



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, property law, equity and trusts, company law and shareholder disputes, 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 *Bloomberry Resorts and Hotels Inc and another v Global Gaming Philippines LLC and another* [2021] 2 SLR 1279.
- Successfully struck out a multi-million dollar claim brought by a foreign joint

venture partner against a Singapore listed company shortly after the claim was filed in the Singapore High Court.

- 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 Senegalese company in persuading the Singapore Court of Appeal to set aside the leave granted by the High Court to a Singapore company to serve claim documents on the Senegalese company out of jurisdiction. The Court of Appeal's decision is reported at [2021] 1 SLR 342.
- Successfully represented the owner of a business marketing government-funded training programmes in an appeal to the Appellate Division against findings of fact made by the trial Judge, after taking over conduct of the matter for the purposes of the appeal. The case is reported at [2022] SGHC(A) 36.
- 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.
- Successfully negotiated numerous favourable settlements for clients even before legal proceedings are commenced.
- Regularly advises company directors and shareholders on company law issues such as directors' duties and minority shareholder oppression.
- Regularly advises and acts for clients in respect of employment disputes, many of which are amicably resolved before trial.

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.
- Acted for a Singapore listed company in a multi-million dollar arbitration involving a shareholders' dispute with its foreign joint venture partner.
- 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."

asialaw Leading Lawyers 2023/2024

"Man Er is qualified and brilliant at what she does. Very reliable and flexible. In terms of advocacy skills, she is astonishing. Man Er is very patient towards the clients and has the deep understanding of the law. Further, Man Er respects the time and is responsive. Case management is top-notch as well. We have obtained grand knowledge when we discuss the interpretation and the conflicts of law."

"Intelligent, sharp, efficient and effective."

"Man Er is an excellent lawyer! Confident, intelligent and diligent, she is never fazed by anything thrown at her. She easily understands complex legal issues and is always on top of her game. A true joy to work with!"

Singapore Business Review 2023

Identified as one of Singapore's 30 most influential lawyers under the age of 40.

APPOINTMENTS/MEMBERSHIPS

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