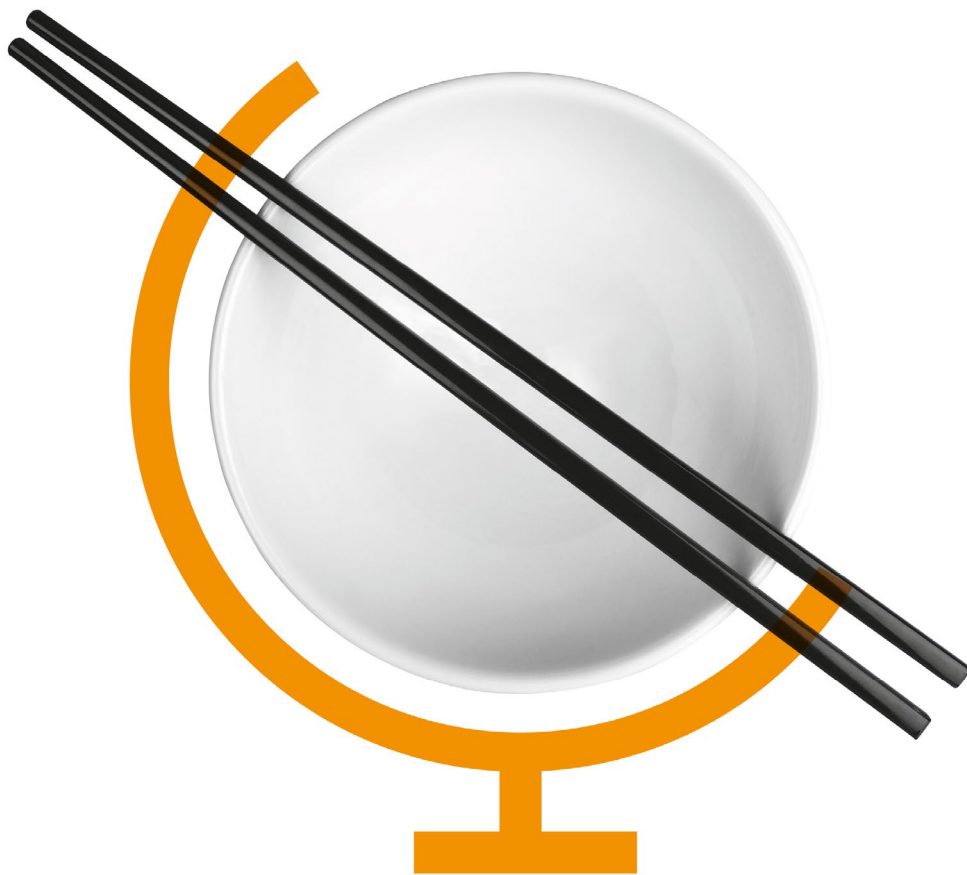


EVERSHEDS | EVERSHEDS  
SUTHERLAND | HARRY ELIAS



**Committed locally,  
connected globally**

The law brand that sets  
the standards

Committed locally, connected globally  
The law brand that sets the standards



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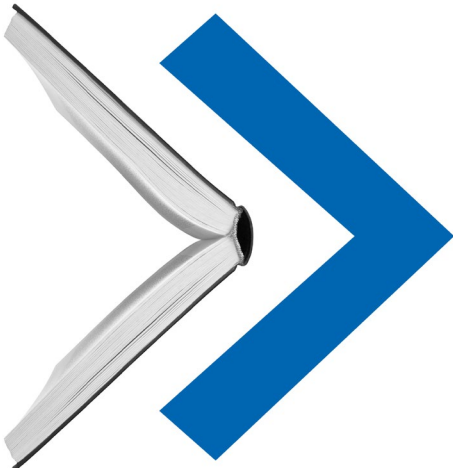
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Committed locally, connected globally  
The law brand that sets the standards



# Client Commitment. Innovative Solutions. Global Service.

**Eversheds Harry Elias** represents the coming together of two firms with a shared culture and commitment to client service excellence. We are each known for our commercial awareness and understanding of the South East Asia region and for providing innovative and tailored solutions for every client.

Increasing globalisation has changed the nature of business. Clients are looking for full-service providers who can give both local and international advice. Eversheds Harry Elias has been formed with this in mind. As South East Asia continues to develop, we are here to help you grow in the region.

Being part of the Eversheds Sutherland international network means you will have access to lawyers around the world united by the same vision and values. They can provide legal advice of the highest quality from 62 offices in Africa, Asia, Europe, the Middle East and the United States.

We consider every opportunity and issue with the same energy and creative, proactive approach. This can involve developing efficient structures for business transactions, devising novel case strategies in litigation and being at the forefront of new legal developments. We also offer a unique project management approach that enables us to deliver complex, multi-jurisdictional legal services through a single point of contact, providing efficiency and cost certainty for you.



## Eversheds Harry Elias

Offices in Singapore and Brunei

**100+**  
lawyers

Part of Eversheds Sutherland  
network with:

**67** offices

**34** countries

c. **700**  
partners

**2,800+**  
lawyers

# Why work with us?



## Respected lawyers

We thrive on being involved in cases and matters that break new ground and result in watershed judicial decisions. We've been involved in complex cross-border deals, high profile international law matters, commercial and investor-state arbitration, and in some of the construction masterpieces that form part of Singapore's magnificent skyline.



## Global connections

We are part of the Eversheds Sutherland network with 62 offices across 30 countries - as well as 200 relationship firms around the world - and formalised alliances in Africa, Asia and South America. We can manage client relationships and complex matters across national and international borders, providing quality resources, vast experience and worldwide brand recognition.



## Quality

We operate with a relentless drive for quality. It is a matter of personal pride to everyone and we recruit and retain staff of the highest calibre. Our aim is to deliver a total legal solution with quality at its core, underpinned by an absolute commitment to relationships that deliver.



