Tanner De Witt

Independent . Established . Hong Kong Law .

17th Floor, Tower One, Lippo Centre, 89 Queensway, Hong Kong
Tel: +852 2573 5000 Fax: +852 2802 3553 www.tannerdewitt.com

Our Firm

Tanner De Witt was established in 1999. We provide practical legal advice on business issues in Hong Kong, China and the wider Asia-Pacific region. We have excellent contacts with law firms worldwide with whom we work as and when required. We work to protect the interests of our clients by drawing on our firm's deep-rooted experience of Hong Kong and its surrounding region.

What makes us a unique firm in Hong Kong is that we operate a business-focused practice which offers a great deal of experience in a range of specific fields, including:

- Corporate and Commercial
  - Mergers and Acquisitions
- Dispute Resolution
  - Litigation
  - Arbitration
  - Mediation
- Restructuring and Insolvency
- Employment
- Family
- Wills, Probate and Trusts
- Fraud and Asset Tracing
- Investigations
- Banking and Finance
- Regulatory and Compliance
- China Practice Group
- Immigration
- Criminal Law and White Collar Crime
- Intellectual Property
- Technology, Media, Telecommunications

Understanding Your Business and Delivering Successful Results

Client service and care is at the forefront of what we do. We make an uncompromising effort to provide you with exactly what you need. From day one we set out to understand your business so we can successfully guide you through the legal issues that you may need our help with. By knowing you, and your business, we can most accurately assess how best to work on each case to achieve the results you want.

Our commitment to quality ensures that our work will be completed on time and to your full satisfaction. It is important to us that we create a long-term relationship with you by delivering successful results you want in the most cost-effective manner.

Our Commitment to You

We will represent your interests alone.	We will keep your business confidential.	We will give you clear legal advice that you can understand.
We will explain any risks involved in following your instructions.	We will keep you informed of progress.	We will deal with your questions promptly.

Corporate and Commercial

Tanner De Witt's Corporate and Commercial practice deals with a wide range of non-contentious matters on behalf of our clients. We pride ourselves on the personal and attentive service we offer to our clients, who include public and private companies, multinationals, partnerships and individuals involved in a wide range of activities, both within Hong Kong and internationally.

Our lawyers, many of whom have international law firm backgrounds, have between them, extensive experience in Hong Kong and Asia. Our understanding of the local business environment combined with our knowledge, experience and proven track record means that we add real insight and value to the business decisions you face. We have broad experience of cross-border mergers and acquisitions, having acted for large multinationals, in addition to a sound knowledge of private equity transactions.

We have built up a thorough working knowledge of PRC business entities and structures. In addition, we have secure connections and working relationships with law firms in the PRC and most other jurisdictions, evidenced by the fact that we receive frequent referrals from well-known US, European and Asian law firms.

*"They are all **approachable, commercial and technically capable**. They add value to their clients' businesses by drawing on their deep network of contacts, and they don't just focus on the legal aspects, they try to help their clients grow their businesses."*
Chambers Asia-Pacific
China / Hong Kong

*"The lawyers deliver a 'very client-oriented service'; they provide 'excellent business and industry knowledge', and concise and to-the-point advice'. In particular, **Tim Drew** has a 'strong sense for the needs of the client' and 'sets the right tone in negotiations'."*
Legal 500 Asia Pacific

*"They are **strong: quick to respond and pragmatic** in their advice and assistance."*
Chambers Asia-Pacific
China / Hong Kong

***Eddie Look, Tim Drew** and **Edmond Leung** are listed as leading lawyers for Corporate/M&A.*
Chambers Asia-Pacific
China / Hong Kong

We advise on matters concerning:

- Mergers and acquisitions
- Business sales and purchases
- Corporate reorganisations
- Joint ventures
- Investment and shareholders agreements
- Private Placements
- Private equity and venture capital transactions
- Due diligence
- Banking and finance
- Commercial arrangements and contracts
- Commercial leases and tenancy agreements
- Establishment of new companies and businesses
- PRC related commercial matters
- Intellectual Property protection and licensing
- Distributorship, agency and franchise arrangements
- Employment and immigration

Dispute Resolution

Our Dispute Resolution Group combines insightful and thorough legal analysis with a practical approach. We aim to resolve disputes promptly with minimum disruption to commercial relationships. Our lawyers have extensive experience of dealing with disputes in the various courts and tribunals of Hong Kong. We also advise on domestic and international arbitrations and conduct cases before various specialised tribunals and professional associations in Hong Kong.

