

SIMON WONG 王星大律師

Barrister (HK) | Attorney (CA) | Arbitrator | Mediator
FCI Arb, FHKI Arb

Denis Chang's Chambers
9/F One Lippo Centre, 89 Queensway, Hong Kong
Tel: +852 2810 7222 Fax: +852 2845 0439
swong@dcc.law
www.dcc.law

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

RECOGNITION

Legal 500 Asia Pacific 2022-2024, Commercial Disputes – Leading Junior
Legal 500 Asia Pacific 2021-2024, Labour and Employment – Leading Junior

APPOINTMENT

Deputy Adjudicator, Labour Tribunal, March to June 2024

PRACTICE PROFILE

Simon is qualified to practise law both in Hong Kong and California USA. He specializes in personal injury litigation, employment law and commercial dispute resolution. In his personal injury practice, he has been instructed in more than 600 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, Blue Cross, BOCG, Chevalier, China BOCOM, China Overseas, China Pacific, China Taiping, CMB Wing Lung, Generali, Hong Leong, Japan P&I Club, Liberty, Min Xin, Pacific, Prudential, QBE, Swiss Reinsurance, Tokio Marine & Fire, Trinity, Well Link, XL Insurance and Zurich. Other clients include MIB, KMB, hospitals, DOJ and property developers.

Simon's commercial litigation experience includes company matters, shareholders' disputes, banking disputes, insolvency matters and contract claims. He recently represented a director of a HK listed company in a 40-day trial in the High Court. He also accepts instructions in employment, probate, trust and land matters.

Simon is also an ADR practitioner. A Fellow of the Chartered Institute of Arbitrators and the Hong Kong Institute of Arbitrators since 2015, Simon accepts appointment and instructions as an arbitrator or advocate in commercial, construction and insurance arbitration and related court proceedings. He also has a busy mediation and negotiation practice since receiving his accreditation in 2008 and has vast experience in mediating different types of cases. He has mediated more than 200 disputes.

RECENT CASES

Personal Injury Cases

Cheung Ki Lam v Choi Tak Tai & Anor [2024] HKDC 1362: represented the 2nd defendant employer in the trial; Court dismissed the plaintiff's claim against the employer for an assault by a third party against the plaintiff; Court also ordered the assaulter 1st defendant to indemnify the 2nd defendant the employees' compensation paid

Mak, Rachel Wing Nam v Ching Kai Chung [2022] HKDC 1481; [2023] HKDC 581; [2024] HKCA 818: represented the defendant in the trial of a claim arising from a traffic accident; Court dismissed the plaintiff's claim with indemnity costs; District Court and Court of Appeal dismissed the applications for leave to appeal

Wu Kit Sang v Fan Chor Man trading as Sam Po Engineering Co [2023] HKDC 547; [2024] HKCA 736: represented the Applicant in the trial of the employees' compensation case; Court held in favour of the Applicant and awarded compensation; Respondent's appeal in the Court of Appeal was dismissed.

Liu Caiqiong v Good Excel Property Consultants Limited [2022] HKCFI 2922; [2023] HKCA 1252: represented the defendant in the trial of a claim arising from an accident at work; Court dismissed the plaintiff's claim with costs on indemnity basis; obtained an order for security for costs in the Court of Appeal

Khalid Ali v Megastrength Security Services Limited [2023] HKDC 1549: represented the defendant in the trial of a work accident; Court dismissed the plaintiff's claim with indemnity costs

Wu Dip Oi formerly known as Wei yuling v Harbour City Estates Limited [2023] HKDC 1450: represented the defendant in the trial of a slip-and-fall accident in a shopping mall; Court dismissed the plaintiff's claim with costs

Yen Peter Pak Van v Nisilk Limited & Anor [2023] HKDC 1445: represented the defendant in the trial of a slip-and-fall accident in a commercial building; Court dismissed the plaintiff's claim with costs

Imran v Intrafor Hong Kong Limited [2023] HKCFI 2032; [2024] HKCFI 100; [2024] 1 HKLRD 1066: represented the defendant in the trial of an industrial accident claim; Court dismissed the plaintiff's claim with costs

Wu Kit Sang v Fan Chor Man t/a Sam Po Engineering Co [2023] HKDC 547: represented the applicant in the employees' compensation trial; established employment relationship; Court awarded compensation to the applicant

Chen Jingwu v Yan Ching Construction Co Ltd & Anor [2022] HKDC 473; [2022] HKDC 1304; [2023] HKDC 612; [2024] HKCA 73: represented the defendant in the assessment of damages; Court ruled that the assessed damages did not exceed the EC payment and the plaintiff was ordered to pay costs on indemnity basis to the defendant; application for leave to appeal before DC and CA were both dismissed

Ho Tse Ying Connie v Aviation Security Company Limited [2022] HKDC 284; [2022] HKDC 988: represented the respondent in the costs hearing after the applicant discontinued the EC action upon receipt of damages in PI action; court ordered the applicant to pay costs of whole action to the respondent; the applicant's application for leave to appeal was also dismissed

Yip Chi Keung v Ming Tai Construction Engineering Co Ltd & Anor [2022] HKCFI 543: represented the defendants in the assessment of damages; Court ruled that the assessed quantum was less than the amount of EC which plaintiff had received

Thapa Hari Bahadur v Paramount Engineering & Manpower & Anor [2022] HKCFI 334, [2022] HKCFI 1305, [2022] HKCA 1516: represented the defendants in the trial of the industrial accident claim; Court dismissed the plaintiff's claim with costs on indemnity basis with enhanced interest at the statutory maximum rate

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 at the statutory maximum rate

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 at the statutory maximum rate

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

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

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

Advised a private hospital in striking out a patient's claim

Civil and Commercial Cases

Ko Pui Yee & Ors v Jones Lang Lasalle Management Services Limited [2023] 2 HKLRD 1382: represented the defendant in the appeal against a decision of Small Claims Tribunal which held the defendant liable in negligence for property damage; appeal allowed and small claims adjudicator's decision set aside

Chu Yu Bun v Lai Shiu Woon (formerly known as Ng Shiu Woon) [2021] HKCA 1929; [2020] HKCFI 2195: represented the defendant in both the Court of Appeal and Court of First Instance; 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

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

Arbitration

Dispute between Hong Kong companies and a BVI company over a loan with a disputed amount of over HK\$1,000,000,000, HKIAC administered

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

Siu Pang Fai t/a Kam Pang Civil Engineering Co v Charmwood Development Limited & Anor [2023] HKDC 1168: appeared for the defendants in an appeal hearing and successfully persuaded the Court to allow the appeal, to stay the action and refer the claims to 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

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