

# Cheryl Lo

## SUMMARY PROFILE

Cheryl Lo has joined Ogier since June 2020. She is currently a Senior Legal Manager in the Dispute Resolution team in Hong Kong.

She has a broad practice covering commercial and civil litigation, cross-border bankruptcy and insolvency, regulatory investigation, contract drafting and negotiation and general advisory work. She specialises in complex multi-jurisdictional contractual and shareholders' disputes, banking and investment disputes, cross-border internet fraud and asset tracing claims.

She has advised ultra high net worth individuals (in HK, the PRC and overseas), listed companies (including their chairman and directors), multinational conglomerates and corporations, banks, investment firms and Hong Kong licensed corporations.

## EDUCATION

### **The Chinese University of Hong Kong**

**2008-2011**

- Postgraduate Certificate in Laws (PCLL) and Juris Doctor (JD)
- Selected to represent in the Vis International Commercial Arbitration Mooting Competition (Vienna, 2010)

### **University of Alberta**

**2004-2008**

- Bachelor of Commerce
  - Major in Business Economics & Law
  - Minor in Accounting and Strategic Management and Organization
  - Awards:
    - Jason Lang Scholarships 2007
    - Academic Excellence Entrance Scholarship 2004

### **Concordia High School**

**2002-2004**

- Grade 11 – Grade 12
  - Awards:
    - Salutatorian Award (2004) and Top Academic Student and Honor Award in Grade 12 (2004)
    - First Class Honor Award in Grade 11 (2003)

### **Diocesan Girls' Junior School and Diocesan Girls' School**

**1993-2002**

- Primary 1 – Form 3

## CAREER HISTORY

### **Ogier**

**June 2020 - Current**

- Senior Legal Manager (Dispute Resolution team)

### **Akin Gump Strauss Hauer & Feld**

**2017 - June 2020**

- Associate (Litigation & Regulatory Group)

### **QUALIFICATIONS**

Admitted in the High Court of Hong Kong (2013) (non-practising)

### **PROFESSIONAL MEMBERSHIP**

The Law Society of Hong Kong

### **LANGUAGES**

English  
Chinese (Cantonese)  
Chinese (Mandarin)

## **DLA Piper Hong Kong**

- Associate (Litigation & Regulatory Group) **2013 - 2017**
- Trainee Solicitor **2011 - 2013**
  - Litigation & Regulatory Group (1<sup>st</sup> 6-month seat)
  - Employment Group (2<sup>nd</sup> 6-month seat)
  - Merger & Acquisition Group (3<sup>rd</sup> 6-month seat)
  - Capital Market Group (4<sup>th</sup> 6-month seat)

## **The Bank of Nova Scotia**

**2006 - 2007**

- Casual (Part-time) Customer Representative

## **Government of Alberta**

**Summer 2005 & 2006**

- Administrative Support  
(Infrastructure and Transportation - Finance)

## **KEY EXPERIENCE – REPRESENTATIVE WORK**

### **Litigation & Insolvency**

- Advising and acting for an ultra high net worth individual in the PRC (also the Chief Executive Officer of a Hong Kong listed company with major operation in the PRC) and his controlling companies in proceedings before the Eastern Caribbean Supreme Court in the British Virgin Islands in relation to a complex shareholders' dispute with multi-jurisdictional (mainly the BVI, Cayman Islands and PRC) elements and involving claims of forgery.
- Advising and acting for corporations listed on the Stock Exchange of Hong Kong ("SEHK") and Tokyo Stock Exchange to present winding up petition and make application for appointment of "soft touch" provisional liquidators in the Cayman Islands.
- Advised and acted for a company listed on the SEHK to present winding up petition against itself in the Cayman Islands.
- Advised and acted for one of the joint venture partners in proceedings before the Grand Court of the Cayman Islands in relation to a well-publicised falling out between the joint venture partners (mainly controlled by two PRC individuals).
- Advised and acted for an investment firm on multiple proceedings (including enforcement proceedings) before different levels of courts in Hong Kong and the PRC in relation to a defaulted loan to a PRC based property developer and advised on relief (including injunctive relief) available in various jurisdictions.
- Advised and acted for a company on multi-jurisdictional (mainly Hong Kong, the PRC, Thailand and the BVI) disputes involving convertible loan notes, security documents and investment in two world-renowned luxury hotels in the PRC.
- Advised and acted for an investment firm in proceedings before the High Court of Hong Kong in relation to a high-profile dispute concerning a fund's shareholding in a Hong Kong listed bank.
- Advised and acted for global banks, subsidiary of a conglomerate listed on the New York Stock Exchange, subsidiary of a long-established global loss adjusting company and ultra high net worth individual on their applications for Mareva injunctions (usually against more than one parties) and the subsequent enforcement proceedings for the recovery of misappropriated funds.