## Comprehensive service

We provide the full range of services in key practice areas which include corporate and M&A, finance, dispute resolution and litigation, real estate and construction. Our industry and business knowledge enables us to work with you to achieve your strategic objectives through innovative solutions. We have deep experience in a number of industry sectors including energy and infrastructure, financial services, pharmaceuticals and TMT.



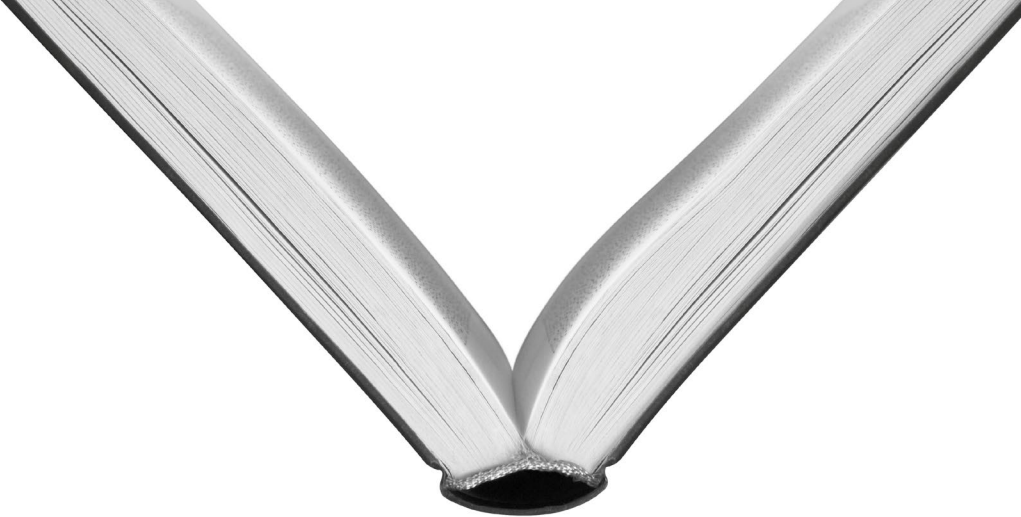
## Innovation

We work collaboratively and innovatively with our clients. We look to improve what we do continuously, fostering a culture which rewards innovative thinking. That means you will benefit from a service that is constantly evolving and improving to meet your changing needs.



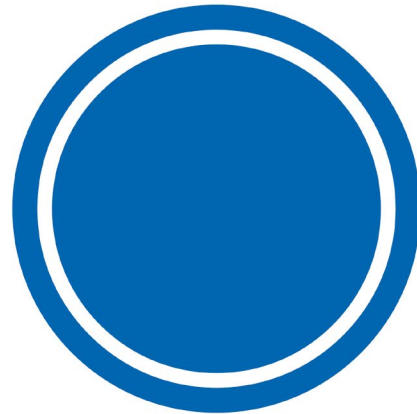
## Relationships

Our lawyers are accessible, engaged and responsive. We serve our clients as trusted advisers and cultivate deep and genuine relationships, offering highly commercial insight across sectors and around the world.



### **Project management**

Our structured project management approach is an important element of our client-focused service. It includes a single point of contact, highly developed processes and technology-based solutions to implement best practice.



### **People**

Eversheds Harry Elias sets itself apart through our people and our culture. We support and embrace the diversity of our lawyers and staff and strive to reflect the communities in which we work. We encourage all staff to achieve their potential through mentoring and continuing education in an inclusive environment.



### **Flexible resourcing**

ES Agile gives our clients enhanced temporary resourcing solutions. Our aim is to provide you with exceptional professionals that will fit into your team and hit the ground running, allowing you to call upon high quality professionals wherever and whenever you need.

# Welcome to our world

## Eversheds Asia Pacific Alliance

As part of the Eversheds Sutherland network, Eversheds Harry Elias is ideally placed to support you across South East Asia. The Eversheds Asia Pacific Alliance (EAPA) is a unique entity that gives you access to the combined knowledge of our relationship firms across the Asia Pacific. EAPA will help you to keep abreast of legal developments in multiple jurisdictions. It enables us to continue to unlock your ambitions and deliver you a total solution to your legal requirements in one of the most challenging markets.

EAPA also serves as a unique platform that provides our member law firms with access to training and knowledge sharing programmes, while promoting the highest standard of legal service across Asia.

*“We will be counting on your “can do” attitude and vast experience with multi-jurisdictional accounts to deliver value to our legal work in these regions. We need to do that while managing both costs and quality. The innovative pricing mechanism should give us the unique ability to control both as we work together.”*

**Jeffrey Shane**, General Counsel at IATA

## Our strategy

As a progressive international law firm that challenges the status quo, we are keen to go further and offer the advice you need in the country you do business at the high levels of quality you expect. In addition to five full service offices in Asia, we are linked to almost 20 top law firms across Asia Pacific. EAPA covers 43 jurisdictions and each firm has experience in the corporate and commercial laws of their countries, as well as an in-depth understanding of the domestic and regional legal framework for disputes and financial services. In some of the key jurisdictions we have more than one member in our network.

Our award winning approach means you will have one point of contact for multi-jurisdictional matters, crucial management information at your fingertips and the ability to adapt quickly to changing circumstances. We stand behind all our relationship firms in every country to ensure we deliver efficiency, certainty and guaranteed quality legal advice.

Our lawyers speak your language and a variety of local dialects, and are able to draft, negotiate and advise in a dual language environment. Local contacts facilitate business on the ground and provide commercial awareness, giving you a further competitive advantage.





