



Siraj Omar, SC
Director, Dispute Resolution

LL.B. (Hons), National University of Singapore, 1997
Advocate & Solicitor, Singapore (1998)
Solicitor, England & Wales (2002)
Appointed Senior Counsel (2019)
T: +65 6531 2420 F: +65 6536 3516 E: siraj.omar@drewnapier.com

ABOUT SIRAJ

Siraj specializes in complex, high-value commercial litigation and international arbitration. He has an active trial and appellate practice at all levels of the Courts in Singapore, and also regularly appears in international arbitrations both as counsel and arbitrator.

Siraj began his career at Drew & Napier in 1997 before leaving in 2002 to join the corporate practice of an international law firm. In 2008, he co-founded Premier Law and headed its Dispute Resolution practice. In 2016, Premier Law entered into a joint venture with the UK law firm RPC, and Siraj was concurrently a Partner and Head of Dispute Resolution at the joint venture firm, RPC Premier Law. He rejoined Drew & Napier as a Director in 2019.

Siraj has been described as a "star" and "a formidable litigator" in legal directories, and was named as a Leading Individual for Dispute Resolution by Asia-Pacific Legal 500 and a Disputes Star (Commercial & Transactions and Insolvency) by Benchmark Litigation. He was appointed Senior Counsel by the Chief Justice of Singapore in 2019, one of a select few to be accorded the honour.

Siraj was a member of the Singapore International Commercial Court Rules Sub-Committee, and currently sits on the Working Group of the Professional Conduct Council chaired by the Chief Justice of Singapore. Siraj is also a past member of the Council of The Law Society of Singapore and has sat a member of its Inquiry Panel since 2009.

Siraj holds Fellowships at the Singapore Academy of Law, the Chartered Institute of Arbitrators and the Singapore Institute of Arbitrators. He is also a member of the London Court of International Arbitration and the International Association of Defence Counsel.

EXPERIENCE

Siraj has acted in several landmark matters before the Courts including:

- Acting for the Competition and Consumer Commission of Singapore (CCCS) in a prosecution of 6 entities and individuals under the Singapore Consumer Protection (Fair Trading) Act (CPFTA). This was the first exercise of the CCCS' enforcement powers under the CPFTA.
- Acting in a successful application to the Singapore High Court to sanction the restructure of a US\$325 million note issued by Blue Ocean Resources Pte Ltd, a wholly-owned subsidiary of a company listed on the Jakarta Stock Exchange. This was the first successful application of its kind in Singapore in relation to the restructuring of such a note using the scheme of arrangement provisions in the Singapore Companies Act.
- Acting for a group of 212 investors in a representative action in the Singapore High Court against DBS Bank Limited in relation to their failed investment in structured notes issued by the bank. This was one of very few representative actions launched in the Singapore Court, and the only one arising out of the 2008 financial crisis.

BANKING AND FINANCIAL DISPUTES

Siraj has an active and wide-ranging banking and financial disputes practice. He has advised clients from all over the world in respect of claims against various local and international banks. Examples include :

- Acting for Oei Hong Leong in a US\$40 million claim against Goldman Sachs International.
- Acting for Lippo Marina Collection Pte Ltd, a Singapore-incorporated property developer, in defending a claim by United

Overseas Bank Ltd for damages estimated at S\$138 million.

- Advising an Indonesian national in respect of her US\$40 million claim against Deutsche Bank.

Siraj has also advised and acted for bank employees in investigations conducted by regulatory authorities and/or their respective employers. These include:

- Advising various bankers in separate investigations into (among other things) allegations of market-wide manipulation and other improper conduct in connection with benchmark foreign exchange rates.
- Advised the former Asia Chairman of a global investment bank in relation to representations to be made to the Monetary Authority of Singapore.

