

SIMON WONG 王星大律師

Barrister | Arbitrator | Mediator
FCIArb, FHKI Arb

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PROFESSIONAL QUALIFICATION

Barrister-at-law (Hong Kong), called in 2007
Arbitrator, FCI Arb, FHKI Arb, on HKBA list
Accredited Mediator, since 2008, on HKMAAL, HKBA, HKMC & HKI Arb panels/lists
Solicitor (Hong Kong) (2004-2006)

EDUCATION

2001 LL.B. (Hons) University of Hong Kong
2002 P.C.LL. University of Hong Kong

PRACTICE PROFILE

Simon specializes in personal injury litigation and commercial dispute resolution. He has been instructed in more than 300 personal injury and medical negligence cases. He has extensive experience in representing claimants as well as insurers, employers and principal contractors, which provides him with knowledge and insight from both sides of legal claims to effectively advise clients. In his commercial litigation practice, his experience includes company and shareholders' disputes, insolvency and contractual disputes. His clients include listed corporations and their directors, insurance companies and the construction industry.

A Fellow of the Chartered Institute of Arbitrators and the Hong Kong Institute of Arbitrators, Simon accepts appointment as an arbitrator. His experience includes commercial, insurance and construction arbitration and arbitration related court proceedings.

Simon has been an accredited mediator since 2008 and has vast experience in mediating cases ranging from commercial claims to family disputes. He has been appointed as a mediation instructor and a mediation coach, and is currently a Mediator Mentor under the MMS operated by JMHO. He is one of the winners in the category of Arbitration and Mediation in Finance Monthly – Law Awards 2018.

Simon is a part-time Lecturer at the University of Hong Kong and City University of Hong Kong. He has also been appointed as a judge in various international moot competition including Willem C Vis (East) International Commercial Arbitration Moot and The International ADR Mooting Competition.

SELECTED CASES

Personal injury and employees' compensation cases

Thapa Hari Bahadur v Paramount Engineering & Manpower Service Ltd & Anor, HCPI 408/2016, represented the defendants and persuaded the court to dismiss the plaintiff's application for pain management expert evidence

Pangma Dambar Dhoj v Dragages Hong Kong Limited & Anor [2018] 2 HKLRD 1436: represented the Defendants in court of appeal and the trial and persuaded the Court to dismiss the plaintiff's claim with costs

Xu Xinhong v Cheung Chu Lau [2018] HKCFI 327: represented the plaintiff in the assessment of damages and persuaded the court to award future loss of earnings; [2019] HKCFI 1691: persuaded the court to award enhanced interest on damages and costs to the plaintiff

Wan Fai Nam v Secretary for Justice for and on behalf of Director of The Leisure & Cultural Services, HCPI 882/2014, represented the plaintiff in trial to obtain damages of \$2.5 million

Thapa Kulbahadur v Grand Tech Construction Co Ltd, DCEC 878/2011: represented the Respondent in trial to contest liability and argued costs to be paid by the Applicant on an indemnity basis

Tsang Sung Lui as dependent for herself and on behalf of other dependents of Ruan Wen Fang, deceased v Kong Kin Chung, HCPI 636/2010: represented the Plaintiff in the assessment of damages arising from the deceased's death as a result of the Defendant's medical negligence

Lai Cheong Ming v Cheng Chung Yu Eric trading as Hui Fung Metal Work Factory & Anor, HCPI 504/2009: represented the Plaintiff in trial, established liability and argued future loss of earnings

Lau Yuk Hung v Tsang Kwong Ming & Anor, DCEC 614/2009: represented the Applicant in trial and established liability for the injured applicant

Thapa Komal v Norman Liang trading as J. Liang & Son, DCEC 352/2006: represented the Respondent and defended against liability

Advised the administrator of a deceased who died after a surgery of partial resection of right kidney and total removal of left kidney in an action against the private surgeon for medical negligence

Advised the claimant against a private medical practitioner for prescribing medicine to which the claimant was allergic

Solicitors who have engaged me in personal injury matters include Mayer Brown, Deacons, Kennedys, Hastings & Co, Winnie Leung & Co, Cheng Yeung & Co, Boase Cohen & Collins

Civil and commercial cases

Liu Kit Wing v The estate of Liu Fo Hing, Deceased [2019] HKCFI 833: obtained declarations for adverse possession of a 3-storery house in Sheung Shui

Kwong Yuen Seung Ivy & Others v Kwong Kam Hung [2019] HKDC 9: represented the plaintiffs at trial, established common intention construction trust in respect of a property and obtained directions for transfer of property back to plaintiffs

Essex Global Trading Inc. v Kinglite Electronic Co Limited, HCA 1713/2018: obtained urgent *ex-parte* Mareva injunction against the Defendant

Able (H.K.) Holdings Ltd v CS Construction & Consultancy Ltd, HCA 3171/2016: obtained summary judgment with costs

