

SIMON WONG 王星大律師

Barrister (HK) | Attorney (CA) | Arbitrator | Mediator
FCIArb, FHKIArb

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PROFESSIONAL QUALIFICATION

Barrister-at-law (Hong Kong), called in 2007
Attorney-at-law (California, USA), called in 2020
Mediator, accredited in 2008
Arbitrator, awarded Fellowship in 2015
Solicitor (Hong Kong) (2004-2006)

PRACTICE PROFILE

“Simon is a great communicator, very meticulous, and provides sound practical advice. His arguments are well-structured and very persuasive. Sensible, commercial and very responsive.”

Legal 500 Asia Pacific 2022, Commercial Disputes – Leading Juniors

“An experienced counsel in employment law. He provides sound and practical advice, and his forensic and legal analysis is invaluable.”

Legal 500 Asia Pacific 2022, Labour and Employment – Leading Juniors

“A fearless and forceful advocate who provides incredibly robust advice which gives confidence and certainty to those instructing him.”

Legal 500 Asia Pacific 2021, Labour and Employment – Leading Juniors

Simon is qualified to practise law both in Hong Kong and California USA. He specializes in personal injury litigation and commercial dispute resolution. In his personal injury practice, he has been instructed in more than 400 personal injury and medical negligence cases and has extensive experience in representing claimants as well as defendants which provides him with knowledge and insight from both sides of legal claims to effectively advise clients. Simon's large defendant based practice sees him regularly instructed by insurance companies including AIG, Allianz, Allied World, Asia, AXA, Berkshire Hathway, BOCG, Chevalier, China BOCOM, China Pacific, China Taiping, Liberty, Pacific, Prudential, QBE, Swiss Reinsurance, Tokio Marine & Fire, Trinity and Zurich. Other clients include KMB, Hong Kong Sanitorium & Hospital, HKHA, DOJ and property developers.

Simon's commercial litigation experience includes company and shareholders' disputes, insolvency and contractual disputes. He also has an ever-increasing experience in probate, trust and land matters including Chinese customary law.

Simon is also an ADR practitioner. 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. He also has a busy mediation and negotiation practice since receiving his accreditation in 2008 and has vast experience in mediating cases ranging from commercial claims to family disputes.

SELECTED CASES

Personal Injury Cases

Thapa Hari Bahadur v Paramount Engineering & Manpower & Anor [2022] HKCFI 334: represented the defendants in the trial; Court dismissed the plaintiff's claim with costs on indemnity basis

Cheung Hon Yu v Chun Lee Engineering Co Ltd & Anor [2021] HKCFI 1687: represented the defendants in the assessment of damages; Court awarded only 3% of the plaintiff's claim

Law Chi Ping v Li Kin Sun Andy & Ors [2021] HKDC 358: represented the applicant in the employees' compensation case; Court adopted Paper Mill formula and awarded a judgment of \$2.5 million

Hu Wan v Sanwo International Company Limited [2021] HKDC 237; [2021] HKDC 948: represented the plaintiff in the assessment of damages; Court awarded future loss of earnings based on her inability to resume pre-accident job; Court awarded indemnity costs with enhanced interest

Liu Hua v Hong Kong Sanitorium & Hospital [2021] HKCFI 318: represented the hospital; Court struck out the plaintiff's pleading and dismissed her claim

Law Ping Yim v Luk Fuk Holdings Co Ltd [2021] HKDC 7: represented the respondent at trial; Court dismissed the applicant's claim on the ground that the accident did not arise out of employment

Angbuhhang Netra Jang v Liang O-Routke Construction Hong Kong Ltd & Anor [2020] HKCFI 2928 and [2020] HKCFI 232: represented the defendants at trial; Court dismissed the plaintiff's claim, and awarded costs on indemnity basis with enhanced interest

Yeung Ho Man v Shum Kin Leung & The Kowloon Motor Bus Company (1933) Limited [2020] HKCFI 2531 and [2020] HKCFI 2781: represented the defendants at trial; Court dismissed the plaintiff's claim and awarded = costs on indemnity basis with enhanced interest

張麗珍 對 *Leighton Able Joint Venture* 及另一人 [2019] HKDC 1259: represented the respondent; Court dismissed the applicant's employees' compensation case

