



Woo Shu Yan
Director, Dispute Resolution

LL.B. (Hons), National University of Singapore (2005)
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ABOUT SHU YAN

Shu Yan practices corporate and commercial litigation and arbitration.

Shu Yan has handled a diverse range of matters including private equity, corporate, banking and finance disputes and regulatory actions. She has a particular interest in trust and shareholder disputes and has represented prominent clients and high net worth individuals in these disputes. She is also actively engaged in advising clients both in and out of the courtroom on wide-ranging and complex legal issues. Shu Yan is committed to achieving resolutions which are commercially practical and sustainable for clients.

Shu Yan has an active arbitration practice. The matters which Shu Yan has handled usually involve damages of significant value or span multiple jurisdictions. She is experienced in handling matters involving foreign law issues.

In 2011, she was appointed to assist the Court as amicus curiae in a case that concerned certain sentencing issues. The learned Judge for the case expressed his gratitude to Shu Yan for her thorough research and fair-minded opinions in his written judgment – [2012] 1 SLR 116.

Shu Yan is proficient in both English and Mandarin. She also speaks the Cantonese dialect.

EXPERIENCE

Some of the cases which Shu Yan has acted in include:

Trust disputes

- Successful in obtaining judgment and recovery of assets of more than US\$35 million in a Singapore International Commercial Court matter, and successfully

represented client in two appeals before the Court of Appeal - *Baker, Michael A (executor of the estate of Chantal Burnison, deceased) v BCS Business Consulting Services Pte Ltd and others* [2020] 4 SLR 85; [2020] SGHC(I) 10; [2022] SGCA(I) 7; [2022] SGCA(I) 8. Client is the Estate of a high net worth individual from the United States who was one of the inventors of a chemical compound used in skincare products. This compound is supplied to a well-known US skincare product company that is listed on the NYSE. The action concerns claims of breach of trust and fiduciary duties against a Singapore company, a Swiss individual and a Hong Kong company.

- Assisting a client against claims of breach of fiduciary duty and trust. These claims have been alleged to amount to more than US\$650 million. The dispute involves applications for anti-suit injunctions and stay of proceedings which we succeeded on [2019] SGHC 182.
- Advised a prominent and high net worth individual from a foreign jurisdiction in a complex trust dispute involving billions of dollars. Matter involved understanding trust law in various jurisdictions.

Shareholder and corporate disputes

- Acting for the subsidiary of a listed company against its commercial partner in respect of claims arising from contracts for the disposal and recycling of marine waste. Dispute covers wide array of issues relating to plant and vessel operations regulated by the Maritime Port Authority of Singapore.
- Advised in a cross-border dispute involving former shareholders of a well-known outfit in the hospitality and entertainment industry.
- Acted for a subsidiary of a listed United Engineers company against another listed

company. The action raised issues of piercing of the corporate veil. The opponent's main witness recanted his entire evidence in the midst of cross-examination.

- Handled various shareholder disputes and minority shareholder oppression actions. In one of these disputes, the opposing side applied for and obtained the admission and representation of Queen's Counsel - [2012] SGHC 229.

Private equity and banking disputes

- Acting for the former Prime Minister of Georgia, Bidzina Ivanishvili, and his family in successfully claiming US\$926 million against Credit Suisse Trust Limited for breach of trust leading to losses in an investment portfolio worth over US\$1 billion. The proceedings were originally stayed and we were instructed for the appeal against the stay which we succeeded on - *Ivanishvili, Bidzina and others v Credit Suisse Trust Ltd* [2020] SGCA 62. The case was reported by the Straits Times as well as Bloomberg.
- Resisted the setting aside of a multi-million dollar arbitral award involving an investment by a well-known fund in a chain of schools.
- Successfully obtained judgment for two prominent Saudi Arabian private equity investors in a dispute concerning a failed telecommunications venture. This case resulted in two landmark decisions of the High Court, one on electronic discovery and the other on the Court's power to striking out a Defence. Both were reported in [2007] 4 SLR(R) 343 and [2008] 4 SLR(R) 1 respectively.
- Acted for prominent bank a dispute involving a US\$60 million investment portfolio after the financial crisis. The investors ultimately withdrew their claim.

Regulatory and Public Administrative Actions

- Successfully assisted the Monetary Authority of Singapore in obtaining an injunction under the Securities and Futures Act to freeze the assets of a former director of China Sky.

- Successfully defended a consumer association against claims of breach of contract and rules of natural justice by a private school. The High Court decision, which was upheld by the Court of Appeal, was reported in [2011] 4 SLR 130.
- Advised various well-known private entities on regulatory matters including issues arising under the Electricity Act, the Securities and Futures Act, the Competition Act and the Planning Act.

International and Domestic Arbitration

- Recently acted for a well-known electronics company in an arbitration involving claims worth more than US\$100million. The claim concerned a US\$3 billion contract relating to the sale of televisions in various territories. The dispute involved emergency arbitration proceedings and related Court litigation in multiple jurisdictions. The case has been reported in the Global Arbitration Review and in various media publication in the United States.
- Assisted the claimant, an Australian company, in obtaining a favourable award against an Italian company in a multi-million dollar international arbitration. The case involved claims of wrongful termination and breaches of a distributorship agreement.
- Represented a well-known hotel operator in a dispute relating to branding and intellectual property issues.
- Successfully assisted an Indonesian company in obtaining an arbitral award against a Malaysian company in relation to a supply agreement.
- Successful in claiming damages for the wrongful termination of an agency agreement relating to rubber products.

Insurance

- Acting for a well-known insurance company in appeal proceedings arising out of a complex insurance fraud committed by a rogue agent. The dispute involves claims of negligence, vicarious liability and agency

Employment

- Advised and acted for an individual in the IT industry in an employment dispute where his former employee alleged breaches of confidentiality obligations and non-compete clauses.

ACCOLADES

The Legal 500 Asia Pacific

Dispute Resolution 2024 –
Recommended lawyer for
2 consecutive years

*“Woo Shu Yan is attentive
to the detail and readily
available and engaged.”*



Benchmark Litigation

Commercial & Transactions 2024 – Future
Star

Who's Who Legal

Southeast Asia – Litigation 2024 –
Recommended Lawyer (2 consecutive years)

Global Guide: Hospitality 2023 –
Recommended Lawyer (3 consecutive years)

*“Woo Shu Yan stands out for her impressive
expertise assisting hotels and leisure clients in
complex litigation and arbitration
proceedings.”*

Singapore Business Review

Identified as one of Singapore's most
influential lawyers aged 40 and under (2018
edition)

asialaw Leading Lawyers 2023 edition

*“Shu Yan has been instrumental in our trial,
appeals and judgments.”*

APPOINTMENTS/MEMBERSHIPS

- Appointed to the Singapore Academy of Law's Promotion of Singapore Law Committee headed by Justice Vinodh Coomaraswamy and Justice Kannan Ramesh
- Member, Law Society of Singapore
- Member, Singapore Academy of Law