**EAPA member countries**

1. American Samoa
2. Australia
3. Bangladesh
4. Brunei
5. China
6. Cook islands
7. Fiji
8. French Polynesia
9. Futuna
10. Guam
11. India
12. Indonesia
13. Japan
14. Kiribati
15. Korea
16. Malaysia
17. Marshall Islands
18. Micronesia (Federated States of)
19. Mongolia
20. Nauru
21. Nepal
22. New Caledonia
23. New Zealand
24. Niue
25. Norfolk Island
26. Northern Mariana Islands
27. Pakistan

28. Palau
29. Papua New Guinea
30. Pitcairn
31. Samoa
32. Singapore
33. Solomon Islands
34. Taiwan
35. Thailand
36. The Philippines
37. Timor-Leste
38. Tokelau
39. Tonga
40. Tuvalu
41. Vanuatu
42. Vietnam
43. Wallis



# Innovative pricing approach

Our innovative non-hourly based billing solutions, used in tandem with our project management disciplines, deliver predictability, transparency and cost savings alongside various outcome based, fixed and capped pricing solutions.

We already operate the following alternative fee arrangement options as part of similar fee structure arrangements with our global clients:

- **capped fees:** for every project, we fully scope the required outcomes and provide a fully worked capped fee based on outcomes. (HSBC, Tyco, Shell)
- **fixed fees:** we are able to offer fixed prices for categories of volume work (e.g. claims). (HSBC, Hilton, Eaton)
- **menu pricing:** for areas such as commercial contracts, we are able to offer itemised pricing menus for low value / risk and medium value / risk commercial contracts once the parameters are scoped. (HSBC, Boeing, Microsoft)
- **performance fee:** for instance we can bill 90% of our fees on a monthly basis and hold back 10% subject to us achieving certain agreed performance related KPIs with a potential bonus for over-delivery. (IATA, Tyco)
- **contingency fee:** we also recognise that a proportion of our fees for certain transactions can be dependent on proceeding to the next stage or achieving an outcome linked to a win bonus. (HSBC, Shell, Serco)
- **bundling transactions:** where we receive instructions on successive transactions of a similar scope, we will apply all learnt knowledge to standardise matters for successive transactions, enabling us to offer reduced fees across the transaction bundle. (HSBC, Cisco, Microsoft)
- **single source solutions:** if Eversheds Sutherland is awarded sole global provider status for any legal discipline, we will guarantee a 10% reduction in the cost of that legal service area within one year. (HSBC, Severn Trent, Chemtura)
- **volume discounts:** apply if spend exceeds agreed thresholds. (HSBC, ARM, Amazon)

*“[Eversheds Sutherland in Asia] are an innovative law firm who were prepared to work with Microsoft in a different way, providing alternative global fee menus. They stood out by providing a customized, innovative and client facing solution.”*

**Tim Osborn, Microsoft**



# Our firm



Our lawyers also have extensive experience in high profile public international law matters and in international commercial and investor-state arbitration. We are experienced in acting under the rules of a variety of institutions such as the Singapore International Arbitration Centre, the International Chamber of Commerce, as well as in ad hoc proceedings under the UNCITRAL rules. We also advise our clients on the strategic use of alternative dispute resolution (ADR) and mediation. Our team works hard to build strong relationships from the outset and our project management approach brings clients clear, efficient and cost effective legal management on even the most complex matters.

## Eversheds Harry Elias in Singapore

Eversheds Sutherland in Singapore has merged with Harry Elias Partnership LLP, which was formed in 1988, to form Eversheds Harry Elias LLP taking legal effect from 1 June 2017. Strategically located in the heart of ASEAN (Association of South East Asian Nations), Singapore has established itself as the premier trading hub for South East Asia. The country's pro-business reputation attracts sizeable foreign investments and offers a highly conducive environment for entrepreneurs. As the country continues to develop rapidly, we understand you need advisors who understand your business and who can help you to navigate the cultural intricacies and common pitfalls of doing business in Singapore.

Our Singapore office provides high quality advice to both local and international clients. Our office serves as the hub for work throughout South East Asia, including Cambodia, Indonesia, Laos, Malaysia, the Philippines, Thailand and Vietnam. Our multi-lingual team speaks English, Arabic, Cantonese, Farsi, French, Malay and Mandarin and is experienced in providing advice in various languages including bilingual drafting and negotiation.

We have significant experience in advising on cross-border mergers and acquisitions, joint ventures, corporate finance and corporate restructuring. We have advised a wide variety of clients on projects ranging from significant investment structuring, syndicated loan advice, to complex debt restructuring.



Leading law firm in Singapore  
Dispute Resolution: International Arbitration

Chambers Asia Pacific

*"You feel like they are there, by your side, 24/7."*

# Our history

Harry Elias Partnership was founded in 1988 by Mr Harry Elias, Senior Counsel who is widely recognised as *“one of Singapore’s foremost litigation lawyers”*



The firm has an established reputation as one of the leading full-service firms in Singapore. It has a rich history and has played a significant role in the development of Singapore as a legal centre, through membership of various government committees and regulatory bodies. Harry Elias Partnership has demonstrated its market leading position by acting on various iconic projects such as Marina Bay Sands Integrated Resorts, Singapore F1 Night Race (Pit Building) and the Singapore Flyer. Its clients include local, regional and global organisations and government agencies.

In 2012 the firm established an associated firm, HEP Law Office in Brunei Darussalam, a growing centre for trade and finance in the region.

With a strong base in Singapore and across the region, Eversheds Harry Elias is well-positioned to assist local and international clients doing business in Southeast Asia and beyond.

## Eversheds Harry Elias in Brunei Darussalam

We are one of the few international firms to have a presence in Brunei Darussalam. Understanding the significant benefit of having local knowledge on the ground, we established an office in 2012 and are committed to supporting the country in its legal and economic development.

Our team can provide full-service capability with an emphasis on corporate, employment, intellectual property and regulatory compliance. We are on the panel of bespoke government-linked companies and government ministries and departments and have also handled civil and commercial litigation cases, and one in relation to human trafficking.

We pride ourselves in training and transferring legal technology and know-how to Brunei Darussalam as we work in close collaboration with the general counsel, legal departments and officers of local institutions. Our lawyers in Singapore regularly shuttle to and from Brunei Darussalam to lend their experience and assist with the many enquiries from Singapore-based corporates relating to the Sultanate.



