



Randolph Khoo

Deputy Managing Director, Dispute Resolution

LL.B. (Hons), National University of Singapore (1989)

Admitted to the Singapore Bar (1990)

FSI Arb, FCI Arb, FMI Arb, FAMINZ (Arb), FHKI Arb, FICA, FAIADR, SF Biam

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ABOUT RANDOLPH

Randolph is Deputy Managing Director of our Dispute Resolution Department, and heads the dispute resolution practices of the Greater China, India and International Trade Desk and Private Client Disputes Group.

He is keenly involved in arbitration and international disputes. Randolph has been recognised by *Chambers Asia-Pacific 2020* and *Chambers Global 2020* as a leading practitioner in the area of dispute resolution in Singapore and China, in addition to being endorsed by *Best Lawyers International 2020* for international arbitration and arbitration & mediation in Singapore.

Randolph has been praised by legal publications and clients for being “*especially experienced in China-related arbitrations, having advised numerous Chinese clients on high-stakes disputes, and acted as counsel in arbitrations held under CIETAC rules*”; and as a “*Leader of a ‘very accessible and efficient’ team, who is ‘well versed in international arbitration, willing to listen and extremely business-oriented’.*” (*Chambers and Partners*)

Randolph joined Drew & Napier in 1990 after graduating with academic prizes and topping the final examination and public international law course at the National University of Singapore.

EXPERIENCE

Randolph has handled numerous matters. Here are just a few:

- A successful appeal to the Court of Appeal against an order to wind up a company for alleged minority oppression in **Suying Design Pte Ltd v Ng Kian Huan Edmund and other appeals** [2020] 2 SLR 221
- A successful appeal to the Court of Appeal against a High Court order refusing to set aside an SIAC award made on a claim of

USD 43.87 million and interest, leading to the bulk of the award being eventually set aside in **BXH v BXI** [2020] 1 SLR 1043

- Striking out of a claim for failing to disclose a reasonable cause of action in **Harwindar Singh s/o Geja Singh v Michael Wong Lok Yung** [2015] 4 SLR 69
- A shareholder dispute with variegated Company Law issues in **Naseer Akhtar v Suresh Agarwal** [2015] 5 SLR 1032
- A long civil litigation spanning five years relating to a construction company involving substantial claims of an aggregate of approximately \$60 million between the parties as well as satellite litigation. Three reported decisions arose from this brief in **Lim Leong Huat v Chip Hup Hup Kee Construction Pte Ltd (No 1)** [2008] 2 SLR 786; **Lim Leong Huat v Chip Hup Hup Kee Construction Pte Ltd (No 2)** [2009] 2 SLR(R) 318 and **Lim Leong Huat v Chip Hup Hup Kee Construction Pte Ltd (No 3)** [2011] 1 SLR 657.
- Acting as Counsel in CIETAC, UNCITRAL, ICC, SIAC, DIAC and other arbitrations in Singapore and abroad, in India and China.
- Advised on arbitration and court actions for a mainland Chinese distributor and a South Korean franchisor, including an action in the Shenzhen Intermediate Court, successfully securing an extension of the franchise agreement.
- Disputes between Indian investors in a Singapore-incorporated company having natural resource interests in Central Asia and Africa worth over US\$25 million. Involved a High Court action in Singapore and arbitration in India.
- Advised a Singaporean investor in arbitration proceedings at the Shanghai Arbitration Commission involving an

abortive hotel investment project and related proceedings in the Shanghai Intermediate and High Courts and Singapore High Court.

- Acted in a complex, multi-jurisdictional family asset dispute with claims to assets worth US\$12 billion, involving a discharge of injunctive relief and asset-freezing orders in conjunction with civil proceedings abroad in Russia, Switzerland and the United States and related proceedings.
- An arbitration involving a US\$175 million dollar power 200MW plant project between North American and Singaporean interests.
- An arbitration between a power generation company and an Indian State power corporation relating to a proposed 220 MW-capacity land based coal fired power plant.
- Acted for Chinese investors in litigation arising from investment agreements over a purchase of shares in a listed company in Singapore.
- Acted as counsel in a CIETAC arbitration concerning disputes under a franchise distribution agreement.
- Acted in a series of arbitrations involving Indonesian and American interests with respect to defective industrial machinery delivered to a plant in Indonesia.
- A range of notable private client cases involving complex questions of law including *forum non conveniens*, lodgment of caveats, divisibility of gifts & inheritances, relocation from Singapore, enforcement of a separation deed and divisibility of inter-spousal gifts.

ACCOLADES

Chambers Global

China: Dispute Resolution: Arbitration (International Firms) 2020: Listed as expert based abroad for 3 consecutive years

Dispute Resolution: Arbitration: Domestic Firms - Foreign Expert (China) 2020

“Randolph Khoo heads the firm's Greater China desk and is a highly experienced arbitration counsel. He is especially noted for his expertise advising on China-related arbitrations, including those run under CIETAC rules.” – Chambers Global 2020

“Singapore-based Randolph Khoo leads the

firm's Greater China and India dispute resolution desks. He has extensive international arbitration experience, with particular experience in cases involving Chinese parties brought before CIETAC and SIAC” – Chambers Global 2020

Sources say, *“His attention to detail and his ability to pinpoint and recall minute facts is amazing”*

“He never fails to provide me with the clarification that I need, even at odd hours.”

