

# DANNY QUAH

## Counsel

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### Qualifications & Admissions

LL.B (Hons), National University of Singapore.  
Advocate and Solicitor, Supreme Court of Singapore.  
Accredited Mediator, Singapore Mediation Centre



INTERNATIONAL ARBITRATION | SINGAPORE LITIGATION



## CURRICULUM VITAE

### AREAS OF EXPERTISE

Danny is a commercial litigator who regularly represents HNWI's, professionals, C-Suite executives and companies in cross-border, high-stake business and family disputes and regulatory proceedings. In recent years, his practice has focused on (i) insolvency & restructuring, (ii) corporate & commercial disputes and (iii) private wealth & tax disputes. He has 10 years of post-qualification experience, including 7 years of experience in multi-jurisdictional insolvency and restructuring matters.

Danny is an accredited mediator with the Singapore Mediation Centre, a member of the Singapore Institute of Arbitration, and a member of 3 of the Law Society of Singapore's standing committees: (i) the Insolvency Committee, (ii) the Civil Practice Committee and (iii) the Tax & Trusts Committee. He prides himself on top-notch service delivery. A leading global financial services provider says:

*"I am impressed how quickly Danny grasped the important elements of the complex contract and the underlying business. Danny first explores what our business need is and then he tailors his advice to it. We immediately felt that Danny has a profound understanding of available legal remedies and a solid experience in what possibly works and what doesn't. Danny shows a very good balance of confidence and disclosure of risks. This made the core team and our top management feel confident as well. On top, Danny and his team work really fast and deliver high quality work. And last but not least, on top of Danny's humour which I like very much, Danny explains complex legal topics in such a way that also our colleagues from the business understand."*

Danny is a highly-rated speaker and trainer and a thought leader in his areas of practice. In 2020, he was invited to speak at events hosted by the International Bar Association, the Singapore Academy of Law, the Law Society of Singapore, Tax Academy, Omni Bridgeway, ThoughtLeaders for FIRE, BrightTalk and GAO Capital. He was also published in the International Bar Association Journal, the Business Times, the Straits Times, the IBFD Tax Journal, Tax Notes International, SAL Practitioner and Singapore Law Watch.

Danny graduated from the Law Faculty of the National University of Singapore and placed on the Overall Dean's List (top 10%). He was NUS' top tax law student and was nominated for the Lee Hsien Loong Award for Outstanding All-Round Achievement. He was previously with international firm Baker & McKenzie, the Inland Revenue Authority of Singapore and had stints with UK barrister chambers Fountain Court Chambers and Pump Court Tax Chambers.

## REPRESENTATIVE CASE EXPERIENCE

### Insolvency & Restructuring

- Acted for the Indonesian shareholders of Jurong Aromatics Corp Pte Ltd in a US\$2.4 billion restructuring project involving the filing of a scheme of arrangement, which resulted in a published judgment by a 5-member quorum of the Singapore Court of Appeal in *SK Engineering & Construction Co Ltd v Conchubar Aromatics Ltd* [2017] SGCA 51.
- Acting for the Liquidators (from Ernst & Young Solutions LLP) of Griffin Real Estate Investment Holdings Ltd in the recovery of an estimated S\$35 million from the former directors of the company and in other recovery actions against third parties amounting to more than S\$30 million.
- Acting for the Liquidators of various ship-owning subsidiaries of Xihe Capital Pte Ltd (all owed by the Lim family, who are also the owners of the embattled Hin Leong group) in defending against litigation initiated by fellow Liquidators and Judicial Managers of the Hin Leong Group.
- Acting for the Liquidator of SGX-listed SBI Offshore Ltd in legal proceedings relating to a dispute between PwC Singapore and Mr David Tan (former CEO of SBI Offshore Ltd).
- Acted for the SEF Construction Group in restructuring over S\$110m of debt via a scheme of arrangement.
- Acted for the Kyen Resources Group, a commodities trading firm, in a multi-million dollar restructuring project. Kyen's parent company is the Shenzhen Stock Exchange-listed Chinese shipping and logistics conglomerate Shenzhen Feima International Supply Chain.
- Acted for two High Net Worth Individuals (“**HNWI**”) in voluntary arrangement proceedings to restructure multi-million dollars in personal debt.
- Acted for a major shareholder of Super Park Asia Group Pte Ltd in contentious provisional liquidation proceedings. The dispute was eventually heard by the Singapore Court of Appeal which issued a judgment *Superpark Oy v Super Park Asia Group Pte Ltd & Ors* [2021] SGCA 8.
- Acted for the Liquidator of Vi Dimensions Pte Ltd in contentious sale proceedings relating to the US\$1.35m sale of the company's intellectual property.
- Advised the directors of SGX-listed Ryobi Kiso Holdings Ltd in investigations and potential litigation commenced by Judicial Managers of the company (from PwC).
- Acted for the Comptroller of Income Tax in the first ‘pre-packaged’ scheme of arrangement in Singapore involving the restructuring of S\$80 million of debts of SGX-listed Hoe Leong Corporation, a heavy equipment supplier.
- Acted for Smove Singapore Pte Ltd - a car-sharing operator - and their shareholders GetAround, the world's largest connected car-sharing marketplace in a multi-million dollar restructuring project.
- Acted for the directors of Uni Bros Metal Pte Ltd in successfully resisting bankruptcy proceedings commenced by the company's creditors.
- Acted for a Belgian company in resisting an anti-suit injunction commenced by the Scheme Administrators of Glory Wealth Shipping Pte Ltd.

