



# Asia Dispute Resolution & Insolvency

## Corporate and Commercial Disputes

- Shareholder disputes, including those arising from breaches of constitutional documents and shareholders' agreements, directors' powers and duties, and minority rights
- Contractual disputes, involving share subscriptions and redemptions, derivatives and the realisation of security
- Disputes involving offshore structures and entities of all types including funds, partnerships, companies, trusts, investment vehicles, insurers, banks and trust companies

## Distressed Funds

- Our litigation and investment funds lawyers work hand in hand on:
  - Advising funds and their directors on winding down or restructuring funds' affairs
  - Acting for funds and service providers on NAV mispricing cases, audit negligence disputes and claims against directors
  - Advising on disputes between funds and investors on subscription terms and the interpretation of side letters
  - Acting for leverage providers and counterparties to distressed funds
  - Assisting creditors, investors, liquidators and service providers in contentious fund liquidations and parallel foreign bankruptcy and regulatory proceedings

## Asset Tracing and Enforcement

- Investigations and recovery
- Advice on issues involving urgent interim relief including orders for search, seizure, preservation, freezing and disclosure
- Representing financial institutions affected by such orders

## Fraud and White Collar Crime

- Coordinating multi-jurisdictional legal and investigative action
- to locate and recover the proceeds of fraud

## Corporate Restructuring

- Complex international debt and equity restructurings
- Insolvency aspects of complicated offshore and onshore transactions and structures
- Formal and informal restructurings and rehabilitations through schemes of arrangement, capital reductions, statutory mergers, solvent liquidations, provisional liquidations and other bespoke restructurings for private and listed companies

## Cross-Border Insolvency

- Complex cross-border insolvency, including joint appointments of Cayman Islands and British Virgin Islands insolvency officers with those from other jurisdictions
- Advice in connection with Chapter 11 or s304 U.S. Bankruptcy Code proceedings, cross-border protocols, parallel proceedings, and liaison with foreign courts

## Liquidations and Other Appointments

- All aspects of formal insolvencies, in particular for fund, bank, insurance and other financial services related insolvencies
- Solvent liquidations and other appointments

## Security Enforcement

- Structuring and enforcement of security and related rights for lenders, borrowers and office-holders

## Trust Litigation

- Breach of trust disputes
- Construction, rectification and variations of trust deeds
- Beneficiary disputes
- Re-organisation of trusts

## Regulatory Advice

- Acting for and against local regulators and dealing with foreign regulators
- Regulatory and compliance regimes, including qualification and licensing issues for funds, banks and trust companies on issues such as confidentiality, disclosure, anti-money laundering and suspicious activity reporting

## Arbitration / Alternative Dispute Resolution

- Arbitration and ADR issues throughout the financial services industry
- Enforcement of foreign arbitral awards

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## Hong Kong

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