# Our capabilities

## Corporate

Our team has represented clients across all sectors and undertakes a wide spectrum of work. We regularly advise on mergers and acquisitions, initial public offerings, takeovers, private equity, venture capital, debt and equity issues, corporate reorganisations, corporate governance and company secretarial matters, both in Singapore and overseas.

Our clients include investment banks, multi-national companies and major regional corporations on cross-border M&A and joint venture transactions both here in Singapore and across the Asia Pacific region. Our team has advised on transactions across various sectors including energy and natural resources, financial institutions, FMCG, hospitality and leisure, healthcare, technology, media and telecoms, biotechnology and most recently fintech.

The Singapore team has been described as *"having a 'flexible, walk-the-extra-mile approach', 'always goes the extra mile", and being "very intelligent and incisive lawyers, absolutely focused on helping [us] achieve our objectives"*. This same team was also awarded various accolades by leading legal publications and was ranked in the Bloomberg Global Legal Adviser League Tables as well as most recently in the Asian Legal Business - M&A Ranking 2016 as one of the notable firms in Singapore.

We advise fund managers and offshore hedge funds on offering requirements, documentation and regulatory aspects in relation to the establishment, authorisation, recognition, marketing and distribution of REITS and investment funds.

We also advise on the regulatory and licensing requirements under the Securities and Futures Act (SFA), the Financial Advisers Act (FAA) and the Code on Collective Investment Schemes on a broad range of financial services laws and regulations including the licensing, regulatory and conduct of business requirements for fund management companies, financial advisors and other capital market intermediaries and applying for relevant approvals and exemptions from the Singapore Monetary Authority of Singapore.

## Client experience

Recent highlights include advising:

- Longcheer Holdings, a company incorporated in Bermuda and listed on the Mainboard of Singapore Exchange Securities Trading Limited, on the disposal of its mobile and mobile solutions business for SGD48.16 million
- Singapore Medical Group, a listed company on the Mainboard of Singapore Exchange Securities Trading Limited on its various acquisitions of obstetrics and gynecology clinics and pediatrics clinics for an aggregate consideration of SGD80 million
- Fun Characters Group in relation to the sale of the business and the shares of Fun Characters Group and the Mint Group to LF Asia Limited, a subsidiary of Li & Fung Limited, the Hong Kong-based global leader in consumer goods sourcing and distribution
- Asia Pacific Medical Group, a company affiliated with Bain Capital Private Equity, in respect of its successful acquisition of a majority stake in the Sloane Clinic and Astique Clinic, both of which are chains of boutique aesthetic and plastic surgery clinics in Singapore, Hong Kong and Malaysia

## Construction and Engineering

Our Construction and Engineering team provides the full range of contentious and non-contentious advice both in Singapore and the South East Asia region. Together with our network of offices around the world in Africa, Asia, Europe, the Middle East and the United States, we are able to offer a comprehensive legal solution to any delivery issues on major projects.

We act for governments, public and professional bodies, multi-national and major national corporations, developers, contractors and consultants. We have experience in advising all sectors of the market from the rail industry to power generation businesses. Our experience on international construction, energy and infrastructure projects gives us the breadth and calibre of experience you require.

As well as commercial and public projects, our lawyers have advised developers in many of their residential and mixed use projects in Singapore and abroad like China and Vietnam. In addition, we have advised international owners and contractors in the procurement of their plant projects in Singapore, in particular on Jurong Island. We were also retained as legal advisers for the port authority for its container terminal project.

On the contentious side, our team has extensive experience in litigation, arbitration, adjudication and mediations not only in Singapore, but also in Europe, Hong Kong, Indonesia, Malaysia, Saudi Arabia, Sudan, Thailand and the UAE. We have acted as counsel in domestic and international arbitrations and litigation between owners, contractors and consultants. These matters relate to disputes on cost and time claims, defects, enforcement of warranties, indemnities and bonds and other common construction disputes and include international arbitrations arising out of the oil and gas industry that in recent times have chosen Singapore as a forum for arbitration.

## Client experience

Recent highlights include advising:

- on many prominent projects in Singapore, including the Singapore Management University Campus, the New National Library Building, One Marina Boulevard and the Singapore Flyer
- on the development of one of the largest and most prominent projects in Singapore, the Marina Bay Sands Integrated Resort. The participants in this project included leading real estate developers, world renowned consultants and international contractors involving a myriad of procurement methods
- various contractors and sub-contractors regarding engineering design errors and omissions resulting in defective products to be supplied from Singapore to South Korea
- a prominent Singapore hotelier, owned by one of the largest commodities mining and real estate companies in the region, in a SIAC arbitration arising out of a building and construction project in Singapore worth over SGD45 million
- Singapore Land Transport Authority and one of its main contractors in the tribunal hearing of a multi-million dollar ground settlement claim brought before the Land Transport Authority Compensation Board in Singapore under the Land Transport Authority of Singapore Act. This was the first time a claim of this type and size was heard before a fully convened LTA Compensation Board in Singapore
- a leading international developer on its successful defence against various claims in excess of SGD48 million by one of its main contractors in the largest adjudication applications in Singapore under the SOP Act



## Financial Services Disputes and Investigations

We work closely with our international network to advise financial institutions, corporates and individuals in relation to financial services, complex disputes, inquiries and regulatory investigations. We also advise corporates, directors and employees involved in investigations into corrupt practices and financial misfeasance.

We advise in relation to insider dealing, securities fraud, market misconduct, business conduct of corporations, duties of directors and officers of both listed and unlisted companies, complex property offences, corporate and securities breaches and fraud and corruption. We also advise on breaches of disclosure requirements and regulatory offences under the Companies Act, Securities and Futures Act, Listing Manual, Code of Corporate Governance, Singapore Code on Take-overs and Mergers and other regulations.

