



Mahesh Rai
Deputy Head, Construction & Engineering
Director, Dispute Resolution

LL.B. (Hons), National University of Singapore (2008), Shaw Foundation Scholar
LL.M. International Arbitration & Litigation, University College London (2009)
B.Sc. (1st Class Hons) Politics & International Relations, London School of Economics, External (2006)
Advocate & Solicitor of the Supreme Court of Singapore (2011)
Attorney-at-law of the state of New York (2011)
Solicitor of England & Wales (2013)
International Lawyer, Bar Association of the Kingdom of Cambodia (2013)
Acc. Spec. (Building & Construction), Singapore Academy of Law
Chairman, The Chartered Institute of Arbitrators, Young Members Group
T: +65 6531 2584 F: +65 6220 0324 E: mahesh.ra@drewnapier.com

ABOUT MAHESH

Mahesh has an active litigation and arbitration practice with a particular focus on complex, high-value and cross-border disputes across a range of industries (construction, infrastructure, telecommunications, IT, shipping, energy and commodities). He is also the Deputy Head of our Construction & Engineering practice and advises on front-end construction matters.

Mahesh commands praise for being “*a first-rate litigator*”, “*an excellent disputes lawyer and a master strategist with a deserved reputation for solving complex issues*” and a lawyer who “*is quick on his feet, pays attention to detail and is clear and concise in his explanations*”. He is consistently ranked in several publications. The Asia Pacific Legal 500 recommends Mahesh for Dispute Resolution, International Arbitration, Projects & Energy, White-Collar Crime and Construction (2021 edition). He won the Young Lawyer of the Year Award at the Asian Legal Business (ALB) SE Asia Law Awards 2019. He is ranked as a Future Leader in Arbitration by Who’s Who Legal in 2021 and 2020 and a Future Leader in Investigations from 2018 to 2020, and by the Global Arbitration Review in 2016. Asialaw ranked him as a Leading Lawyer in Dispute Resolution & Litigation in 2017 and 2018. ALB identified Mahesh as an outstanding young lawyer in the “40 under 40” survey in 2018 and the Singapore Business Review selected Mahesh as one of the most influential lawyers under 40 in 2017.

In 2014, Mahesh was selected by the Supreme Court to be placed in the Young *Amicus Curiae* list and he appeared as *amicus curiae* in a High Court matter involving money laundering.

Mahesh’s experience also includes stints at two ‘magic circle’ barristers’ chambers, Fountain Court Chambers (as a Singapore Academy of Law Scholar) and Essex Court Chambers (as the first winner of the Essex Court Singapore moots), where he worked on complex commercial litigation and arbitration matters.

Mahesh graduated from the National University of Singapore (NUS) as a Shaw Foundation Scholar. He earned an LL.M. in International Arbitration & Litigation from University College London (UCL) where he represented the United Kingdom as an oralist in the UCL team that was the runner-up in the prestigious Philip C. Jessup International Law Moot Court Competition.

For his pro bono work and increasing access to justice, Mahesh was highlighted as one of Asia-Pacific’s Innovative Lawyers at The Financial Times’ annual FT Innovative Lawyers Asia-Pacific 2018 awards. He was also shortlisted for the 2018 IBA Outstanding Young Lawyer Award for his *pro bono* representation of accused persons facing the death penalty in Singapore and civil party victims before the United Nations Khmer Rouge Tribunal.

EXPERIENCE

The following are some of the matters Mahesh has handled:

Construction

- Representing a Korean multinational conglomerate in an UNCITRAL arbitration against an Indian state-owned company over claims amounting to US\$210 million arising out of the construction of a petrochemical plant.
- Represented an international contractor in two UNCITRAL arbitrations against the Government of Maldives for claims amounting to over US\$155 million relating to expropriation of land and delays to a project to construct public housing over 10 islands.
- Representing the employer in a construction dispute over a multitude of defects affecting a S\$400 million project.
- Representing the employer in claims against a contractor for defects affecting a S\$35 million property.
- Represented a Vietnamese government entity in an EPC construction and engineering US\$160 million arbitration over a hydropower project in central Vietnam.
- Represented a Malaysian public-listed company in a US\$21 million ICC arbitration, where Thai law applied, against a Thai public-listed company over the design, construction and commissioning of an industrial steam boiler for the palm oil industry.
- Advised a Turkish manufacturer in a dispute over the supplier of plant machinery against a leading German supplier of machinery.

IT, Technology and Telecommunications

- Representing an international communications equipment company in an ICC arbitration against a sovereign Asian government for claims amounting to US\$25 million over a failed satellite communications project.
- Represented a leading multinational information technology and telecommunications company in two SIAC arbitrations against the telecommunications arm of a Malaysian conglomerate over contractual disputes relating to the design,

commissioning and operation of a telecommunications network, and the supply of hardware and software.

- Represented a Filipino public listed company in an ICC arbitration against an American multinational corporation over a dispute involving the setup of a voice and data telecommunications network for maritime vessels and seafarers.
- Represented a leading telecommunications tower infrastructure provider over a series of disputes relating to breaches of supply and installation agreements.
- Advised a multinational company in its international arbitration against the developers of a CRM system.

