

## PERSONAL INFORMATION

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## EDUCATION & QUALIFICATIONS

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- Advocate and Solicitor of the High Court of Malaya
- Barrister at Law of the Honourable Society of the Middle Temple
- Bar Professional Training Course (BPTC) – Very Competent
- Cardiff University LL.B Law – Second Upper Division

## WORK EXPERIENCES

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**Raja, Darryl & Loh**  
*Legal Associate*

**Dec 2017 - Present**

### Restructuring and Insolvency

- Advised and assisted in the successful formulation and implementation of a scheme of arrangement by a company under receivership, which obtained 100% support from its scheme creditors of an abandoned mixed development condominium.
- Represented a company under receivership at the Federal Court, in an application for leave to appeal against the Court of Appeal's decision which set the precedent on the conflict of law between Construction Industry Payment and Adjudication Act 2012 and Companies Act 2016 in a dispute with its sub-contractor for outstanding payment.
  - **CT Indah Construction Sdn Bhd v BHL Gemilang Sdn Bhd [2020] 1 CLJ 75**
- Successfully represented Maybank in opposing an application by a debtor for a judicial management order, and assisting the High Court in setting the guiding principle and test in an application for judicial management by a debtor.
  - **Re Biaxis (M) Sdn Bhd [2020] 1 LNS 1289**
- Advised various secured creditors of an aviation group of companies in a cross-border insolvency and restructuring exercise, and on the recognition and enforceability of a scheme of arrangement under the United Kingdom's Companies Act 2006 in Malaysia which does not have any cross-border insolvency legislation.

### Banking Litigation

- Advised various financial institutions in the recovery of debt of up to RM100 million, including assisting to oppose an appeal by the debtor before the Federal Court, which set the precedent on commencement of bankruptcy proceedings premised on an order for payment by instalment under a judgment debtor summon.

➤ **Mohd Kamal Omar v United Overseas Bank (Malaysia) Bhd & Others [2018] 5 CLJ 657**

- Advised and represented financial institutions in the defence of various legal actions including a claim for the recovery of up to RM5 million due to an alleged wrongful calculation of interest accrued after the winding up of the company, contrary to s. 8(2A) Insolvency Act 1967; a claim for damages of up to RM70 million due to an alleged breach of trust and mandate by the bank; and a claim for damages of up to RM190 million due to an alleged malicious prosecution, conspiracy, fraud and negligence by the bank.
  - **Valiant Development Sdn Bhd v Malayan Banking Bhd [2020] MLJU 2230**
  - **Hartajaya-Benteng Timur-AMR Jeli JV Sdn Bhd v United Overseas Bank (Malaysia) Bhd [2018] 1 LNS 1648**

Commercial Litigation

- Successfully facilitated settlement negotiations between international business parties of multiple jurisdictions in a “goods sold and delivered” dispute that was subject to a Mareva freezing injunction.
- Advised an international licensed casino on the enforceability of a gaming debt in Malaysia, and the reciprocal enforcement of a foreign judgment for a gaming debt in Malaysia which has a public policy against recognition of any wagering or gaming contract.

Landlord-tenant disputes

- Advised and represented landlords of various premium shopping malls within the WCT Holdings Berhad’s group of companies, across the Klang Valley, Sepang and Johor Bahru, in various retail landlord and tenant rental disputes of up to RM2 million.
  - **AEON Co. (M) Bhd v Gemilang Waras Sdn Bhd [2018] 1 LNS 1337**
- Advised and represented the lessor and operator of a private jet lounge at Skypark Regional Aviation Centre in various disputes with its licensee relating to the use of aircraft hangar and apron space.

**Raja, Darryl & Loh**

**Dec 2016 – Sept 2017**

*Pupil*

- Assisted in various litigation matters, including in a matter where a dental clinic was charged under the Private Healthcare Facilities and Services Act 1998 for causing the death of a patient; and in an arbitration between Majlis Perbandaran Subang Jaya (MPSJ) and a concession company over an alleged wrongful termination of the concession agreement.
- Assisted in various corporate and regulatory advisory matters relating to competition law, healthcare, pharmaceutical, income tax, GST, and e-commerce.

- Assisted MyCC’s Legal Division in an appeal brought by My E.G. Services Berhad against MyCC’s decision before the Competition Appeal Tribunal in a matter concerning Malaysia’s first case of abuse of dominant position under the Competition Act 2010.
- Co-wrote “Malaysia’s Road to Clearer and Fairer Competition [2017] 2 MLJ 1” with the Head of MyCC’s Legal Division on the evidentiary and procedural matters of enforcement of competition law in Malaysia.

**SPOKEN & WRITTEN LANGUAGES**

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**Native or bilingual proficiency** : English, Mandarin

**Full professional proficiency** : Malay