CORPORATION / COMMERCIAL DISPUTES

Siraj has a wide-ranging corporate / commercial disputes practice, ranging from shareholders' disputes, claims against directors for fraud / breaches of directors' duties and contractual disputes. Examples include:

- Advising the directors of a subsidiary of a Hong Kong-listed company in claims brought against them by an investor alleging fraudulent misrepresentations and conspiracy in relation to the aborted sale of shares in that company.
- Acting for the former co-CEO of Nobel Group Limited, in claims brought against him and other directors by Goldilocks Investment Company Limited on behalf of the shareholders of the company.
- Acting for the Chairman and Chief Executive Officer of Sakae Holdings Ltd, a company listed on the Singapore Stock Exchange, in 3 separate but related suits brought against him seeking an indemnity and/or contribution in respect of claims for breach of fiduciary duties and minority shareholders oppression.
- Acting for TWG Tea Company Pte Ltd in legal proceedings brought by minority shareholders against the company and its other shareholders in respect of alleged minority shareholder oppression and other claims.

- Acting for Malayan Diary Industries Pte Ltd and 2 other related companies in legal proceedings brought by minority shareholders against the companies and other shareholders in respect of alleged minority shareholder oppression and other claims.

- Acting for 14 foreign individuals and companies in defending a claim for IDR 185 billion brought against them by Medley Opportunity Fund Ltd, a US-based investment fund. The matter included successfully setting aside a worldwide Mareva injunction that had been obtained against the clients *ex parte* and staying all further proceedings in the matter.

- Acting for Brightstar International GmbH, a company incorporated in Germany, in proceedings brought against its former directors and others for fraud and breaches of fiduciary duties owed to the company.

- Acting for UDL Marine (Singapore) Pte Ltd, the wholly-owned subsidiary of UDL Holdings Ltd, a company listed on the Hong Kong Stock Exchange, in its claims against the Jurong Town Corporation and the Economic Development Board.

- Acting for Iconic Global Limited (formerly known as China Food Industries Limited), a company formerly listed on the Singapore Stock Exchange, in its claim against (i) its former auditors Deloitte & Touche LLP and one of its audit partners in relation to the negligent audit of its accounts and (ii) its former directors for breaches of fiduciary duties owed to the company.

RESTRUCTURING AND INSOLVENCY-RELATED DISPUTES

- Acting for the former directors of Parakou Shipping Pte Ltd, a Singapore-incorporated company that was part of the Parakou Group of companies, in proceedings commenced by liquidators of the company alleging that the former directors had acted improperly.
- Acting for the liquidators of DMX Technologies Group Ltd in its claim against its former auditors Deloitte & Touche LLP in relation to the negligent audit of its accounts.

- Acting for liquidators appointed by the High Court of the British Virgin Islands (BVI) in their claim against Sukamto Sia and Lee Howe Yong, the former directors of a BVI company, for breaches of fiduciary duties owed to that company. The matter included defending the 2 liquidators against a Counterclaim brought against them personally by one of the former directors.

INTERNATIONAL ARBITRATIONS

Siraj has advised and acted as counsel in numerous arbitration proceedings. These include acting:

- for an insurer in an international arbitration under the SIAC Rules in a US\$36 million claim by a local bank under a trade credit insurance policy.
- for a Singapore company and an Indonesian individual in an international arbitration under the SIAC Rules arising from an investment in palm oil plantations in Indonesia.
- for a Canadian company in an international arbitration under the SIAC Rules in a dispute arising from a franchise agreement with a Singapore company.
- for an Indonesian company in an international arbitration under the SIAC Rules involving a claim arising from the provision of specialised storage tanks for liquefied gas in Indonesia.
- for a Singapore company in an *ad hoc* international arbitration involving a US\$25 million claim against a Malaysian company relating to a power project in Indonesia.

ACCOLADES

The Asia-Pacific Legal 500
Dispute Resolution 2019 –
Leading Individual

'a formidable litigator' who receives numerous referrals from larger Singapore litigation practices.



Benchmark Litigation

Commercial and
Transactions, Insolvency –
Disputes Star



ASIA-PACIFIC 2019

APPOINTMENTS/MEMBERSHIPS

- Fellow, Chartered Institute of Arbitrators
- Fellow, Singapore Institute of Arbitrators
- Fellow, Arbitration & Mediation Institute of New Zealand
- Fellow, Singapore Academy of Law
- Member, London Court of International Arbitration
- Member, International Association of Defence Counsel
- Member, Law Society of Singapore