Chambers Asia-Pacific

Dispute Resolution:
Litigation – Singapore
2020 – Band 4 for 3
consecutive years



Randolph Khoo handles corporate and family disputes and is particularly well known for the latter. One client comments: *“He has no hesitation to call it like it is, and I respect and appreciate that honesty and forthrightness that I need from an external legal adviser.”*

“a sound and fierce litigator who doesn't give up”

“He is not only proactive, but would respond to all wild allegations put forth by the plaintiff with very comprehensive facts addressing the issues at large.”

“Leader of a ‘very accessible and efficient’ team, who is ‘well versed in international arbitration, willing to listen and extremely business-oriented’.”

“Randolph Khoo of Drew & Napier LLC in Singapore heads the firm's Greater China dispute resolution team and regularly represents Chinese clients in disputes administered under CIETAC and other institutional rules. He attracts particular praise for his depth of research and mastery of complex documentation.”

The Asia Pacific Legal 500

Dispute Resolution 2020 – Recommended lawyer for 3 consecutive years

International Arbitration 2020 – Recommended lawyer for 3 years



‘induces lateral thinking and alternative perspectives to many issues’ and has ‘an

amazing ability to diffuse any tension and provide clarity to legal arguments'

'a go-to practitioner for China and Russia-related cases'

'an outstanding lawyer', 'stands tall in the land of giants'

'[Randolph Khoo] argues the case very effectively'

Asialaw Leading Lawyers 2021 edition

Sources say, "The dispute resolution team led by Mr Randolph Khoo is not only efficient in providing the absolute best of its abilities to support clients like me, but its in-depth understanding of legal nuances is also certainly second to none. As a client, I also fully appreciate that the firm is honest, astute and organised."

"In the arena of legal counsels, even though Randolph does not hold the title of a senior counsel, Randolph certainly stands tall in the land of giants. As a client, I can truthfully give feedback without any hesitation that the extent of professionalism displayed by Randolph is highly commendable and here is a very quick summary of some of his exceptional strengths and qualities: To correctly—and spot on—analyse every issue presented before him and to pre-empt the next course of action by the opposition; meticulous, systematic and detail-oriented approach to every issue presented before him; to diffuse my anxiety ... and to be able to recall minute facts, which is most amazing and awesome, especially with how Randolph was able to use it to his advantage in the courtroom and corner every single contradictory statement of evidence given in court against the mountains of documents ... The awesome feeling of seeing how Randolph conducted himself in the courtroom is something that I will treasure for a long time to come."

Best Lawyers International: Singapore (2021 edition)

Arbitration and Mediation – Endorsed individual for 8 consecutive years

International Arbitration - Endorsed individual for 4 years

Benchmark Litigation Asia-Pacific 2020 edition

Dispute Resolution Star – Commercial and

Transactions, International Arbitration, Family and Matrimonial for 2 consecutive years

"Very efficient, highly competent, sincere, hardworking, conscientious, dedicated, knowledgeable and a gentleman."

"Randolph Khoo was very effective in putting across the arguments for our client and his submissions were appreciated by the Arbitral team. He was able to earn the appreciation of the presiding arbitrator. The team had put in excellent written submissions and the same was found convincing. Nothing could be found lacking in the efforts put in by the team of Randolph."

APPOINTMENTS/MEMBERSHIPS

- Assessor, Ministry of Law Panel of Assessors for COVID-19 Temporary Relief
- Primary Panel Arbitrator, Singapore Institute of Arbitrators
- Panel Arbitrator & Mediator, Asian International Arbitration Centre
- Panel Arbitrator, Malaysian Institute of Arbitrators
- Panel Arbitrator (Foreigner), Shanghai Arbitration Commission
- Panel Arbitrator of the Shanghai International Economic and Trade Arbitration Commission (Shanghai International Arbitration Center)
- Panel Arbitrator of the South China International Economic and Trade Arbitration Commission / Shenzhen Court of International Arbitration
- Arbitrator, The Chinese Arbitration Association, Taipei
- International Arbitrator, The Russian Arbitration Center of the Institute of Modern Arbitration of the Russian Federation
- Mediator & Neutral, The Mediation & Conciliation Network
- Member of the Panel of Neutrals under the Law Society of Singapore Neutral Evaluation and Determination Scheme
- Fellow, Asian Institute of Alternative Dispute Resolution
- Fellow, Chartered Institute of Arbitrators
- Fellow, Singapore Institute of Arbitrators

- Fellow, Malaysian Institute of Arbitrators
- Fellow, Arbitrators' & Mediators' Institute of New Zealand
- Fellow, Hong Kong Institute of Arbitrators
- Fellow, Indian Council of Arbitration
- Senior Fellow, Bali International Arbitration & Mediation Center
- Member, International Bar Association
- Member, Singapore Academy of Law Society of International Law (Singapore) & Law Society of Singapore
- Notary Public & Commissioner for Oaths