### Corporate and Commercial Litigation

- Acted for a Russian businessman in a S\$2.8 billion dispute in the Singapore International Commercial Court (“**SICC**”) involving alleged breaches of a partnership agreement relating to an integrated winter resort in China.
- Represented a leading global financial services provider in a multi-million dollar SIAC arbitration against an American MNC; obtained urgent injunctive relief in support of the arbitration.
- Represented a Hong Kong businessman in a CAD 110 million dispute in a conspiracy and fraud claim brought against various offshore entities and Singapore-based individuals.
- Represented a NASDAQ-listed crypto-company in a US\$10 million intellectual property dispute against a Puerto Rico-based company and individual.

- Defended an Australian director of an international bank in a US\$1.2 million SICC suit brought by the bank against the Singapore subsidiary of a Chinese state-owned enterprise involving OTC forward swap contracts.
- Defended an Indonesian businessman against a S\$10 million claim brought by an Indonesian mining conglomerate involving fraudulent bills of lading; successfully set aside a *mareva* injunction.
- Represented a Thai construction company in a multi-million dollar SIAC arbitration against a Myanmar State-Owned Enterprise; obtained an urgent injunctive relief in support of the arbitration.
- Represented a HNWI in a hotly contested judicial review application involving a review committee's decision to dismiss a complaint of gross overcharging against two senior lawyers. *Deepak Sharma v Law Society of Singapore*

### Tax Disputes

- GST: Acted in a rare GST anti-avoidance case involving a US\$63 million cross-border carousel fraud, a dispute involving the application of GST on \$11.5 million of online gaming activities and a dispute involving the zero-rating of over \$10 million worth of goods.
- Corporate Tax: Acted in corporate tax disputes involving the \$80 million redevelopment of conservation property, bad debt claims amounting to over S\$25 million, the construction of an \$18 million cement silo, a \$11.3 million building extension and \$12 million lighting and artwork structures.
- Individual Income Tax: Acted in disputes regarding a \$1.1m restrictive covenant payment, a \$1.65m management buyout payment and in multiple income omission cases.
- Stamp Duty: Represented the Commissioner of Stamp Duties in a judicial review application involving a challenge to the clawback of Additional Buyer's Stamp Duty

### Private Wealth Disputes

- Defended an Indonesian HNWI's Cayman Island family trust with assets valued at over US\$133 million against civil lawsuits and criminal prosecution in Singapore, Switzerland, USA, India and BVI.
- Represented multiple Singaporean HNWI's in various Mental Capacity Act, probate and trust disputes with their family members relating to multi-million dollar estates.
- Represented the executors of a \$20m testamentary trust in contentious probate proceedings involving the Israeli Government.
- Represented the patriarchs of a family textiles business in seeking to clawback over \$10 million in fraudulent withdrawals by the next-generation family members.

## PUBLICATIONS & SPEAKING ENGAGEMENTS

### Insolvency & Restructuring

- *Crowdfunding in Insolvency*: International Bar Association Journal
- *Crowdfunding in Insolvency*: Panellist, IBA Virtual Conference 2020
- *Litigation Hacks for Cross-Border Cryptocurrency Fraud*: Panellist, BrightTalk Conference on Blockchain & the Evolution of Digital Currency (Recording: <https://www.brighttalk.com/webcast/13689/436276/litigationhacks-for-cryptocurrency-fraud>)
- *Arms Race: How Effective Are Other Weapons in Combatting Fraud*: FIRE Asia Virtual webinar
- *Insolvency Disputes in Extraordinary Times – Recent Developments in Singapore and beyond*: Panellist, Omni Bridgeway Webinar
- *The Use of Trusts to Avoid Creditors in Insolvency*: SAL Practitioner

- *Lessons for Singapore on the Canadian Supreme Court's Decision on 3<sup>rd</sup> Party Funding in Insolvency Situations*: Singapore Law Watch
- *The Rise of Post-Pandemic Insolvency-Related Criminal Prosecutions in Singapore*: Singapore Law Watch
- *5-Bench Court of Appeal Clarifies Interplay Between Winding Up Proceedings & Arbitration*: Singapore Law Watch

## **Corporate & Commercial**

- *Digital Banking can be a Double-Edged Sword*: Business Times
- *The Digital Revolution against Trade Fraud*: Business Times
- *Disclosure Orders in Cryptocurrency Fraud*: SAL Practitioner
- *Laws Regarding Enforcement Need to Keep Pace with Crypto Developments*: Business Times
- *Unlocking the Proceeds of Fraud: How Victims Can Effectively Recover Assets Seized by the Police*: Singapore Law Watch
- *Civil Remedies for Identifying and Injuncting Hackers in Singapore*: ThoughtLeaders for FIRE
- *NZ High Court Issues Landmark Judgment on whether Cryptocurrency is Property*: Singapore Law Watch

## **Private Wealth & Tax**

- *The Case for a 9% GST*: Business Times
- *Mediating Tax Disputes in Singapore*: SAL Practitioner; Business Times; Singapore Law Watch
- *The Upside of Being Average in Tax Planning*: Tax Notes International
- *The Use of Judicial Review Arguments in Tax Disputes*: Singapore Law Watch
- *Can Illegality Vitiating the Enforcement of a Trust Arrangement*: ThoughtLeaders for FIRE