Pangma Dambar Dhoj v Dragages Hong Kong Limited & Anor [2018] 2 HKLRD 1436: represented the Defendants in Court of Appeal and the trial, Court dismissed the plaintiff's claim with costs

Xu Xinhong v Cheung Chu Lau [2018] HKCFI 327, [2019] HKCFI 1691: represented the plaintiff in the assessment of damages; Court awarded future loss of earnings and costs on indemnity basis with enhanced interest

Thapa Kulbahadur v Grand Tech Construction Co Ltd, DCEC 878/2011: represented the respondent at trial; Court dismissed the applicant's claim with costs on 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; Court allowed future loss of earnings

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

Advised the claimant against a private eye doctor for conducting an eye surgery without informed consent

Advised the claimant against a private cardiologist for mismanagement in a heart surgery

Civil and Commercial Cases

Chu Yu Bun v Lai Shiu Woon (formerly known as Ng Shiu Woon) [2021] HKCA 1929; [2020] HKCFI 2195: represented the defendant; Court struck out the plaintiff's claim on the ground of abuse of court process

Canara Bank v Excel Triumph Limited & Anor [2021] HKCFI 3747: represented the defendants who were the debtor and guarantor; Court dismissed the plaintiff's O.14 application with costs

Wong Ling Pan v Team Building Ltd [2021] HKCFI 336: represented the plaintiff in this appeal; Court dismissed the defendant's application to set aside default judgment

Yuan Yuqin v Cheung Hiu Yan Fion and Chiu Yu Shing [2020] HKCFI 1419: defended the 2nd defendant at trial based on forgery and absence of ratification; Court dismissed the plaintiff's claim with costs

Wu Fung Chu v Ng Pak Wing [2020] HKCFI 615: represented the plaintiff; Court granted summary judgment against defendant based on a declaration of trust

Aspiria Nonfood GMBH v Jarrell Trade Limited (HCA 272/2020): represented the plaintiff; Court granted urgent *ex-parte* Mareva and proprietary injunction against the defendant

Liu Kit Wing v The estate of Liu Fo Hing, Deceased [2019] HKCFI 833: represented the plaintiff at trial; Court granted declarations for adverse possession of a 3-storey house in Sheung Shui

Kwong Yuen Seung Ivy & Others v Kwong Kam Hung [2019] HKDC 9: represented the plaintiffs at trial; Court gave judgment to the plaintiffs based on common intention constructive trust

Essex Global Trading Inc. v Kinglite Electronic Co Limited, HCA 1713/2018: represented the plaintiff; Court gave urgent *ex-parte* Mareva injunction against the defendant

Hung Yuk Mang v Etek Company Limited, HCMP 883/2013: represented the plaintiff at trial; Court granted declarations for adverse possession of a piece of land in Hunghom

莫偉翔 v 香港神托會 & Others, HCA 2597/2005 & HCA 2351/2003: represented the defendants; Court ordered the plaintiff's defamation claim be struck out

Tsoi Sau Li, the executrix of the estate of Lam Wing Fai, the Deceased v Lim Yuen Chi, HCA 632/2014: represented the plaintiff; Court ordered summary judgment of a debt

Cheung Cho Kam Cindy & Anor v Cheung Yuet Ying Rose, CACV 178/2008: represented the plaintiff; Court dismissed the defendant's appeal based on conversion and beneficial ownership of properties

Chan Kin Lam v Sunray Cave Limited, HCA 1997/2006: represented the defendant at trial; Court dismissed the plaintiff's breach of contract claim with costs on indemnity costs

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

Dispute between an insurance company and an insured over a motor vehicle policy arising from a fire

Dispute between a Hong Kong company and a Singaporean company over a commercial contract for supply for food with a disputed amount of US\$50,000,000, HKIAC administered

Mediation

Employees' compensation/personal injury claims; Medical negligence claims; Other tort claims including nuisance, water leakage and defamation claims; Employment and discrimination claims; Commercial and contract disputes of different nature; Property disputes; Intellectual property disputes; Breach of trust actions; Contentious probate actions; Companies winding-up actions; Shareholders' disputes; Financial disputes in matrimonial cases