

KAN, Shimin Lynn 简诗敏

Finance and Restructuring lawyer

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EXPERIENCE

Allen & Overy, Hong Kong - Registered foreign lawyer, Restructuring and Recovery Group

February 2022 - PRESENT

Cross-border restructuring

- Acting for a co-ordination committee representing 50 bank lenders across three separate syndicated facilities totalling about US\$3b in respect of the holistic restructuring of Shimao Group Holdings Limited, a Hong Kong-listed real estate property developer with property assets in the PRC and Hong Kong.
- Acting for an ad-hoc group of holders of US\$683m of perpetual securities in respect of the restructuring of financial indebtedness of Hong Kong Airlines, by way of parallel insolvency proceedings in the United Kingdom and Hong Kong.

Contingency planning and enforcement

- Advising the agent of a US\$400m syndicated facility in respect of enforcement options against a Hong Kong-listed real estate property developer with property assets in the PRC and Hong Kong.
- Acting for an international bank in respect of a contingency planning and potential enforcement of a structured US\$1.5b margin loan to a high networth individual, collateralised by founder shares in a US-listed technology company.

Bespoke participation structures

- Acting as counsel for an international bank to negotiate and finalise bespoke back-to-back funded participation structures in respect of the restructured loans of a Thai-incorporated retail company and its related corporate guarantors.
- Acted for a major international bank in a simultaneous refinancing of a distressed loan to a corporation with Indonesian hotel property assets, involving a partially subordinated funded participation with a fund.

Allen & Overy LLP, Singapore - Associate, Banking & Finance

June 2019 - February 2022

Bespoke and holistic restructuring

- Acted for a Korean fund to advise on the restructuring of bank debt liabilities of a target company with Southeast Asian hotel property assets, being acquired by an affiliate of the Korean fund.
- Acted for the majority creditors of the largest minority shareholder of a distressed Singapore-headquartered healthcare company and the receivers and managers appointed over the shares of that minority shareholder, including advising the receivers and managers on the recapitalisation of the healthcare company through a Cayman Islands combination.
- Acted for a Singapore conglomerate on a complex and sensitive restructuring of financial indebtedness of a Cayman-incorporated Singapore listed entity and its subsidiaries, including assisting with the consensual amendment and extension of existing senior secured facilities and consent solicitation of secured notes.

Leveraged and structured finance

Regularly acting as lead lenders' counsel in private equity-led leveraged buy-outs, margin loans and structured financings across India, Indonesia and Vietnam. LBO mandates typically involve cross-jurisdictional advice on enforcement over the security assets in shares of a special purpose vehicle or over the collateral assets.

- Acted for four mandated lead arrangers and bookrunners in the secured US\$205m leveraged buy-out of Indian-listed pharmaceutical company by KKR, negotiating financing terms through a competitive bid process with five separate tranches.
- Acted for a group of Chinese and Indonesian banks in a US\$600m multi-facility financing to a Chinese-owned Indonesia-incorporated steel production company.
- Acted for a syndicate of lenders in a secured US\$350m margin loan financing to a private equity fund, backed by shares of Indian listed healthcare company, including advising on complications arising from an existing shareholders' agreement with multiple restrictions against enforcement over the shares and negotiating an enforcement coordination agreement among the lenders and the security agent.
- Acted for four mandated lead arrangers in a US\$250m secured greenshoe financing to a Vietnam-headquartered retail conglomerate, assisting with structuring advice and syndication.
- Acted for a major international bank in the financing of a minority-stake acquisition by a private equity fund of a minority stake in a Vietnam-incorporated subsidiary with retail operations.

ESG-financing

Acted for International Finance Corporation in a series of COVID-19 'fast track' financings to recapitalise banks and financial institutions in Vietnam, Bangladesh and The Philippines

Ince & Co LLP, Singapore - Associate, ship finance

March 2018 - May 2019

Distressed financing

- Acted for Chailease International Financial Services Co. Ltd. in a US\$40m term loan to First Ship Lease Trust Management, a Singapore company subject to a section 211B Companies Act moratorium order and a pending Section 210 Companies Act scheme of arrangement hearing

Ship finance

- Acted for syndicate of lenders for a US\$133m secured term loan facility to Chinese leasing company to finance 4 existing vessels.
- Acted for three syndicates of lenders in the delivery financing of four LNG carriers to Korean owners.

Sale and purchase of vessels

- Regularly acted for buyers and sellers in various sales and purchases of vessels, drafting delivery documents and negotiating on behalf of sellers and buyers at closing.

Rajah & Tann Singapore LLP, Singapore — Associate, Restructuring & Insolvency (April 2017-March 2018), Senior Legal Executive (January 2017-April 2017)

January 2017 - March 2018

Debt restructuring, US Chapter 11 restructuring, Section 211B Companies Act scheme of arrangement

- Acted for three banks in relation a consensual restructuring of two Singapore-listed group of companies in the offshore oil and gas sector, and as their Singapore counsel in the US Chapter 11 restructuring of the same.
- Acted for three banks in relation to a Section 211B Companies Act filing of the same Singapore-listed group of companies, including advising on their rights of enforcement and issues of transfer of security upon the resignation of existing security trustee and facility agent.
- Advised court-appointed judicial managers of Swissco Holdings in the judicial management and Section 210 scheme of arrangement of the company.

Debt recovery and enforcement actions

Regularly acting for financial institutions and corporate creditors in winding-up and bankruptcy proceedings, proceedings for vacant possession of mortgaged property and recovery of debt against debtors.

Consensual debt restructuring

Acted for a Singapore-listed construction company to restructure credit facilities and provide new security in connection with the restructuring, including drafting and advising on security documentation and intercreditor deeds.

The Business Times, Singapore Press Holdings, Singapore - Journalist

July 2010 - August 2013

- Analysed and interpreted financial results, business developments, regulatory changes and legal disputes in the offshore oil & gas and shipping sectors for The Business Times (circulation 35,000).

EDUCATION & QUALIFICATIONS

- **Advocate & Solicitor of Singapore**, 12 April 2017 to present
- **Singapore Management University**, Singapore — *Juris Doctor (Summa Cum Laude)*, August 2013 - December 2015
- **University of Chicago**, Chicago, IL, USA — *Bachelor of Arts (Hons) in International Studies and Political Science*, September 2006-June 2010
- **Raffles Junior College**, Singapore — *GCE A Levels*, 2005 to 2006
- **CHIJ St Nicholas Girls' School**, Singapore - *GCE O Levels*, 2000-2004

SKILLS

- Languages: English, Mandarin, Basic Cantonese, Conversational French
- Legal Research: LexisNexis, WestLaw, LawNet

AWARDS

- 2016: Wee Chong Jin Prize for the Most Outstanding Juris Doctor Graduate, Singapore Management University (“SMU”)
- 2016: Rajah and Tann Prize for the Top Student in Information Technology & The Law, SMU
- AY15-16: second-time recipient of the Kwa Geok Choo Postgraduate Scholarship
- AY14-15: Kwa Geok Choo Postgraduate Scholarship, Term Awards and Dean’s List
- AY13-14: Term Awards and Dean’s List
- 2006-2010: Dean’s list
- 2006: Singapore Press Holdings Journalism Scholarship to study at the University of Chicago.