


## Michael Chik

PARTNER | HONG KONG

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 MICHAEL.CHIK@WITHERSWORLDWIDE.COM

 +852 3711 1688

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SECRETARY SHARON WONG

 SHARON.WONG@WITHERSWORLDWIDE.COM

 +852 3711 1730



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### Michael is a partner in the litigation and arbitration team.

He has over 10 years of experience in advising and representing clients on commercial disputes and regulatory matters. His practice focuses on high value commercial conflicts relating to complex business transactions, shareholder disputes, fiduciary duties, financial institutions and inheritance disputes of wealthy families.

Over the years, he has been acting as clients' trusted advisor in some of the most high-profile court cases in town, litigating novel questions in law and involving international elements or parallel litigation overseas. His litigation practice also extends to judicial review proceedings and regulatory matters. He regularly guides and acts for clients in handling contentious inquiries and investigations by different market regulators, including the Hong Kong Stock Exchange, the Securities and Futures Commission and the Competition Commission.

Apart from litigation and regulatory works, Michael also represents many clients in international arbitrations conducted under different institutional rules, such as HKIAC, SIAC and CIETAC.

Michael has been recognised as a next generation lawyer by Legal 500 Asia Pacific from 2016-2019, and described as "a very sound lawyer, who is excellent with clients".

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### Track record

## Shareholder dispute

Represented a client on a substantial shareholders' dispute concerning multiple BVI and overseas companies. Also advised the client on issues concerning director's liabilities in the context of BVI and Hong Kong companies and various corporate governance issues.

## Disqualification proceedings

Defended a non-executive independent director of a listed company in disqualification proceedings brought by the Securities and Futures Commission. (*SFC v Andrew Liu & Others* [2017] HKCFI 2295)

## Mainland Chinese asset investment company

Acted for a Mainland Chinese asset investment company as a creditor in the liquidation of Hsin Chong Group Holdings Limited (underlying claim more than RMB 1 billion).

## Commercial fraud

Represented numerous clients who have fallen victim to different forms of commercial frauds perpetrated by persons or entities located in Hong Kong or with monies passing through Hong Kong's financial system.

## Fraud claims

Represented a client in defending claims on alleged fraudulent investment schemes, dishonest assistance and knowing receipt and acted for the client in contesting Mareva and proprietary injunctions. (*Nonghyup Bank v Universe Income Builder Fund VI LLC & Others* HCA 2089 / 2020 [2021] HKCFI 107)

## Co-executor of tycoon's estate

Acted for a co-executor of a multibillion-dollar estate of a prominent tycoon and well-known philanthropist. Also advised the client in legal proceedings arising from disputes on interpretation of a family settlement agreement. (*Fok Chun Yue Benjamin v Fok Chun Wan Ian and Others* [2014] HKCFI 2)

## Institutional trustee

Advised a Hong Kong-based institutional trustee in relation to its successful blessing application before the Jersey Court arising from the administration of a series of substantial family trusts. (*HSBC Trustee (CI) Limited v Walter Ping Sheung Kwok & Others* [2017] JRC 214A)

## Hong Kong based investment fund

Acted for a Hong Kong-based investment fund and one of its responsible officers in challenging the constitutionality of Hong Kong Securities and Futures Commission's investigation (for suspected market manipulation) and subsequent sharing of information with the Financial Services Agency and the Securities and Exchange Surveillance Commission of Japan. (*AA & Another v The Securities and Futures Commission* [2019] HKCFI 246 [2017] HKCFI 57)

## Competition Commission investigation

Advising a hospitality industry executive in an investigation by the Competition Commission relating to alleged violations of the First Conduct Rule.

## Major Hong Kong retailer

Represented a major Hong Kong retailer in prosecuting a claim (ICC arbitration) for outstanding payments under an asset transfer agreement against a proprietor of a renowned American clothing brand.

## European trading company

Represented a European trading company defending a CIETAC arbitration in Shanghai brought by a Chinese medical equipment company. The underlying disputes relate to the purchase of ventilators on behalf of a foreign government amid the Covid-19 pandemic.

## Mainland Chinese individuals

Defending several Mainland Chinese individuals against claims brought by a major international pharmaceutical conglomerate under ICC rules in Hong Kong. Claims are in excess of RMB 1 billion relating to a sale and purchase of manufacturing plant in China.

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## Talks

- *'China subcontractors and logistic in the time of covid - useful tips for sourcing from China'*, Confindustria Vicenza - Dec 2021

## External publications

*'Approaches to Evidence across Legal Cultures'*, GAR - 3 September 2021, co-author

*'Hong Kong and Singapore: Cyber Fraud'* - Nov 2020, co-author

*'What effect might the UK's Business interruption insurance test case have on similar cases over coverage in Hong Kong'* - June 2020, co-author

*'Hong Kong and Mainland China: Force Majeure & Covid-19 & You'* - Apr 2020, co-author

*'What's the impact of coronavirus on international arbitration'*, Mar 2020 - co-author

## Admissions

Hong Kong, 2009

England and Wales, 2011

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## Education

University of Hong Kong, Bachelor of Laws and PCLL

New York University School of Law, Masters of Laws in Corporate Law

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## Languages

Cantonese

English

Mandarin

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## Key dates

Year joined: 2021

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