



**Ian Lo 盧致維**

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### **Experience:**

**Mr. Ian Lo** is a Managing Partner and the Head of Litigation and Dispute Resolution Department of Ince & Co.

Ian specialises in cross-border restructuring and insolvency related matters. In particular, he regularly advises high net worth individuals, international conglomerates, listed companies, institutional investors, bankers, and professional insolvency practitioners across a wide range of contentious and non-contentious works.

Throughout his 20 years practice in the legal industry, Ian has accumulated extensive experience in advising different parties at various stages of winding up proceedings, including but not limited to acting for petitioning creditors and institutional investors in seeking compulsory winding up orders and appointment of provisional liquidators, for debtor companies in defending winding up petitions, for liquidators in assets tracing and recovery actions as well as for former management or senior personnel against liquidators' claims.

Further, Ian also has abundant experience in non-contentious restructuring works, such as preparing scheme documents, restructuring support deeds and standstill agreements, collaborating with overseas and offshore counsel and financial advisors, as well as applying for sanction of schemes of arrangement in cross-border restructuring projects.

### **Principal Areas of Practice**

- Contentious Insolvency
- Corporate Restructuring
- Receivership
- Bankruptcy
- Regulatory Compliance

### **Admission**

- 2003 Solicitor, Hong Kong

## Education

- 1997 BEng (Hons) in Mechanical Engineering, The University of Newcastle Upon Tyne, UK
- 2000 Postgraduate diploma in law (CPE), The University of Huddersfield, UK
- 2001 PCLL The University of Hong Kong

## Organisations

- The Hong Kong Institute of Directors (Individual membership: Member)
- Federation of Hong Kong Industries (Corporate membership: Member)
- The Hong Kong Chinese Importers' & Exporters' Association (Individual membership: Member)
- China Real Estate Chamber of Commerce (Individual membership: Member)
- The Chinese Manufactures' Association of Hong Kong (Associate membership: Member)
- Hong Kong Sea School (Legal Consultant)
- The Civil Celebrant of Marriages

## Language

- English
- Cantonese
- Putonghua

## Major representative matters of Ian and his team

### **Insolvency Proceedings**

- Acting for **Bank of China Limited** in resisting **CW Group Holdings Limited (Stock code: 1322)**'s voluntary winding up petition in Hong Kong. Coordinating with the bank's Cayman Islands counsel to resist the company's application for appointment of provisional liquidators in the Cayman Islands and coordinating with the bank's Singaporean counsel to resist the company's application for moratorium in Singapore.
- Acting for **European TopSoho S.a.r.l.** (previously a majority shareholder of **SMCP**, a company listed on Euronext Paris) to coordinate with the company's Luxembourg counsel in resisting a bankruptcy petition filed by the trustee of an exchangeable bond and the corresponding appeal application. Coordinating with the company's other offshore counsel to defend legal actions commenced by the trustee and security holders in various jurisdictions, including England, Singapore and France.
- Acting for **Integrated Capital (Asia) Limited** in its appeal to the Court of Appeal against the winding-up order made against **Up Energy Development Group Limited (Stock code: 307)**.
- Acting for **Prudential Brokerage Limited**, a Hong Kong securities brokerage firm, in a winding up petition against the debtor company and a bankruptcy petition against the personal guarantor.
- Acting for **China Putian Food Holding Limited (Stock code: 1699)** in resisting a winding up petition and in an application to strike out the petition.

## **Restructuring**

- Acting for **National Arts Entertainment and Culture Group Ltd (Stock code: 8228)** in a debt restructuring at the group level, involving a contentious scheme of arrangement application. Coordinating with the company's Bermuda counsel in making a parallel scheme of arrangement application before the Supreme Court of Bermuda. Defending the company's creditors' claims in Hong Kong. Making an urgent application for injunction to restrain a creditor from filing a petition on the ground of abuse of process.
- Acting for **Trinity Limited (Stock code: 0891)** in a debt restructuring, including an application for a soft-touch provisional liquidation and an intended parallel scheme of arrangement. Coordinating with the company's Bermuda counsel in resisting a winding up petition before the Supreme Court of Bermuda. Liaising with the company's creditors and defending their claims against the company's subsidiaries in Hong Kong and China. Negotiating with the bank group for alternative financial arrangements and standstill agreement.
- Acting for an investor of **Asia Television Limited** in a debt restructuring, involving an application for scheme of arrangement and resisting a winding up petition from its creditor. Liaising with the investor's financial advisor to implement the scheme.
- Acting for **Prosperity International Holdings (H.K.) Limited (Stock code: 803)** in a debt restructuring. Coordinating with the company's Bermuda counsel in arranging an application for issuing a letter of request from the Supreme Court of Bermuda. Acting for the company in resisting its creditors' claims.
- Advising a major Chinese Bank in relation to the enforcement of its security interests over a property mortgaged by **Hong Kong Airlines Aviation and Training Centre Limited**. Liaising with the bank's financial advisors on matters in relation to the debt restructuring of the company.
- Acting for **RSM Corporate Advisory (Hong Kong) Limited** (in their capacity as the independent financial advisor of one of the largest suppliers of paper products in Hong Kong) in a proposed restructuring of the businesses and debts. Advising on an inter-bank agreement with a bank group agreeing to a standstill on repayments. Advising on the sale and purchase of the company to an investor.
- Acting for **RSM Corporate Advisory (Hong Kong) Limited**, the liquidators of **Hong Kong Mercantile Exchange Limited**, in a scheme of arrangement for capital restructuring.
- Advising **Ruyi Brand Holding (Hongkong) Company Limited** in a debt restructuring, which involves multiple layers of companies subject to winding up orders. Liaising with the company's financial advisors to design an intended scheme of arrangement.
- Acting for the **PricewaterhouseCoopers Limited**, the provisional liquidators of **Burwill Holdings Limited (Stock code: 24)** in devising a scheme of arrangement and in a review application before the Listing Review Committee.
- Acting for creditors to advise on the strategy in relation to a listed company, **Samson Paper Holdings Limited (Stock code: 731)**, which was undergoing a "soft touch" liquidation in the Cayman Islands.