Shipping

- Represented a leading maritime services company in five arbitrations (amounting to approximately S\$32 million) against a former joint venture partner arising out of breaches of various agreements entered into by the parties to the joint venture.
- Represented Swiber Holdings Ltd and Swiber Offshore Construction Pte Ltd in proceedings before the Singapore High Court and the Singapore Court of Appeal. Successfully struck out a frivolous claim by Likpin International, a Middle Eastern corporation.
- Represented a major shipping company listed on the SGX in two arbitrations valued at a total of USD12 million under the SIAC Rules against a marine construction company registered in Dubai and a Vietnamese state-owned petrochemical company for breach of charter party agreements.
- Represented a €6 billion Norwegian company in a US\$20 million maritime arbitration, where Swiss law and Chinese law applied, against a Chinese public-listed company for project delays arising from a tug and tow 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.
- Representing a leading Japanese conglomerate in a shipping dispute involving

fraudulent switch bills of lading and conversion.

- Represented a shipping engineer in resisting a claim by the leading supplier of inert gas systems over the misuse of alleged confidential information and restraint of trade.

Companies and Insolvency

- Representing a marine engineering company in a minority oppression action against a majority shareholder of a joint venture company.
- Representing the managing director and a shareholder of Southeast Asia's leading pipe trading company in a number of High Court suits involving minority oppression, derivative claims, trusts and receivership.
- Representing a tycoon in a series of suits and an arbitration emanating from disputes over shareholders of a leading oil and gas equipment supplier.
- Advising shareholders on disputes arising out of a joint-venture company which operates clinics and surgery centers.
- Represented the majority shareholder in resisting an application to wind up a multimillion dollar electronics fabrication company. A successful buyout was negotiated.
- Represented a shareholder of a leading events company in a potential winding up matter. A successful buyout of our client's shares with minimal exit obligations was negotiated.
- Represented and advised a major private equity group in the infrastructure sector on its minority oppression claims against the majority shareholders and directors controlling an IT project SPV across multiple jurisdictions

Contract

- Representing a Chinese investor in High Court claims against two doctors for misrepresentation and breaches of contract.
- Representing the part-owner of one of Vietnam's largest coffee empires in a suit before the Singapore High Court involving conspiracy, contractual breaches and tortious claims.

- Represented a shareholder of airlines-services company in resisting a suit in the Singapore High Court over claims of misrepresentation and contractual breaches.
- Represented a German multinational automotive corporation in an ICC arbitration against a Singaporean joint venture investment company over losses accruing from a failed semi-professional racing series project in South-East Asia.
- Represented the Government of the UAE in a S\$50 million claim against a healthcare group for exorbitant charges.

Employment

- Represented a broker in an employment dispute against a leading commodities and energy trading company.
- Advised the SEA-Pacific General Manager of Gameloft SE, a leading global video game developer, in an employment matter arising out of the takeover of Gameloft by Vivendi.
- Represented a regional executive in claims against a global manufacturer and designer of high-end office furniture.

Crime

- Representing civil parties / victims before the United Nations Khmer Rouge Tribunal in Case 002/02 against Nuon Chea ("*Brother Number Two*", second-in-command to Pol Pot) and Khieu Samphan (president of Democratic Kampuchea 1976– 1979).
- Appointed by the Supreme Court of Singapore as *Amicus Curiae* (friend of the court) in an appeal to the Singapore High Court in a novel case involving money-laundering and Li Huabo (the No. 2 individual on China's 100 "most wanted" corrupt officials list).
- Defended a number of indigent accused persons *pro bono* in criminal proceedings under the Criminal Legal Aid Scheme.

PUBLICATIONS

- Co-author, International Comparative Legal Guide – Construction & Engineering Law 2021 (Singapore chapter)

- Expert author, Commonwealth Study on International Commercial Arbitration 2019
- Co-author, Chambers and Partners Global Practice Guides – Litigation 2019 (Singapore chapter)
- Contributing author, Global Investigations Review, The Practitioner’s Guide to Global Investigations 2017 and 2018 (1st and 2nd edition)
- Contributing author, Global Investigations Review’s Practitioner’s Guide to Global Investigations (Edition 2) newsletter (2018)
- Contributing author, ‘FIDIC around the world – Singapore’, appeared in the 2017 Construction Law International Vol.12 Issue 3; published by the International Bar Association.
- Contributor to Singapore Civil Procedure (2014 (Supplement) & 2015)

ACCOLADES

The Asia Pacific Legal 500

Dispute Resolution 2021 – Next Generation Partner for 2 consecutive years

International Arbitration 2021 – Next Generation Partner for 2 consecutive years; Recommended lawyer in 2019

Projects & Energy 2021 – Recommended lawyer for 3 consecutive years

White-Collar Crime 2021 – Recommended lawyer

Construction 2021 – Recommended lawyer

“Mahesh Rai is highly regarded for construction and engineering disputes”

Sources say *“Mahesh Rai was always on top of every aspect of the dispute, nothing could slip away from him. His strategic advice and sound reasoning were key in developing and framing claim.”*

“wonderfully engaging to deal with and has an incredibly relaxed manner”

The Joseph Grimberg Outstanding Young Advocate Award 2021



Winner of the annual award instituted by the Singapore Academy of Law and Drew & Napier which recognises young lawyers in good standing who exhibit professional excellence, service to the profession and the bar; service to the community; and/or a reputation for or the advancement of legal ethics and professional responsibility. The award also recognises lawyers who demonstrate the same professional excellence and high ethical standards that Mr Grimberg embodied.