### Client experience

Recent highlights include advising:

- banks and capital market intermediaries on the regulatory and licensing requirements under the Banking Act, Securities and Futures Act (SFA), the Financial Advisers Act (FAA) and the Code on Collective Investment Schemes on a broad spectrum of financial services laws and regulations including the licensing, regulatory and conduct of business requirements for fund management companies, financial advisors and other capital market intermediaries and applying for relevant approvals and exemptions from the Singapore Monetary Authority of Singapore
- individuals in relation to allegations of a new form of market manipulation under the Securities and Futures Act (then known as the Securities Industry Act) and representing individuals in relation to allegations of manipulation in derivative covered warrants of an index, which was the first prosecution of its kind under the Securities and Futures Act
- clients on their defence against prosecution in relation to the dissemination of false or misleading statement in an internet forum regarding a stock under the Securities and Futures Act
- clients in a multiple fraud case involving Citiraya Industries, a listed company, for creating a false picture of the company's financial position



## Intellectual Property

Our Intellectual Property team advises clients from a wide range of sectors across the South East Asia region on protecting, commercialising, licensing and enforcing their IP rights, whether in the form of patents, trademarks, designs, copyright, trade secrets or know-how.

We assist clients with defending and taking action against offenders in trademark infringement and passing-off claims as well as in patent, design and copyright litigation. Our lawyers have advised on some of the most sophisticated IP litigation cases and have secured landmark decisions helping to shape the legal developments of IP laws.

We can work closely with you to navigate the complex process of prosecuting your IP rights across multiple jurisdictions. We have an advance system that enables us to manage the filing and registration of large trademark, design and patent portfolios in a timely and cost-effective manner.

Through our international network and relationships across the region, we are able to undertake effective IP enforcement programmes against counterfeiters of goods circulated in the region. We work closely with local investigators, enforcement authorities and customs officials to execute major enforcement actions and we are able to execute raids against multiple targets across the region.

Our experience extends beyond the technical knowledge of IP as our team has commercial and industry knowledge in drafting, negotiating and advising on licensing or franchising deals and transactional agreements surrounding corporate acquisitions, joint ventures and strategic business activities.

## Client experience

Recent highlights include advising:

- a global sports brand for footwear and apparel on managing its regional trademark portfolio
- one of the largest security seal manufacturers on managing its global trademark and patent portfolio and in securing a permanent injunction and paid settlement sum in a successful patent infringement claim in Malaysia
- local companies, multi-nationals and global corporations on corporate commercialisation agreements including franchising, licensing, joint venture and technology transfer agreements
- a renowned aluminium foil manufacturer on a regional anti-counterfeiting programme which involved the successful execution of simultaneous raids across the region
- an entertainment establishment in Singapore on defending a trademark infringement suit involving the likelihood of confusion in the use of simplified and traditional Chinese in the course of trade
- a Japanese battery manufacturer on successfully invalidating and expunging a substantially similar trademark in Malaysia on the basis that it was obtained by way of fraud
- a multi-national technology company on obtaining an Anton Piller order and coordinating with the enforcement authorities in the successful raid actions against a syndicate in counterfeit ink cartridges in Malaysia



## International Arbitration

We handle international arbitrations in South East Asia, China and India with cases mainly relating to commercial and corporate related disputes as well as investment related arbitrations.

We are well equipped in terms of experience, language skills and cultural knowledge to assist you at every stage of the arbitral process, right through to conducting the entire oral advocacy at hearings. Our lawyers have experience in acting under rules of arbitration from the Singapore International Arbitration Centre (SIAC), Hong Kong International Arbitration Centre (HKIAC), International Chamber of Commerce (ICC), Kuala Lumpur Regional Centre for Arbitration (KLRC) and Stockholm Chamber of Commerce (SCC) as well as in ad hoc arbitrations. Members of the team are also on the panel of many institutions, such as the Singapore International Arbitration Centre, the Singapore Mediation Centre and the International Chamber of Commerce.

We are also one of the leading firms in the unique area of public international law and are regularly instructed by sovereign states, state entities, international bodies and multi-national corporations on a wide range of contentious matters. These include numerous state-to-state cases before the International Court of Justice and international tribunals, either in ad-hoc proceedings or those administered by the Permanent Court of Arbitration. We also advise on non-contentious matters such as state responsibility, sovereign immunity, land and maritime boundary delimitation and treaty obligations.

Our team members are qualified in many jurisdictions including Singapore, England and Wales, France and New York. Our team members are multi-lingual and fluent in numerous languages, including English, Bahasa Indonesia, Cantonese, French, Japanese, Malay, Malayalam, Mandarin, Spanish and Tamil.

Our tried and tested project management approach gives you control of the process and ensures much greater cost predictability. Above all, we think laterally and creatively: by planning ahead and developing a proactive strategy for dispute resolution, we can help you to plan the best way to get the right result.

### Client experience:

Recent highlights include advising:

- an Asian-based telecommunications company on a successful ICC arbitration claim against another telecommunications company based in Africa and the Middle East involving interpretation of contractual terms, the existence of implied terms and estoppel
- Indonesian ship owners on two related arbitrations under the LMAA (London Maritime Arbitrators Association) terms and claiming successfully against the charterers for dead freight, interest and costs arising from various breaches of the terms of the floating cranes contract
- a leading Nordic construction and property development company in Singapore on a dispute with its contractor relating to the MRT Circle Line Project
- the Government of Colombia on the dispute at the International Court of Justice over several islands and the maritime boundary between the two states
- Slovenia on an ICSID arbitration concerning a highway construction project in Slovenia



## Islamic Finance

We recognise the increasing global importance and impact of Islamic finance and are part of a firmwide group that is dedicated to this sector.

