



Kong Man Er
Director, Dispute Resolution

LL.B (Hons) King's College London (2007)

BCL Oxford University (2008)

Admitted to the Singapore Bar (2011)

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ABOUT MAN ER

Man Er handles complex disputes. She has successfully represented clients in both litigation and international arbitration proceedings.

Man Er graduated with First Class Honours in law from King's College London in 2007 and obtained a Bachelor of Civil Laws from Oxford University in 2008.

Before joining Drew & Napier LLC in 2010, Man Er was a Justices' Law Clerk and an Assistant Registrar at the Supreme Court of Singapore.

EXPERIENCE

Man Er has assisted clients to resolve a variety of disputes. These include disputes relating to contract, tort, banking and finance, equity and trusts, company law, property law, insolvency and the enforcement of arbitration agreements and arbitral awards.

Man Er also has significant experience in corporate, anti-money laundering and regulatory investigations. She has advised companies in the banking and financial services, transport, hospitality, construction and manufacturing industries on all aspects of their investigations as well as regulatory enforcement and compliance issues.

Some of the matters which Man Er has acted in include:

Litigation

- Successfully acted for clients in matters before the Singapore Courts relating to the setting aside and enforcement of international arbitration awards. One of such cases is *Bloomerry Resorts and Hotels Inc and another v Global Gaming Philippines LLC and another* [2020] SGHC 1.
- Successfully struck out a claim brought by an investor against an international bank

for losses suffered in respect of foreign exchange derivative transactions.

- Successfully represented a Singapore listed company in appeals before the Court of Appeal relating to an application by that company for legal proceedings to be stayed in Singapore on the ground that the Kingdom of Saudi Arabia was the more appropriate forum to hear the dispute. The Court of Appeal's decision is reported at [2017] 1 SLR 907.
- Successfully represented the "effective wife" of a prominent doctor, at trial and on appeal, in a dispute over assets valued at more than \$20 million. The case involved the application of the Mental Capacity Act. Indemnity costs were ordered in favour of the client. The case is reported at [2012] 1 SLR 549.
- Successfully applied for an anti-suit injunction against legal proceedings commenced in India in breach of an arbitration agreement.
- Successfully defended a global investment bank, at trial and on appeal, against claims in excess of S\$20 million brought by a private banking customer for investment losses arising from accumulator transactions. The case is reported at [2017] SGHC 113.
- Acted for two companies in applications brought by the shareholders for leave to commence derivative actions against the directors of the companies. The cases are reported at [2013] SGHC 192 and [2013] SGHC 193.
- Regularly advise company directors and shareholders on company law issues such as directors' duties and minority shareholder oppression.

Arbitration

- Acted for a leading sports, marketing, media and event management company

in an international ICC arbitration relating to the payment of licensing fees of about US\$80 million in connection with a major league tournament.

- Successfully recovered more than US\$16 million for an international group of companies in the oil and gas industry in contractual disputes with a Middle Eastern party relating to the deployment and operation of high value offshore equipment.
- Obtained a favourable result for an entrepreneur in three international SIAC arbitrations instituted by a listed telecommunications company and its subsidiary. The claimants alleged breaches of non-compete, non-solicitation and confidentiality clauses in sale and purchase agreements entered into between the parties as part of a joint venture. The dispute amount was in excess of S\$60 million.
- Obtained a favourable result for a hotel operator in a dispute with the hotel owner relating to the terms of a hotel management agreement.

Other matters

- Acted for Singapore's major rail operator, SMRT Trains Ltd, in a national inquiry into two train service disruptions in December 2011. In the course of the Committee of Inquiry proceedings, about 100 witnesses and more than 12 experts gave evidence on incident management procedures and complex technical and engineering issues.
- Assisted companies and financial institutions with their investigations into compliance by their employees with Singapore laws and regulations such as the Securities and Futures Act, the Monetary Authority of Singapore Act, and the Prevention of Corruption Act.
- Acted for BSI Bank Limited in the acquisition by EFG Bank AG of BSI Bank Limited's private banking business.

ACCOLADES

Asia Business Law Journal

Identified as one of Singapore's Top 100 lawyers 2019

Sources say: "[Kong Man Er] is responsive, proactive, knowledgeable, practical,

commercially perceptive, strategic, meticulous and flexible if required "

APPOINTMENTS/MEMBERSHIPS

- Member, Singapore Academy of Law
- Member, Law Society of Singapore