### Receivership

- Acting for **PricewaterhouseCoopers Limited** as receivers of certain pledged shares of a listed company in dealing with enquiries from the securities regulator.
- Acting for **PricewaterhouseCoopers Limited** as receivers of a piece of land (appointed by the mortgagee) owned by **Loyal Kingdom Limited** in handling the tender and disposal of the land. Making application for injunction against the mortgagor and resisting the legal actions commenced by the mortgagor.
- Acting for **RSM Nelson Wheeler Corporate Advisory Ltd**, the joint and several receivers and managers appointed by the creditor in an appeal for leave application, involving a dispute over the sale of a company's shares in a large residential property in Beijing developed by **China Aoyuan Group Limited (Stock code: 3883)**.
- Acting for **Maninvest Asia Limited**, the receivers appointed by the creditor, **Southwest Securities** pursuant to the security documents and in dealing with the affairs of **Celebrate International Holdings Limited (Stock code: 8212)**.
- Acting for **Bank of China (Hong Kong) Limited** in defending the receiver's claim on banker's right of set off.
- Acting for **Ruyi Textile and Fashion International Group Limited** and its subsidiaries in challenging the validity of the appointment of receivers by the creditors and resisting legal actions commenced by the receivers across multiple jurisdictions.
- Acting for the investors and receiver to advise on a restructuring plan for **Yi Hua Holdings Limited (Stock code: 2213)**.

### Asset Tracing and Recovery

- Advising **KPMG**, the liquidators of a licensed securities dealer, on a potential negligence claim against the company's former auditors.
- Acting for **Ernst & Young**, the liquidators of **Sunlink International Holdings Limited (Stock code: 2336)**, in pursuing audit negligence claims against the former auditors for failure to detect false trading, misappropriations and fraud over the course of multiple years.
- Acting for **FTI Consulting (Hong Kong) Limited**, the liquidators of **Asia Aluminum Holdings Limited (Stock code: 930)**, one of the largest aluminium extruders in the PRC in commencing legal action against the former directors for breach of fiduciary duties.
- Acting for **RSM Corporate Advisory (Hong Kong) Limited** in commencing legal proceedings against the former director of **Crystal Jade La Mian Xiao Long Bao (Taikoo) Limited** for misappropriation of the company's assets and breach of fiduciary duties.
- Acting for **RSM Corporate Advisory (Hong Kong) Limited**, the liquidators of one of the most influential audio recording and audio-visual recording companies in administering, preserving and protecting the relevant copyrights, which involves restoration of a struck-off company that holds the legal titles of intellectual property rights.
- Acting for the former directors of **Wing Hong Construction Limited** in defending the liquidators' claim for disposition of assets with intent to defraud creditors and breach of fiduciary duties.

### **Appointment Takers' Recognition**

- Acting for **PricewaterhouseCoopers Limited** in making an application to recognise its appointment by the Grand Court of the Cayman Islands as the joint official liquidators of **New Seres CEFC Investment Fund LP**. Advising the liquidators on making a mandatory general offer under The Hong Kong Code on Takeovers and Mergers.
- Acting for **Ernst & Young Limited** and **RSM Corporate Advisory (Hong Kong) Limited** in making an application to recognise their appointment by the Supreme Court of Bermuda as the joint and several provisional liquidators (for restructuring purposes) of **National Arts Entertainment and Culture Group Ltd (Stock code: 8228)**.
- Acting for **Ernst & Young Limited** and **Maninvest Asia Limited** in their application to recognise their appointment by the Supreme Court of Bermuda as the joint and several provisional liquidators (for restructuring purposes) of **Prosperity International Holdings (H.K.) Limited (Stock code: 803)**.

### **Other Insolvency Related Matters**

- Acting for the PRC joint administrators of **CEFC China Energy Group** in liaising with the liquidators of the group's subsidiary in Hong Kong in relation to admission of proof of debts.
- Acting for **RSM Corporate Advisory (Hong Kong) Limited**, the liquidators of **Hsin Chong Construction Co Ltd (Stock code: 404)**, in applications by creditors for validation order. Advising the liquidators on industrial summonses issued by the regulatory bodies. Handling the appeal against an application for validation order by the company's joint venture partner to the Court of Appeal and the Court of Final Appeal.
- Advising **FTI Consulting** (Cayman Islands), the joint official liquidators of **Suning Sports Group Limited**, on adjudication of a claim of a creditor.
- Acting for a subsidiary of **Willas-Array Electronics (Holdings) Limited (Stock code: 854)** in seeking a declaration in relation to the power of the board of directors pending an appeal of the winding up order.
- Acting for the majority shareholder of **Aeso Holding Limited (Stock code: 8341)** in a shareholders' dispute, involving a board room fight, multiple legal proceedings, winding-up petition and multiple injunction applications.
- Acting for the minority shareholders of **Aitken Enterprises Limited** in a shareholders' dispute, involving multiple High Court proceedings, winding-up petition. Advising on the appointment of liquidators.
- Acting for a majority shareholder of **China People (Hong Kong) Limited** in a shareholders' dispute, involving winding up petition, appeal against a buy-out order and ratification application.
- Acting for a 50% shareholder of **Fly Eagle Enterprises Limited** in a shareholders' dispute, involving subsidiaries in the PRC and urgent injunction application.