China Shanshui Cement Group Limited & Others v Zhang Caikui & Others, HCA 2880/2015: represented a non-executive director of a listed company in defending an action for damages for conspiracy and breach of fiduciary duties

Chu Yu Tin & Anor v Lai Shiu Woon formerly known as Ng Lai Shiu Woon, HCA 3136/2016: resisted plaintiffs' summary judgment application for transfer of shares in three Hong Kong companies

Multivest Limited v The Incorporated Owners of Yuet Ming Building, HCA 564/2015: represented an owner of a commercial-residential building in suing the Incorporated Owners for breach of DMC and seeking injunctive reliefs, and reached satisfactory outcome

Hung Yuk Mang v Etek Company Limited, HCMP 883/2013: obtained declarations for adverse possession of a piece of land in Hunghom of over 4,000 square feet

莫偉翔 v 香港神托會 & Others, HCA 2597/2005 & HCA 2351/2003: obtained an order of striking out of the Plaintiff's defamation claim

Tsoi Sau Li, the executrix of the estate of Lam Wing Fai, the Deceased v Lim Yuen Chi, HCA 632/2014: obtained summary judgment of a debt of \$5.4m

Hung Tat Industrial Limited v Lim Yuen Chi, HCA 630/2014, resisted striking out application

Smart-Trans Logistics Limited v Great Master Logistics Company Limited & Anor, HCA 610/2014: resisted summary judgment application

Cheung Cho Kam Cindy & Anor v Cheung Yuet Ying Rose, CACV 178/2008: resisted the appeal on conversion and beneficial ownership of properties

Chan Kin Lam v Sunray Cave Limited, HCA 1997/2006: represented the Defendant in trial contesting the contractual claim on the defence of forgery and obtained indemnity costs

Magnum (Investment) Corporation Limited trading as Man Tak Pharmacy v Li Chung Shing Tong (Holdings) Limited, HCA 37/2011: represented the sole Hong Kong distributor in a dispute concerning the medicinal product "Po Chai Pills"

Arbitration

Dispute between a main contractor and a sub-contractor of a luxurious serviced apartment building over the interior fit out work, HKIAC administered

Dispute between an insurance company and the insured over a Property All Risks Policy and a Public Liability Policy arising from a fire incident in a warehouse

Dispute between a main contractor and a sub-contractor in respect of some mechanical works in public hospitals, HKIAC administered

Dispute between an insurance company and the insured over a Public Liability Policy arising from an interior renovation project

Dispute between an insurance company and the insured's family over a Travel Insurance Policy arising from the death of the insured during travel

Dispute between a Mainland citizen and a Hong Kong company over a commercial contract

Dispute between a Mainland company and a Hong Kong citizen over share transfer in a Mainland company, CIETAC Beijing administered

Mediation

Employees' compensation/personal injury claims and actions between insured and insurer

Medical negligence claims

Other tort claims including nuisance and defamation claims

Claim under Disability Discrimination Ordinance

Commercial and contract disputes of different nature

Property disputes, including disputes under Land (Compulsory Sale for Redevelopment) Ordinance and under Building Management Ordinance

Intellectual property disputes

Breach of trust actions

Contentious probate actions

Companies winding-up actions

Shareholders' disputes

Financial disputes in matrimonial cases including disputes under Inheritance (Provision for Family and Dependents) Ordinance

Solicitors who have engaged me for mediation included (in alphabetical order):

Au Yeung, Lo & Chung	B.C. Chow & Co.	Boase Cohen & Collin
Bruno Yiu & Co.	Cheung, Fung & Hui	Chong, So & Co.
C.Y. Lam & Co.	Department of Justice	Francis Kong & Co.
Gallant	George Y.C. Mok & Co.	Ho, Tse, Wai & Partners
Homan Fenwick and Willan	Huen & Partners	Iu, Lai & Li
Jimmy K.S. Wong & Partners	Johnny K.K. Leung & Co	Joseph C.T. Lee & Co.
Jun He Law Offices	Kenneth C.C. Man & Co.	Kenneth Poon & Co.
Kevin LI & Co.	Khoo & Co.	Kong & Tang
Lau, Chan & Ko	Li, Kwok & Law	Li & Partners
Liu, Chan & Lam	Ma, Tang & Co.	Oliver C.M. Chan & Co.
Or & Lau	Robert Lee Law Offices	Rowdget W. Young & Co.
Rowland Chow, Chan & Co.	Simmons & Simmons	Sit Fung Kwong & Shum
S.K. Wong & Co	Szwina Pang, Edward Li & Co	Tong & Tsoi
Tso Au Yim & Yeung	T.C. Lau & Co.	Tony Kan & Co
V Hau & Chow	Waller Ma Huang & Yeung	W.K. To & Co.
Wong & Co.	Wong, Poon, Chan, Law & Co.	Wongs
Yeong & Co.	Yung, Yu, Yuen & Co.	