- Advised and acted for a Europe-based investment firm on its rights and remedies relating to an alleged breach of a subscription agreement for convertible notes by a Greater China based investor.
- Advised and acted for an ultra high net worth individual in a large-scale shareholders' dispute. The dispute has given rise to multiple unfair prejudice petitions and high court actions.

### **Regulatory / Investigation Matters**

- Advised and acted for a Hong Kong licensed corporation on Hong Kong regulatory matters including (i) an investigation conducted by the Securities and Futures Commission of Hong Kong ("SFC") regarding false dealing, price rigging, stock market manipulation and/or involving fraudulent or deceptive devices in transactions in securities and (ii) in respect of its Account Opening flows and agreements for compliance with Hong Kong regulatory laws and/or rules, as well as suggesting ways to improve its internal control on account opening.
- Advised and acted for a company listed on the main board of the SEHK and its directors in response to a complaint enquiry made by the SEHK regarding a possible breach of fiduciary duties and duties of skill, care and diligence.
- Advised and acted for companies listed on the main board of the SEHK in preparing replies and submissions to inquiries raised by the SEHK and the SFC.

### **Contract Drafting and Negotiation**

- Reviewed, commented and revised agreements in connection with the transfer of a PRC based property developer's shares from a foreign investor to a PRC company.
- Reviewed, commented and revised (i) engagement letters; (ii) non-disclosure agreements; and (iii) common interest privilege agreement entered into between an investment firm and external professional firms / service providers.
- Reviewed, commented and revised aerospace-related agreements to be entered into between airlines and external product / service providers (including Fortune Global 500 company).
- Reviewed, commented and revised consultancy agreements and trademark license agreements for the cooperation with a restaurant and a well known Michelin-starred chef.
- Advised and drafted a network agreement to be entered into between a local company and a subsidiary of a Hong Kong listed company.
- Advised and drafted a fitting-out contract for a retail store in the PRC for an international renowned fashion brand.

### **General Advisory**

- Advised liquidators of a Hong Kong listed company (in liquidation) on various corporate matters including but not limited to the convening of general meeting, application for restoration and appointment of provisional liquidators.
- Advised a Hong Kong listed company and its related companies to deal with all of their corporate, commercial, banking and contentious matters.
- Advised a NYSE listed multi-national corporation on contentious tenancy related issues.

- Advised a Hong Kong licensed corporation on the recovery of debts arising from forced liquidation.
- Advised a multi-asset and multi-strategy investment management firm on payment of the redemption price and management fees in relation to a fund and the liquidation of the fund.
- Advised a major cross-border community organisation in regulatory matters including preparing submissions and advising on production of documents in response to inquiries made by the Office of the Privacy Commissioner for Personal Data ("PCPD") and the investigations conducted by PCPD.
- Advised a local sound broadcasting company on general corporate, licensing and regulatory issues, and prepared submissions to government authority.

### **EXTERNAL PRESENTATIONS**

- "Potential Insolvency Surge - Brace for Impact"
- "Construction Site Safety"
- "Will, Medical Instructions and Reverse Mortgage Programme"

### **PUBLICATIONS**

- Article on "Directors of BVI companies: to whom do you owe duties if your company is experiencing financial stress?"
- The Hong Kong litigation section of the 2014 Supplement of the Restrictive Covenants and Trade Secrets in Employment Law: An International Survey published by the American Bar Association.
- Various articles on the topics of disclosure of personal data, employers' record keeping obligation, sexual harassment in the workplace, unpaid leave of absence and deductions from wages published by CCH CHINA STAFF Journal, a bilingual journal solely dedicated to human resource management in Hong Kong and Mainland China.

### **HOBBIES / INTERESTS**

- Dragon boating (Captain of the DLA Piper's Dragon Boat Team in 2016 and 2017 and member of the team for 6 consecutive years), skiing, travelling, volunteering and thai kickboxing