Our experience in commercial litigation and dispute resolution procedures enables our lawyers to deal effectively with disputes in the various courts and tribunals of Hong Kong. We also advise on domestic and international arbitrations and conduct cases before various specialised tribunals and professional associations in Hong Kong.

*"The highly regarded **Pamela Mak**'s recent cases include multi- jurisdiction probate proceedings and Sino- American telecoms sector disputes."*
Legal 500 Asia Pacific

*Tanner De Witt is ranked as a **leading law firm** for each of their core practice areas: Corporate (including M&A), Dispute Resolution, Employment and Restructuring and Insolvency.*
Legal 500 Asia Pacific China (Hong Kong)

We advise on matters concerning:

- Banking
- Breach of contract and negligence
- Commercial conspiracy and fraud
- Debt recovery
- Defamation
- Employment
- Family and matrimonial
- Injunction proceedings
- International trade
- Joint venture and franchise disputes
- Judicial review
- Landlord and tenant
- Shareholder disputes
- Professional negligence
- Restructuring and Insolvency
- Sale of goods and services
- Trusts

Mediation

An effective way of resolving disputes in Hong Kong

Civil Justice Reform

Litigation is often lengthy and expensive. It is for this reason that the Civil Justice Reform took effect in Hong Kong on 2 April 2009 with the objective of increasing cost effectiveness and facilitating dispute settlement. Under the Civil Justice Reform lawyers encourage parties to use an Alternative Dispute Resolution ("ADR") procedure if appropriate in the hope of leading to an amicable settlement. The new Practice Direction 31 on mediation, a common mode of ADR, took effect on 1 January 2010.

Practice Direction 31

Under the new Practice Direction ("PD"), parties have to explore the possibility of mediation before pursuing litigation. Unreasonable refusal of a party to mediate will risk adverse costs orders. The PD creates a framework for mediating. Parties will have to comply with filing certificates stating that they have been advised about mediation. The PD also provides for a party to serve a Mediation Notice setting out its proposals for mediation. If this is done, the other party then must serve a Mediation Response giving its position. If it refuses to mediate, the responding party must set out why.

What is mediation?

Mediation is ultimately a form of assisted negotiation. It is a voluntary process in which a trained and impartial third person, the mediator, helps the parties in dispute to reach an amicable settlement that is responsive to their needs and acceptable to all sides. The settlement agreement concluded by the parties is a legally enforceable contract.

During the process, the experienced mediator will employ a mixture of facilitative and solution-focused techniques in order to help the parties generate settlement options and achieve a "win-win" solution of the dispute. The mediator brings the parties together face to face in a private and confidential setting. Each party will have the opportunity of putting forward his point of view and listening to what the other has to say

*Tanner De Witt provides **"incisive analysis of legal issues, and sound business acumen"**.*
Legal 500 Asia Pacific

***Tanner De Witt** attracts praise for its **'sound and timely advice'** and **'practical solutions** to problems'.*
Legal 500 Asia Pacific

*Sources say: "The team not only covers all the legal angles but also **understands** the commercial needs of a deal. They executed everything **with precision**, good planning and **without wasting time**."*
Chambers Asia-Pacific
China / Hong Kong

Arbitration

__Tanner De Witt__ attracts praise for its '__sound and timely advice__' and '__practical solutions__ to problems'.
Legal 500 Asia Pacific

Sources say: "A great firm handling a wide variety of work at a very __high standard__."
Chambers Asia, China / Hong Kong

"Clients can't seem to say enough good things about Tanner De Witt's __capability__ and __service__."
IFLR1000

The global interest in Asia and in particular inbound investment to China has led to a sustained increase in Hong Kong arbitration as a dispute resolution mechanism in commercial contract agreements.

The absence of robust legal systems in some parts of Asia has meant that contracts for projects in this region often stipulate that Hong Kong should be the main arbitration system used to resolve disputes due to its long and established reputation for offering a reliable, neutral, confidential and efficient solution. Further afield, many commercial parties from Europe and North America entering into business in Asia will select Hong Kong as the preferred jurisdiction for arbitration for the multilingual legal system and modern, progressive and reliable service mind set.

Tanner De Witt is engaged on domestic and international arbitrations in Hong Kong and works on arbitrations administered by: *Hong Kong International Arbitration Centre* (HKIAC), *China International Economic and Trade Arbitration Commission*(CIETAC), *International Chamber of Commerce* (ICC), *London Maritime Arbitrators Association* (LMAA), the core legal body of the UN system in the field of international trade law, *United Nations Commission on International Trade Law* (UNCITRAL) and others.