We provide advice to financiers and their customers in connection with a range of Shari'ah compliant products and transactions. Our practice covers both institutional clients and corporate entities and advises on a range of matters including:

- sukuk issues
- standard form documents covering murabaha, tawarruq, musharaka, mudarabah and ijara arrangements
- Islamic tranches in project financing across a number of sectors
- Shari'ah compliant M&A transactions
- asset lending on a Shari'ah compliant basis
- construction contracts based on istisnaa principles
- real estate investments
- Islamic funds

## Client experience

Recent highlights include advising:

- a local Islamic bank in Brunei Darussalam on the provision of discretionary investment mandate services to its customers
- a local Islamic bank in Brunei Darussalam on the setting up of an Islamic finance company in Brunei Darussalam, including the drafting of standard template Ijarah agreements and other documentation required by the Islamic finance company to provide Ijarah services to its customers
- Bank of China on the setting up of its local branch in Brunei Darussalam, including reviewing of the bank's standard template documentation for compliance with the laws of Brunei Darussalam
- various government linked companies in Brunei Darussalam on their internal restructuring and mergers and acquisitions transactions
- a local Islamic bank in Brunei Darussalam on its Murabahah and Wakalah financing transactions
- a local Islamic bank in Brunei Darussalam on its subscription of units in a Islamic compliant property trust, and thereafter, its exit from the property trust arising from a proposed listing of the trust as a REIT on the Singapore stock exchange



## Litigation and Dispute Management

Our team covers the full range of dispute resolution including complex commercial litigation and regulatory investigations. Our clients include prominent local and international individuals, banks, financial institutions and corporations.

We advise on:

- contractual disputes
- construction disputes
- land disputes
- banking and financial disputes
- tortious disputes including medical and professional negligence
- defamation
- commercial litigation
- minority oppression
- applications under the Companies Act
- judicial review

### Client experience

Work highlights include advising:

- Gaelic Inns on the successful suit against their external auditors in relation to professional negligence, one of the few of this kind in Singapore which set the benchmark for auditors' responsibilities in Singapore
- Marina Bay Sands (MBS) on the first casino debt trial in Singapore

- Anti-Corrosion, a construction, renovation and paint application company, on its appeal against Berger Paints Singapore, an international paint manufacturer on its successful claim in the Court of Appeal relating to widespread discolouration defects
- Singapore Airlines against one of its former employees in one of the biggest cases of cheating in Singapore. The team took actions to freeze the proceeds of this fraud in Singapore and Malaysia leading to a recovery of more than SGD21 million
- two founding shareholders of Raffles Town Club on successfully defending a High Court suit commenced by the Raffles Town Club (RTC) involving a multitude of claims including allegations of breaches of fiduciary duties, circumvention of sections 162 and 403 of the Companies Act, conspiracy, misfeasance and misapplication of RTC's funds. The trial lasted 82 hearing days, the longest civil trial in the history of Singapore.
- a number of minority subsidiary proprietors on its successful objection to the SGD500 million collective sale of the condominium development, Horizon Towers, on the grounds of good faith. This landmark decision, not only marked the first time that the Court of Appeal decided in favour of minority owners in a disputed en bloc sale in Singapore, but also set out the extent of the duties of a sales committee and the responsibility of the Strata Titles Board in a challenged en bloc transaction
- Komoco Motors on its application for judicial review (one of the rare judicial review decisions in Singapore) of a decision by the Land Transport Authority to levy a further additional registration fee on imported vehicles

## Real Estate and Banking

Our Real Estate and Banking practice group handles a wide range of real estate transactions and real estate related finance matters. Our team of lawyers are all senior and experienced practitioners and provide quality and professional legal services to our clients.

Some of the real estate transactions which we handle include:

- sale and purchase of real estate
- acquisition of state land from government and acquisition of land parcels under the Government Land Sales (GLS) programme
- consultation with the Controller of Housing, government and regulatory authorities
- project development work and sales (residential, industrial, mixed use developments, service apartments)
- strata title applications to Singapore Land Authority
- tender and auction sales
- investigations of title and due diligence
- leases and licences (shopping malls, commercial developments, industrial properties, residential properties)

We provide legal advice and services relating to:

- real estate acquisition financing
- refinancing of existing facilities
- construction financing
- development project financing
- mortgage and various security documents
- redemption and discharge of mortgage and other securities

As well as individuals and small and medium enterprises, our clients include real estate developers, listed companies, leading banks and other financial institutions, Singapore-based Real Estate Investment Trusts (REITs) and Central Provident Fund Board (CPF Board), a statutory board.

### Client experience

Recent highlights include advising:

- on the acquisition of government land parcel at Perumal Road for proposed residential development with commercial uses for approximately SGD174 million
- on the acquisition of a prime residential building at Cuscaden Walk, near Orchard Road by way of tender for approximately SGD103 million
- on the acquisition of the retail mall of Paya Lebar Square for SGD300 million
- on the acquisition of Westgate Tower, a 20-storey Grade A office tower at the commercial hub Jurong Gateway, for approximately SGD579 million

- on the acquisition of a 28-storey prime office building, Straits Trading Building at 9 Battery Road, in the heart of Raffles Place, within the Central Business District of Singapore for SGD450 million
- on the sale of Straits Trading Building at 9 Battery Road, Singapore for SGD560 million

## Restructuring and Insolvency

Our team in Singapore regularly advises liquidators, judicial managers, receivers and managers, creditors, companies and shareholders on restructuring exercises both in court and in private negotiations. We also advise on corporate insolvency matters such as contesting winding up applications, attending creditors' meetings, disclaiming onerous properties / agreements and taxation for liquidation expenses. We also work with major accounting firms to undertake and advise on debt restructuring and corporate reorganisation, judicial management and scheme of arrangement cases.

Aside from corporate insolvency we also have extensive experience in personal insolvency matters including the appointment of private trustees, advising on insolvency offences, assisting undischarged bankrupts in their discharge from bankruptcy for the purposes of getting discharged from bankruptcy as well as the annulment of bankruptcy orders.

We regularly act in the recovery of debts and assets for our major clients, which include banks and other financial institutions, MNCs, listed corporations, major commercial landlords and, property developers. We also act for many management corporations and managing agents of strata titled developments on issues in relation to the Building Maintenance and Strata Management Act and the Land Titles (Strata) Act.