Asian Legal Business Asia Super 50 Disputes Lawyers 2021

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

Rated “10/10” by a client, Mahesh is lauded for working *“that extra 10 percent to ensure all bases are covered, and was always three steps ahead of the defendant in my High Court litigation”*.

Asian Legal Business SE Asia Law Awards 2019

Young Lawyer of the Year – Mahesh Rai



Asian Legal Business

Identified as one of 40 bright legal minds in the region under the age of 40 – “40 Under 40 list” (October 2018 issue)

Financial Times Innovative Lawyers APAC 2018 awards

Mahesh was commended for his commitment to pro bono advocacy, highlighting his work with HOME (Humanitarian Organisation for Migration Economics) and AWARE (Association of Women for Action and Research) that led him to challenge laws that disadvantage migrant and refugee workers.

Who’s Who Legal

Future Leaders

Ranked as an eminent lawyer under 45 in the respective fields

Global Guide: Arbitration (2021 and 2020 editions)

Global Guide: Investigations (2020, 2019 and 2018 editions)

National Guide: Southeast Asia - Arbitration 2021 – Recommended Lawyer

Mahesh "is always keen to think out of the box" applaud sources who commend his "great industry knowledge and level of responsiveness".

Mahesh Rai is "truly a leader in this area"...He provides specialist insight into disputes in the telecommunications and energy sectors.

"Mahesh is quick on his feet, pays attention to detail and is clear and concise in his explanations."

Asialaw Leading Lawyers

Dispute Resolution & Litigation
2018 – Leading Lawyer for 2 years



"Deep understanding of Singapore law and appreciation of practical problems in multijurisdiction litigations."

"Strong knowledge of Indian laws."

Sources say Mahesh "demonstrates commitment and responsiveness to queries at all hours. A very driven individual who has sensible commercial solutions. A capable lawyer who delivers results we ask for."

"Mahesh is a first-rate litigator with a good eye for detail. He grasps issues quickly, was accessible and was excellent in providing commercial solutions to our problems."

"Mahesh is an excellent disputes lawyer and a master strategist with a deserved reputation for solving complex issues. He was very user friendly, commercially-minded and was one of the best lawyers my company has worked with."

"To the point discussion. In-depth knowledge of the matter and the industry. Hands-on related to the approach and strategy."

"The level of legal advice and general client service that I received while working with Mahesh Rai's team was outstanding. My queries were answered promptly and with great attention to detail. Not only did the team closely monitor the progress of the settlement discussions, but it had also taken it upon itself to supervise and check the drafts that came back from the Indonesian law firm instructed by us to advise on Indonesian law queries pertaining to the transaction. Our management and I have been very pleased

with the standard of service received from D&N."

Global Arbitration Review 9th edition (2016)

A client said Mahesh "expressed a commendable level of personal engagement and was always available to provide support, guidance and direction from start to end."

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.

Asia Business Law Journal

Identified as one of Singapore's Top 100 lawyers 2019

Singapore Business Review

Singapore's 70 most influential lawyers aged 40 and under in 2016 – Listed lawyer

Excellence in Advocacy Award (2012)

Awarded by the Singapore International Arbitration Academy

Winner of Essex Court Chambers-Singapore Academy of Law Moot Competition for Singapore lawyers (2012)

APPOINTMENTS/MEMBERSHIPS

- Director, Chartered Institute of Arbitrators Singapore Branch
- Fellow, Chartered Institute of Arbitrators
- Fellow, Singapore Institute of Arbitrators
- Panel Arbitrator, Singapore International Arbitration Centre, Reserve Panel
- Arbitrator, Asian International Arbitration Centre Panel
- Panel of Arbitrators, Thailand Arbitration Centre (THAC)
- Assessor, Panel of Assessors for COVID-19 Temporary Relief, Ministry of Law
- Accredited Specialist (Building and Construction), Singapore Academy of Law
- Chairman, CIArb Young Members Group

- Former Regional Representative, ICC Young Arbitrators Forum 2017-2019
- Member, Young International Arbitration Group
- Member, Young International Council for Commercial Arbitration
- Member, Inter-Pacific Bar Association
- Member, International Bar Association
- Member, Law Society of Singapore
- Committee Member, International Relations Committee of Law Society of Singapore
- Member, Singapore Academy of Law
- Lead Counsel, Legal Assistance Scheme for Capital Offences