



## **Janice Ooi**

Senior Associate

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### **Overview**

Janice Ooi is a dispute resolution lawyer with experience in corporate & commercial disputes, company law and shareholders' disputes, and insolvency.

Janice read law at Cardiff University where she graduated with a Bachelor of Laws (LLB (Hons)) degree in 2012. She was called to the Bar of England and Wales in 2013 and is a member of the Honourable Society of Middle Temple. She was subsequently admitted as an Advocate & Solicitor in the High Court of Malaya in August 2014.

Janice has assisted in various arbitration-related court proceedings such as applications to set aside and/or stay of court orders enforcing arbitral awards as well as applications for enforcement of foreign arbitral awards. She has also acted as junior counsel defending a foreign client in an AIAC arbitration involving a claim for USD 1,035,456.78 for breach of contract.

Janice has appeared as junior counsel at all tiers of the Malaysian courts in corporate & commercial disputes. Her experience as junior counsel includes acting for a purchaser before the High Court and Court of Appeal in a claim for specific performance of a sale and purchase agreement of 26 plots of land worth RM90 million, acting for a purchaser in its claim for a refund of deposits in the sum of RM25 million against the vendors for breach of an investment agreement. Recently, she also acted as junior counsel for a purchaser company in challenging the wrongful termination by the receiver and manager of a sale and purchase agreement in respect of assets of a vendor company under receivership.

Janice has also authored articles such as 'A Double-Barrelled Approach?' and 'Covid-19: Proposed Interim Reliefs For Financially Distressed Companies And Individuals?', published on Mondaq's website as well as 'Covid-19: Extension of Response Time and Increase in Threshold for Statutory Demands Gazetted - Ventilators for Companies?', 'Covid-19: Malaysia takes steps to address insolvency concerns of companies', published on Skrine's newsletter as well as 'High Court Issues Injunctions Against "Persons Unknown" in Cyber Fraud Case', published on Lexology Getting the Deal Through.

She has also recently contributed to the Malaysian chapter in the latest edition of Lexology Getting the Deal Through - Dispute Resolution.

Janice is also a contributing author for the Malaysian Court Practice Trial Courts (2020 Edition).

Janice frequently provides internal talks on the area of corporate insolvency. She is also a member of the International Women's Insolvency and Restructuring Confederation.

### **Qualifications**

- Advocate and Solicitor, High Court of Malaya (2014)
- Barrister-at-Law (Middle Temple Inn) (2013)
- LLB (Hons), Cardiff University, Wales, United Kingdom (2012)

### **Key Practice Areas**

- Commercial Litigation
- Company Law and Shareholders' Disputes
- International Arbitration

## **Selected Experience**

### **• Commercial Litigation and Arbitration**

- ❖ Acted as counsel in a High Court matter defending a claim of RM1 million against a company for breach of contract.
- ❖ Assisted in a High Court matter representing a company in defending a claim for breach of a procurement contract worth RM3 million.
- ❖ Assisted in a High Court and Court of Appeal matter representing a purchaser in a claim for specific performance of a sale and purchase agreement of 26 plots of land worth RM90 million.
- ❖ Assisted in a High Court matter representing a purchaser in a claim for a refund of deposits in the sum of RM25 million against the vendors for breach of an investment agreement.
- ❖ Assisted in a matter involving Pelangi Prestasi Sdn Bhd (“Pelangi”) in a RM1.2 billion court action against, among others, Sabah Forest Industries (under receivership) involving Timber Licences to be issued by the State Government of Sabah in respect of 288,138 hectares of forest reserve in Sipitang Sabah. This case involved court actions before the Kuala Lumpur and Kota Kinabalu courts and included civil actions, restraining order applications and judicial review proceedings before the courts.
- ❖ Assisted in acting for a foreign company in an application to stay/set aside a court order allowing the enforcement of an arbitral award granted in India.
- ❖ Assisting in a High Court matter representing an Indonesian state-owned oil and natural gas corporation in opposing a suit relating to a contract for the leasing, operation and maintenance of two (2) offshore oil and gas production units and other related facilities at the Offshore Sarawak Block SK305 project site.

### **• Company Law and Shareholders’ Disputes**

- ❖ Acting for Health Digital Technologies Sdn Bhd which operates DoctorOnCall, the largest online doctor consultation platform in Malaysia in a corporate litigation matter.
- ❖ Advising and representing a wholly owned subsidiary of a leading player in China’s leasing industry (with a local and overseas asset portfolio worth more than CNY 300 billion) in a scheme of arrangement involving AirAsia X Berhad, one of the main airlines in Malaysia.
- ❖ Advised and acted for Sarawak Energy Berhad in a matter involving a just and equitable winding up of one of its joint venture companies. The said joint venture company was successfully wound up.
- ❖ Advised and acted for the liquidator of Gula Perak Berhad in successfully opposing an application for the removal of the liquidator.
- ❖ Advised and acted for a Malaysian bank in successfully opposing a judicial management application by a debtor.
- ❖ Assisted in a High Court matter representing the contributories and creditors of a RM1 billion company in setting aside a winding up order of the company. The winding up order was successfully set aside.

- ❖ Assisted in a High Court matter representing the contributories and creditors of a RM1 billion company in setting aside various injunction orders granted in assistance of a SIAC arbitration pursuant to section 11 of the Arbitration Act 2005. The injunction orders were successfully set aside.
- ❖ Assisted and acted as junior counsel and solicitor in defending a claim against directors and shareholders of a company for minority oppression and breach of directors' duties.
- ❖ Assisted in an application by a purchaser company in challenging/setting aside a restraining order granted in favour of a vendor company. In this regard, the purchaser company had commenced legal proceedings against the vendor company for wrongful termination of a sale and purchase agreement in respect of the assets of the vendor company.
- ❖ Assisting in a High Court matter representing a creditor in opposing a judicial management application made by a public listed company which is a global service provider in the oil & gas and transport solutions industries in Malaysia.
- **International Arbitration**
- ❖ Acted as junior counsel for a foreign client in an AIAC arbitration, with the governing law being Malaysian law. The arbitration involved the issue on breach of contract.