Why choose arbitration?

Parties choose to use arbitrators with relevant sector knowledge and experience for their disputes for a range of different reasons. Arbitration can lead to faster resolution with less conflict and stress than taking the dispute to the court system. Parties are free from the court timetable and the objective is to come to a solution with less conflict which can lead to faster results. Arbitrations also provide greater levels of confidentiality in proceedings.

Although arbitration is not always cheaper than traditional litigation, Tanner De Witt will help clients to resolve conflicts in a cost-effective manner with minimum disruption to commercial relationships.

We advise a range of clients across different industries and we advise on:

- Negotiation of arbitration clauses
- Pre-arbitral negotiations in a dispute
- Selection of arbitral tribunals
- Enforcement action
- Arbitration funding

Restructuring and Insolvency

Our lawyers specialise in a wide spectrum of insolvency administrations, complex restructurings and bankruptcies involving global assets, with a particular emphasis on contentious and court-related issues. Our team act for many international clients involved in multi-jurisdictional and high profile matters. We provide legal advice and representation to insolvency practitioners, creditors, directors, shareholders, private and listed companies, bondholders, and individuals facing cash flow difficulties and have experience with a wide range of specialist tribunals and professional associations.

We advise on matters concerning:

- Bankruptcy and individual voluntary arrangements
- Corporate rescue in Hong Kong
- Company restructurings and reorganisations, formal and informal
- European, North American and Asian insolvency cases
- Contentious and non-contentious matters within insolvency administrations
- Insolvency procedures in Hong Kong and cross border jurisdictional issues
- Solvent restructurings
- Corporate rescue including schemes of arrangements
- Winding-up, provisional liquidators, liquidation and appointment holders
- Court approved receivers and receiverships
- Bankruptcy, individual voluntary arrangements and trustees in bankruptcy
- Directors duties
- Litigation, asset tracing and recovery and the enforcement of security
- Debt collection
- Defaulting loans, notes and bonds and distressed debts

*"Insolvency and restructuring is at the heart of Tanner De Witt's business. The team is particularly noted as having 'a lot of experience on the contentious side'. The lawyers 'go out of their way to maintain ongoing close relationships with clients' and are 'extremely good at what they do'. **Ian De Witt** and **Robin Darton** are both 'very competent, practical and commercial.'"*
Legal 500 Asia Pacific

*"They are a **quality outfit,** and in the area of restructuring and insolvency they are at the **forefront of the field."***
Chambers Asia-Pacific
China / Hong Kong

***Ian De Witt** and **Robin Darton** are consistently ranked as Band 1 / Tier 1 lawyers for restructuring and insolvency in Hong Kong.*
Chambers and Partners
and Legal 500

Employment

*"Department head **Russell Bennett** has impressive in-house financial services experience."*
Legal 500 Asia Pacific

*"Tanner De Witt's employment practice is headed by **Russell Bennett** who has strong litigation track records, particularly in relation to the financial sector."*
Legal 500 Asia Pacific

***Russell Bennett** is listed as leading lawyers for **Employment**.*
Legal 500 Asia Pacific

***Mark Chiu** is recognised as an Up and Coming lawyer for **Employment**.*
Chambers Asia, China / Hong Kong

Our Employment Group has acted in several of the leading reported cases in Hong Kong over the last 20 years and are regular speakers to employers, business groups and human resource professionals.

We act for many major employers as well as senior executives and high profile employees in a wide range of industry sectors including banking and finance, insurance, publishing, manufacturing and professional services.

Through our experience and knowledge we aim to provide quality, cost-effective and commercial legal advice. Further, through our experience we are also able to offer tactical and common sense guidance on best practice to ensure the best overall result for the client, including issues such as performance management, rewards and restriction structures, exit strategies and mediation.

We advise on matters concerning:

- Claims for constructive dismissal, unreasonable, wrongful or unlawful dismissal (including during pregnancy and in other prohibited circumstances)
- Employment contracts, secondments and handbooks
- Terminations and entitlements
- Redundancy, retrenchment and separation, including separation agreements
- Claims for constructive dismissal, unreasonable, wrongful or unlawful dismissal (including during pregnancy and in other prohibited circumstances)
- Remuneration and benefits, including incentive schemes and bonus arrangements
- Restrictive covenants, enforcement and enforceability
- Injunctive relief (including springboard, anton piller and anti-suit injunctions)
- Labour Tribunal claims
- District and High Court actions involving employment and shareholder issues
- Confidentiality
- Personal data privacy
- Discrimination and harassment issues

Family

Tanner De Witt advises families on divorce and associated matters in Hong Kong, often involving international considerations. For companies in the SME sector divorce of owners is frequently a major corporate event.