We have extensive experience in enforcing judgments and court orders through legal proceedings such as writ of distress, writ of possession, garnishee and writ of seizure and sale.

We take a practical approach to our work. In addition to legal proceedings we regularly advise clients on self-help remedies available to them.

The team regularly works closely with our other practice groups to provide tailored advice and solutions and has recently acted for numerous SMEs, start-ups and venture capitalists to navigate various legal issues faced by them.

For restitutionary claims and disputes culminating in court or arbitration actions, we work closely with our specialists in the Litigation Practice Group, and are thus able to offer a multi-disciplinary approach to our clients.



## Family and Matrimonial Law

We have the largest family and matrimonial law practice in Singapore, in terms of both the size of our team and the number of cases we handle in the Family Justice Courts. Our lawyers have extensive and varied experience in managing divorces, custody disputes, complex asset tracing, division of matrimonial assets and maintenance issues, as well as cross-border family disputes.

We understand that the experience of matrimonial proceedings can be emotionally painful, spiritually draining, mentally exhausting and financially burdensome. And so we act with the utmost discretion and confidentiality.

We work closely with our colleagues in our other practice groups to provide comprehensive solutions to our clients. We also have extensive contacts with external consultants in the fields of private investigation, expert psychiatric and counselling services, and accounting and valuation consultants.

In addition to being mediators with the SMC, two of our lawyers were part of the founding group of the Collaborative Family Practice, an out-of-court legal scheme by the Singapore Mediation Centre that allows divorcing couples to resolve disputes without going to court. Three of our team were also invited by the Family Justice Courts to be trained and appointed as part of the inaugural panel of Child Representatives in 2014. We were also consulted and part of the committee in the preparation of the new Family Justice Rules and for the formation of the new Family Justice Court. Two of our lawyers presently serve on the Family Law Sub-Committee of the Law Society of Singapore and regularly give feedback and direction on issues relating to family law practice in Singapore.

## Client experience

Recent highlights include advising:

- a client on issue of jurisdiction and forum for divorce between the USA, Mexico and Singapore, division of assets and maintenance
- a client on issue of jurisdiction and forum for divorce between Italy and Singapore, validity of prenuptial agreements and division of assets
- a client on issue of jurisdiction and forum for divorce between Thailand and Singapore, custody of child, division of assets and maintenance
- a client in respect of a divorce based on alleged adultery and the division of assets worth more than S\$350 million
- a father on his successful application to seek shared care and control of two minor children
- a mother in an ancillary matter proceeding to seek sole care and control and maintenance for her child against the father who was depriving the mother of access and failing to pay maintenance for the child
- a father of two children on resisting a Personal Protection Order application made by the mother on behalf of their children
- a mother of a young infant from the United Kingdom whose child was taken to Singapore from the United Kingdom and the scope of which was outside The Hague Convention on the Civil Aspects of International Child Abduction
- a father of 2 young children from New Zealand in respect of issues of alleged child abduction from Singapore to New Zealand
- a client on a settlement of division of assets between the spouses worth more than A\$500 million

## ES Agile

Our interim lawyer business ES Agile operates out of Hong Kong and Singapore, as well as the UK, and gives our clients enhanced temporary resourcing solutions.

Capitalising on Eversheds Sutherland's international footprint, which encompasses Africa, Asia, Europe, the Middle East and the United States, ES Agile is the perfect solution to fill the gaps in your team's resources around the globe. Our aim is to provide you with exceptional professionals that will fit into your team and hit the ground running, allowing you to call upon high quality knowledge wherever and whenever you need.

We have an extensive track record of highly successful placements. Our clients tell us they like the cost certainty, quality, and integration with the wider firm that only ES Agile can provide.

We have over 300 legal professionals in our pool, from paralegal to general counsel level, covering a range of sectors and specialisms with over 70% currently placed in the financial services sector. Our candidates are screened and assessed by our team and partners prior to joining the panel, this ensures only the exceptional are chosen.

We would be happy to look with you at your resourcing needs over the short and medium term so that we can make specific proposals to support you with your overall resourcing strategy and needs.

In Asia, our pool of legal professionals covers a wide range of practice areas including:

- banking and finance
- commercial
- corporate
- financial crime
- funds
- litigation
- structured products



## Why work with us?

- **connections and alumni:** we use our extensive network and assessment procedures to ensure all candidates are of the highest quality
- **Eversheds Sutherland's support network:** we provide access to Practical Law PLC and our training platforms to ensure candidates are abreast of the latest legal trends, case laws and regulations
- **flexibility on location:** our candidates will work on your premises, remotely from home, or at one of our offices, full or part-time, allowing you to implement resources exactly where and when you need them
- **cost certainty:** we offer pricing that fits your requirements whether they be hourly, daily or a fixed monthly fee. You also don't pay for any periods of absence
- **dedicated support team:** we provide you with dedicated support from the initial enquiry to completion, ensuring the candidate meets your full expectations
- **a link into Eversheds Sutherland Consulting:** giving you a large bank of resources to seek guidance from including HR, Financial Services, Legal and Technology consultants

# Our global footprint

## Eversheds Harry Elias offices



### Singapore

4 Shenton Way  
#17-01 SGX Centre 2  
Singapore 068807

### Brunei Darussalam

Units 15-17, Ground Floor  
Bangunan Haji Hassan  
Abdullah, Jalan Gadong  
Bandar Seri Begawan BE3919  
Brunei Darussalam

**Eversheds Sutherland (International) LLP and Eversheds Sutherland (US) LLP** and their controlled, managed, affiliated and member firms, provide services in the following locations:

