

Paul Kwan

Partner | Litigation and Dispute Resolution | Hong Kong

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Paul specialises in litigation and dispute resolution. He has extensive experience in a broad range of litigation matters, including company matters, banking disputes, shareholder disputes, regulatory and investigatory matters, commercial fraud, land title disputes, building management issues, landlord and tenancy disputes, land resumption cases, contentious probate, trusts, matrimonial proceedings and family settlement, employment disputes and major commercial cross-border litigation.

Paul regularly advises the government, developers, management companies and incorporated owners on all contentious property, tenancy and building management matters and on land resumption and compulsory sale cases.

In addition, Paul is also familiar with handling EOC complaints and discrimination cases. He regularly advises on staff redundancy, disciplinary issues and internal control mechanisms, and represents clients in obtaining injunctions against ex-employees for breach of non-competition and secrecy clauses.

He often represents companies or shareholders in various company, shareholder or contractual disputes, including cross-border disputes. He has acted as expert witness in Hong Kong law in relation to foreign commercial disputes on a number of occasions.

Paul regularly advises banks in relation to contentious matters involving allegations of mis-selling of investment products, anti-money laundering issues, breach of mandate etc.

He also handles a wide range of commercial disputes including sale of goods, agency and distributorship, mortgage action and money lenders claims.

Paul is experienced in dealing with commercial crime and investigations by the CCB, ICAC and SFC.

Highlights

- Acting for a bank in defence of claims of mis-selling of investment products by high net worth individuals.
- Acting for a bank to defend an application for mandatory injunction for the release of monies frozen pursuant to the Organised and Serious Crimes Ordinance.
- Acting for a client in a banking dispute in relation to loan and mortgage documentation and involving multiple concurrent proceedings in Hong Kong, the PRC, Barbados and the PRC.
- Acting for a German based company to obtain Norwich Pharmacal discovery orders and injunctions and judgments against various parties in respect of various fraudulent schemes based on forged documents.
- Acting for the beneficiaries of an estate to defend a claim of adverse possession in relation to the estate's property representing a wall resting on an adjacent development.
- Acting for a multi-national advertising group to defend a member's application for inspection of records under the Companies Ordinance.
- Acting for the administrators of a substantial estate involving trusts and assets in various jurisdictions including Singapore, Switzerland and New Zealand.
- Acting for a buyer claiming against a factory for supply of defective parts resulting in



Principal Areas

- Family Law
- Litigation and Dispute Resolution
 - Banking Litigation
 - Employment Disputes
 - Fraud and Asset Tracing
 - Product Liability
 - Professional Negligence
 - Shareholder and Partnership Disputes
 - Trust, Probate and Private Wealth Disputes
- Private Clients
- Real Estate
 - Real Estate Disputes
- Regulatory
 - Bribery, Fraud and Corruption

Sectors

- Consumer Goods and Retail
- Education
- FinTech
- Hospitality and Leisure
- Private Wealth
- Technology, Media and Telecom

Languages

- English
- Cantonese

Jurisdictions

- Hong Kong

worldwide product recall exercise.

More about Paul Kwan

Accolades

Recognised in *Asia Pacific Legal 500* (2018) – "... and 'sensible adviser' Paul Kwan;"

Recognised for Dispute Resolution in the *Asia Pacific Legal 500*

Ranked as a leading lawyer for Employment in *Asia Law Profiles*

Appointments/Memberships

Member, The Law Society of Hong Kong

Editorial Advisory Board: *Hong Kong Encyclopaedia of Forms and Precedents*

Editorial Board: *Lexis Practical Guidance Dispute Resolution*

Education

Bachelor of Laws, 1989

Postgraduate Certificate in Laws, 1990

Master of Laws, 1996

Publications

Co-Author of various legal publications:

Company Secretarial Manual

Hong Kong Employment Law – A Comprehensive Guide

Employment Termination Report

Guide to Hong Kong Law (1st to 4th Edition)

The Hong Kong Encyclopedia of Forms and Precedents (Business Organisations: Partnership)

The New Companies Ordinance Vol II: Company Financing – Equity & Debt

The New Companies Ordinance Vol.IV: Directors, Company Secretaries & Shareholder Remedies

Sole Author of legal publication:

Hong Kong Corporate Law (2006) (Hard Cover)

Hong Kong Corporate Law (2010 to present) (Loose Leaf) (6 Volumes)

Recent Activities

Seminars

Speaker and guest lecturer for universities and professional institution on corporate law, corporate governance and compliance.