The approach of Tanner De Witt to divorce and family law is to reduce the impact on all concerned of the end of one chapter and the beginning of the next chapter of life. To achieve this, lawyers in Tanner De Witt work to the best modern professional practice in putting the interests of children first and encouraging reasoned compromise and negotiations as first principles.

The areas of legal and practical interest include financial maintenance (sometimes known as alimony), estate distribution, child custody and child access. Many of the instructions in this area come from commercial clients who are expatriates in Hong Kong and are concerned about the implications of divorce for their employment visas and the immigration status of family members.

Tanner De Witt has professional relationships with law firms in other countries closely connected with Hong Kong where international divorces may lead to issues and works with a group of experienced mediators, counsellors, parenting co-ordinators and child psychiatrists where appropriate.

*"Tanner De Witt offers clear, prompt and realistic advice at all stages of a family dispute. They are **responsive** and **sensitive** to the needs and wishes of clients, and able to incorporate those concerns into **real and effective relief**,"*
Chambers Asia, China / Hong Kong

"Joanne is **excellent** – she is **focused on client needs** and maintains a clear view of what can be achieved, she is a **pragmatic negotiator** in mediation."
Chambers Asia, China / Hong Kong

*"**Joanne Brown** is great at dealing with highly complex cases and difficult clients," adding that she is "*the kind of person you would want to have there, very calm and collected*."*
Chambers Asia, China / Hong Kong

Adrian Au is recognised as an Up and Coming lawyer for **Family**
Chambers Asia, China / Hong Kong

*Sources say: "A great firm handling a wide variety of work at a very **high standard**."*
Chambers Asia, China / Hong Kong

We advise on matters concerning:

- Adoption
- Child care and protection proceedings
- Child abduction
- Collaborative practice, Alternative Dispute Resolution (ADR) including mediation
- Custody, care, control and access of children following a relationship breakdown
- Dependent visa and immigration issues following a relationship breakdown
- Divorce
- Domestic Violence
- Family shareholder disputes
- Financial settlements including maintenance for ex-spouse and children
- Name change and deed poll
- Pre - and post - nuptial agreements
- Separation agreements including annulments of marriage
- Wills and Trusts – please see overleaf

Wills, Probate and Trusts

***Tanner De Witt** is cited as a **"household name"** in Hong Kong.*
Chambers Asia, China / Hong Kong

*"They strike the right **balance** in their advice: they don't just tell you what the law says and leave you to draw your own conclusions, they set out **clear options** and tell you which one is best."*
Chambers Asia-Pacific China / Hong Kong

*"**Tanner De Witt** is recommended for its 'response time, quality of work '."*
Legal 500 Asia Pacific

Experienced lawyers in Tanner De Witt's Wills, Probate and Trusts Group provide contentious and non-contentious legal advice to international clients. These include trustees, executors and administrators, banks and beneficiaries.

Tanner De Witt's lawyers advise and represent clients in all matters related to estate administration in Hong Kong. For example, many of our high net worth patrons seek our services in preparing wills involving complex and often cross-border circumstances. Our expertise is frequently sought concerning Hong Kong inheritance law and more specifically, contentious and non-contentious probate matters. Receipt of a grant of letter of representation (probate or letter of administration) is the first step in the legal process of administering the estate of a deceased person. It officially appoints the executor (or personal representative), generally named in the will, as having legal power to dispose of the testator's assets in the manner specified in the testator's will.

We advise on matters concerning:

- Preparing guardianship deeds
- Preparing confirmation deeds for joint assets
- Drafting Enduring Powers of Attorney
- Inheritance law and administration and distribution of estates in Hong Kong
- Preparation of wills and codicils
- Establishment of Hong Kong trusts
- Applications for grants of probate and letters of administration
- Resealing of grants in Hong Kong and overseas
- Preparing Deeds of Family Arrangement
- Applications for caveats
- Defending or challenging validity of wills
- Advising trustees and protectors
- Claiming or defending entitlements in intestate estates
- Starting or defending actions for improper administration of estates
- Claims under the Inheritance Provision For Family And Dependants Ordinance ~ claims by people maintained by the deceased who are not provided for adequately in a will or intestacy

