

# Ambit Legal LLC



## **Stephen Cheong (Managing Director)**

### ***Areas of Practice***

Insurance and Reinsurance; International Commercial Arbitration; General Litigation, Labour & Employment; Data Privacy; Private Client; Cross Border Advisory; Disputes Management.

### ***Recognition***

- Recommended, Dispute Resolution: Local Firms, The Legal 500 (2019).
- “Excels in just about everything. Stephen is extremely efficient, responsive and result-oriented in delivering the product.”, Benchmark Litigation 2022

### ***Representative Matters***

#### **Insurance and Reinsurance**

- Assisting an international insurer in respect of contentious and non-contentious matters arising out of and in connection with the catastrophic Thailand Floods of October 2011. The total quantum in dispute was in excess of THB 100 billion. This role required relocation to Bangkok, Thailand.
- Secondment to a leading Australian insurance company as claims counsel for Singapore, Malaysia, Vietnam and Hong Kong. Responsible for providing legal advice to claims handlers on contentious matters, approval of the appointment of external legal counsel, developing strategic and transformation initiatives to monitor and assess the performance of outside counsel and learning and development.
- Assisting an international insurer in respect of claims arising out of and in connection with 2024 Typhoon Yagi in Vietnam. Total quantum at stake in excess of USD 50 million.

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- Working closely with international insurers and local counsel to defend worldwide business interruption claims commenced by a US car manufacturing conglomerate for worldwide business interruption losses arising out of the 2011 Thailand Floods. Approximately US\$69 million was at stake.
- Representing national independent power producer in ad hoc arbitration proceedings against insurers for property damage and business interruption losses arising from turbine failure of a coal-fired power plant in Malaysia. Approximately US\$70 million was at stake.
- Acting for a Philippine reinsurer in a dispute against a US retrocessionaire arising out of and in connection with an excess of loss treaty covering losses subsequent to the Thailand Floods of October 2011. Approximately PHP 250 million was at stake.
- Acting for and advising an international reinsurance syndicate against a property damage and business interruption claim arising from turbine failure in the Philippines. Approximately US\$65 million was at stake.
- Acting for and advising an international independent power producer in a machinery breakdown and business interruption claim against Insurers for losses arising from failure of a power plant in Sri Lanka.
- Acting for and advising the subsidiary of a conglomerate listed on the Stock Exchange of Thailand in a material damage and business interruption claim against Insurers for losses arising from Fire damage to a crude oil refinery. Approximately US\$45 million was at stake.
- Representing insurers of a property management company in the successful resolution of a multi-million dispute instituted by the property under management arising out of and in connection with the defalcation by a former employee of the insured.
- Advised a NASDAQ listed FMCG company against its primary and excess layer insurers in relation to indemnity following settlement of claims brought in the USA against the company for alleged fraudulent accounting, with claim amount of US\$ 25 million. Arbitration proceedings in Shanghai, China under SHIAC Rules.
- Advising a Singaporean government linked conglomerates and various startups on matters relating to policy coverage following a comprehensive review of existing Director & Officer Liability Policies.
- Conducting internal investigations and advising international reinsurance brokers in respect of liability issues arising out of the placement and claims handling of reinsurance treaties on behalf of Taiwanese insurers covering Covid-19 claims following disputes arising between Taiwanese insurers and global reinsurers.

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## International Arbitration

- Representing a listed mining and processing company in ACICA arbitration proceedings against a global engineering company for damages and loss of profits arising out of the catastrophic failure of mining equipment. Approximately US\$85 million was at stake. Acted as counsel (**ACICA Case 2014.81**)
- Representing the subsidiary of a conglomerate listed on the Stock Exchange of Thailand in SIAC arbitration proceedings (including emergency arbitration proceedings for urgent interim relief) arising out of a joint venture mining dispute. Approximately S\$4.2 million was at stake. Acted as counsel. 2013 matter.
- Representing a Taiwanese manufacturer of scooters and quadbikes in SIAC arbitration proceedings against a French importer and distributor following the termination of the commercial relationship. More than EUR 12 million was at stake. Acted as counsel.
- Representing a Thailand-based company engaged in agro-industrial business and production of food in expedited SIAC arbitration proceedings in Singapore arising out of a share purchase agreement dispute. More than THB 91 million was at stake. Acted as counsel (**SIAC ARB 214/17/ARK**)
- Representing a Russian pharmaceutical company in SIAC arbitration proceedings in Singapore against an Indian company in respect of disputes arising out of a distribution agreement. More than USD 2 million was at stake. Acted as counsel (**SIAC ARB 945/20/AB**)
- Representing a Thailand-based company engaged in the business of entertainment in a JAMS arbitration against a claim by a US-based company for breach of the terms of a licensing agreement. Acted as instructing counsel.
- Representing national independent power producer in ad hoc arbitration proceedings against insurers for property damage and business interruption losses arising from turbine failure of a coal-fired power plant in Malaysia. Approximately US\$70 million was at stake. Acted as counsel.
- Representing a local supplier of bottled LPG gas in ad hoc arbitration proceedings (with parallel litigation proceedings) against insurers in respect of losses arising from the catastrophic destruction of a LPG bottling facility by fire. More than SGD 9 million was at stake. Acted as counsel (**SIAC ARB 258/2020**)
- Representing a Thailand-based company in the offshore marine sector in SIAC arbitration proceedings in Singapore against an Australian sub-contractor in respect of disputes arising out of and in connection with the supply of sub-sea equipment. Acted as counsel (**SIAC ARB 095/21/HTD, ARB 096/21/HTD, ARB 097/21/HTD and ARB 098/21/HTD**)
- Representing a global provider of agricultural science and technology and seed and crop protection products in an arbitration against a software product

