

# GALL

## Kenix Yuen CONSULTANT

Practice Area(s):

BUSINESS LITIGATION, CHINA RELATED MATTERS,  
FRAUD/ASSET TRACING, REGULATORY/CRIMINAL,  
ARBITRATION, INSOLVENCY

Kenix qualified as a solicitor in Hong Kong in October 2012. She joined Gall in June 2013, having previously worked for another boutique litigation firm. Prior to commencing her career as a solicitor, Kenix worked in the Legal and Compliance Department of an international bank and the individual tax team of one of the Big Four accounting firms. She holds a Bachelor of Laws in conjunction with a Bachelor of Business Administration (Law) from The University of Hong Kong, a Master of Social Science in Health Care Ethics and Law from The University of Manchester, a Master of Science in International Finance from The Berlin School of Economics and Law.

Since joining Gall, Kenix specialises in cross border commercial litigation and international arbitrations (in particular, involving element(s) of the People's Republic of China ("PRC")) covering contractual disputes, shareholders' disputes, directors' duties, fraud and asset tracing, misrepresentation and mis-selling claims. She also has experience in advising on regulatory investigations conducted by the Securities and Futures Commission and a regulatory inquiry from the Insurance Agents Registration Board.

Kenix's recent cases include:

- Successfully dismissing the contractual claims against Rio Tinto Shipping (Asia) Pte Ltd. by NewOcean Petroleum Company Limited, a supplier of oil bunkers, and setting aside leave to serve a Concurrent Writ out of jurisdiction based on a tortious claim, arising from the liquidation of the OW Bunkers Group (HCA 446/2015, 15.04.2016; HCA 2265/2016, 18.05.2017, 16.03.2018);
- Representing Madam Zhang Lan, a prominent PRC entrepreneur, in CIETAC arbitrations, defending misrepresentation claims of around USD300 million commenced by a private equity fund, and defending the related Hong Kong proceedings (HCMP 585, 586/2017, 14.03.2018);
- Representing a reputable and sizable investment firm in Shanghai in an arbitration, pursuing claims in relation to a share purchase agreement against an offshore entity controlled by a PRC individual, and successfully dismissing the opponent's application to set aside the arbitral awards (HCCT 39/2014, 19.06.2015);
- Representing and advising a witness in the Inquiry into Excess Lead Found in Drinking Water;
- Advising and representing private equity firms / investment firms in various cross border disputes concerning the management and control, and disposal of assets worth more than a billion US dollars.



+852 3405 7688



kenixyuen@gallhk.com

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- Advising and representing a licensed representative in a claim brought by investors against an international bank;
- Representing a HK listed company defending claims made by an ex-director and counter-claiming for breach of fiduciary duties;
- Advising a PRC individual in relation to an ICAC investigation and the related financial regulatory matters;
- Representing a company in Singapore in a breach of fiduciary duties claim against a director for misappropriation of assets;
- Representing a garment manufacturing company in Ningbo in pursuing contractual and tortious claims against an international retail chain stores;
- Advising a PRC individual on the recovery of shares in a listed company which have been unlawfully transferred;
- Representing directors of a Hong Kong listed company defending claims brought by ex-director based on the alleged misrepresentations on an investment in the PRC;
- Representing investors pursuing claims against financial institutions concerning mis-selling of investment products;
- Representing victims of internet fraud to apply for Mareva and proprietary injunctions against the recipients of funds;
- Representing recipients of funds to defend claims by victim of internet fraud based on unjust enrichment, constructive trust, knowing receipt and dishonest assistance;
- Representing foreign litigants to apply for or discharge Mareva and proprietary injunction prohibiting disposal of assets in Hong Kong in aid of foreign proceedings;
- Successfully striking out professional negligence claims by a litigant in person against a law firm (HCA 173/2014, 05.11.2015).

Kenix is a native Cantonese speaker and is fluent in Mandarin and English.