### US

Atlanta  
Austin  
Houston  
New York  
Sacramento  
Washington DC

### Europe

#### Austria

Vienna

#### Belgium

Brussels

#### Czech Republic

Prague

#### Estonia

Tallinn

#### Finland

Hämeenlinna  
Helsinki  
Jyväskylä  
Tampere  
Turku

#### France

Paris

### Germany

Berlin  
Düsseldorf  
Hamburg  
Munich

### Hungary

Budapest

### Ireland

Dublin

### Italy

Milan  
Rome

### Latvia

Riga

### Lithuania

Vilnius

### Luxembourg

Luxembourg City

### Netherlands

Amsterdam  
Rotterdam

### Poland

Warsaw

### Romania

Bucharest

### Russia

Moscow  
St Petersburg

### Slovakia

Bratislava

### Spain

Madrid

### Sweden

Stockholm

### Switzerland

Berne  
Geneva  
Zurich

### United Kingdom

Belfast  
Birmingham  
Cambridge  
Cardiff  
Edinburgh  
Ipswich  
Leeds  
London  
Manchester  
Newcastle  
Nottingham

### Asia

#### Brunei

Brunei Darussalam

#### China

Beijing  
Hong Kong  
Shanghai

#### Singapore

Singapore

### Africa

#### South Africa

Durban  
Johannesburg

#### Tunisia

Tunis

#### Mauritius

Port Louis

### Middle East

#### Iraq

Baghdad  
Erbil

#### Jordan

Amman

#### Qatar

Doha

#### Saudi Arabia

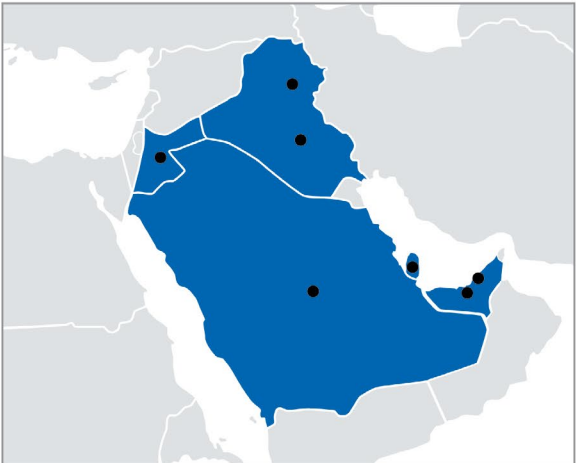
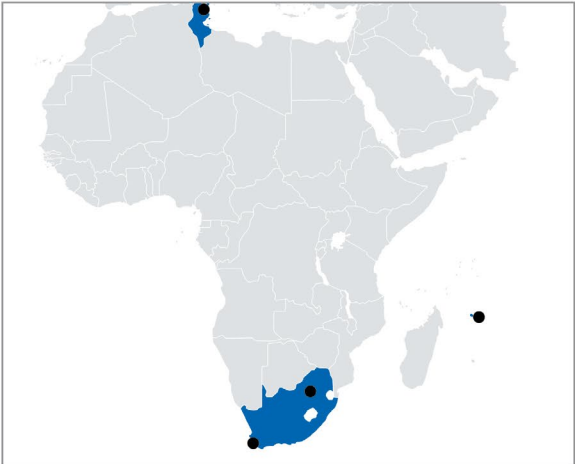
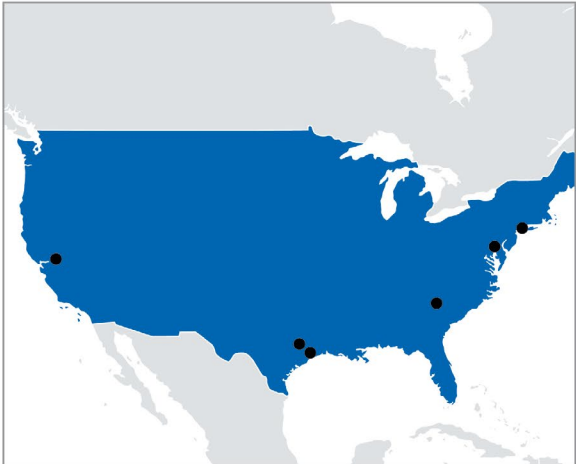
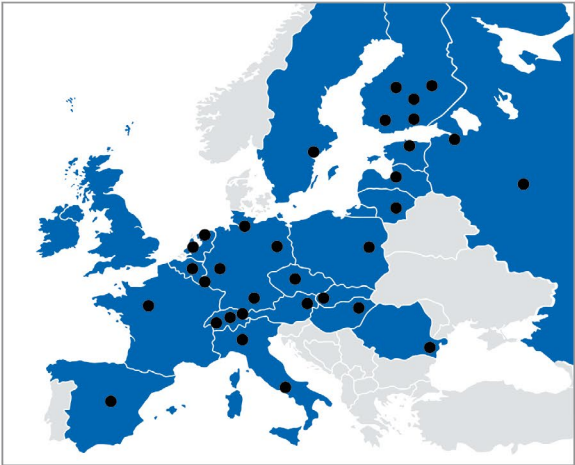
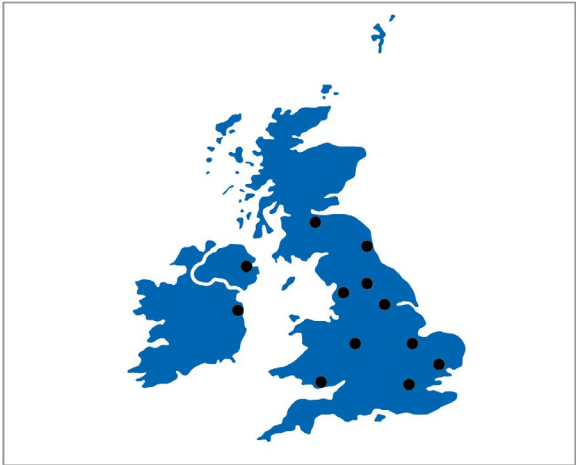
Riyadh

#### United Arab Emirates

Abu Dhabi  
Dubai



Eversheds Sutherland offices







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