home Affairs