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company in respect of a dispute arising out of supply agreement. Acted as counsel (**SIAC ARB 299/21/BRP**)

## Court Litigation and Mediation

- Representing a local supplier of bottled LPG gas in litigation proceedings (with parallel arbitration proceedings) against insurers in respect of losses arising from the catastrophic destruction of a LPG bottling facility by fire. More than SGD 9 million was at stake.
- Representing international reinsurance brokers in defeating an application for pre-action discovery by the Insured.
- Obtaining summary judgment on behalf of a PRC Investment Holding company against an individual in respect of breach of the terms of a share purchase agreement.
- Appointed by professional and indemnity liability insurers (P&I) to defend an architect in Singapore High Court proceedings commenced by the owners of a hotel for loss of profits occasioned by the delay in completion of the construction works due to alleged professional negligence.

## Labour & Employment

- Advising and representing the former CEO of a mining company in a multi-million dollar dispute arising from the wrongful retention of termination benefits by his former employer.
- Appointed as designated labour and employment outside counsel in respect of Singapore related employment matters for a Singapore subsidiary of a Cypriot Tech company.
- Appointed as designated labour and employment outside counsel in respect of all Singapore related employment matters for a leading Singapore hedge fund. Advising and representing the client in all employment-related disputes.

## Data Privacy

- Appointed as designated privacy outside counsel for a Singapore subsidiary of a Cypriot Tech company. Advising on data privacy issues, review and drafting of data transfer agreements and data privacy notices.

## Others

- Represented the Law Society of Singapore in disciplinary proceedings before the Court of Three Judges (C3J/OA1/2023)

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## ***Speaking Engagements***

- Joint speaker at a seminar entitled “*IPO Listings – Managing Risk; Unlocking Potential*”, organized jointly by Markel International Singapore and SGX in 2014 on topics covering the transfer of risk in M&A financial lines.
- Speaker at the 2014 Construction Law Conference organized by the Society of Construction Law on “*Transferring Risk – Current Challenges Facing the Construction Industry and Mitigating Risks in Projects – A Legal Perspective*”.
- Conducted inhouse seminars to clients on “*Fundamentals of Contract Law*” and “*Legal Proceedings and Alternative Dispute Resolution in Singapore*”.
- Participated in inhouse seminars to clients on “*How Third Party Funding for Dispute Resolution is Impacting the Insurance Industry in Asia*”.
- Participated in inhouse seminars to clients: “*First Thailand Now Texas: Wide Area Flood Damage and the Critical Coverage Issues*”.
- Panelist at the Expert Witness Institute Conference Singapore 2019 Panelist “*Expert Evidence in the Asia Pacific Region. Expert Evidence in International Arbitration*”.
- Joint speaker on “M&A Disputes: Liability, Quantum and How to Avoid Dealing with Either” at the ICC Bangkok, November 2019

## ***Professional Memberships***

- Member of the Singapore Institute of Legal Education.
- Member of the Law Society of Singapore
- Fellow of the Singapore Institute of Arbitrators
- Member of the Chartered Institute of Arbitrators
- Panel of Arbitrators, Korean Commercial Arbitration Board (KCAB International)
- Panel of Arbitrators, Asian International Arbitration Centre (AIAC)
- Panel of Mediators, Asian International Arbitration Centre (AIAC)

## ***Admissions***

- Advocate and Solicitor, Singapore.
- Commissioner for Oaths, Singapore.
- Notary Public, Singapore

## ***Academic Record***

- National University of Singapore, LLB Hons.