Fraud and Asset Tracing

*Sources say: "A great firm handling a wide variety of work at a very **high standard**."*
Chambers Asia, China / Hong Kong

*"They are **strong: quick to respond and pragmatic** in their advice and assistance."*
Chambers Asia-Pacific China / Hong Kong

*"Clients can't seem to say enough good things about Tanner De Witt's **capability** and **service**."*
IFLR1000

Fraud, Asset Tracing, Freezing and Recovery

The Fraud and Asset Tracing team at Tanner De Witt Solicitors offers legal solutions in relation to investigations and disputes arising from commercial fraud, asset misappropriation and business or white collar crime.

Troy Greig is the Hong Kong representative of FraudNet and FraudNet Futures, the ICC's network of fraud specialists.

Fraud and Asset Tracing – Legal Advice and Representation

Our Hong Kong lawyers are regularly involved in complex, high-value commercial disputes. Our practitioners are recognised for their ability to deal with domestic and multi-jurisdictional fraud, asset tracing and recovery exercises. As an independent Hong Kong law firm, we have close relationships with leading practitioners in many other jurisdictions. We are frequently instructed by international law firms and other professional service providers such as major accountancy firms to coordinate and manage recovery teams in Asia as a part of a worldwide recovery.

We provide legal services relating to fraud and other commercial crimes in matters involving allegations of financial fraud, theft, money laundering and related crimes. The firm is also experienced in providing legal services relating to the investigation of public corruption, bribery and foreign corrupt practices in Hong Kong and overseas.

We advise on matters concerning:

- Tracing, freezing and recovering stolen or misappropriated assets
- Anton Piller "search and seize" orders
- Mareva "freezing" injunctions
- Third party and disclosure orders
- Forensic investigations relating to corporate or public corruption
- Suspicious Transaction Reporting (STR)

In addition, we help clients manage and reduce risk by offering customised fraud prevention programmes, compliance training and assistance in mitigation of loss and damage resulting from fraud and related issues. We have established helpful contacts in relevant regulatory and law enforcement agencies. We are the duly appointed representative of FraudNet, a global network of asset recovery specialists organised under the International Chamber of Commerce's commercial crime services secretariat in London.

Investigations

***Tanner De Witt** is cited as a **"household name"** in Hong Kong.*
Chambers Asia, China / Hong Kong

*"They strike the right **balance** in their advice: they don't just tell you what the law says and leave you to draw your own conclusions, they set out **clear options** and tell you which one is best."*
Chambers Asia-Pacific China / Hong Kong

*"**Tanner De Witt** is recommended for its 'response time, quality of work '."*
Legal 500 Asia Pacific

Many companies and individuals find themselves involved in an investigation. The issues which give rise to investigations are an increasingly important issue in Hong Kong, one of the world's largest commercial and financial hubs. Those issues can include regulatory compliance, criminal (including white collar crime) and employment. Complex cross-border investigations involving multiple agencies outside Hong Kong are becoming more and more common.

As one of Hong Kong's leading independent law firms, we are well versed in advising individuals and companies in response to investigations. We are also experienced in helping with bolstering compliance efforts, whether with regards to investigations by the likes of the Securities and Futures Commission (SFC), the Independent Commission Against Corruption (ICAC) or other regulatory bodies related to white collar crime or data privacy. We are also able to assist companies and individuals involved in foreign investigations and prosecutions.

Our full-service offering ensures that we are able to advise on a wide range of commercial regulatory issues, from corruption to data breaches and competition to license breaches. We advise employers and employees on internal investigations. Tanner De Witt's lawyers have experience in a vast array of investigations and understand the nuances of how the matter may proceed, making sure that you are always one step ahead. We have also cultivated long-standing track records of working with regulators throughout an investigation and in any subsequent disciplinary action or third party proceedings.

We advise on matters concerning:

- Corporate crime (including bribery, corruption, fraud, money laundering, sanctions and other white collar crime)
- Internal investigations (including discrimination and harassment complaints)
- Data privacy breaches and cybersecurity
- Regulatory investigations and inquiries, including by the SFC, ICAC and other foreign and domestic agencies

Banking and Finance

Tanner De Witt's Banking and Finance practice is supported by an experienced team of partners and senior lawyers in our Corporate and Commercial and Restructuring and Insolvency practice groups, many of whom are consistently ranked and recognised in their respective areas of expertise.

Our Banking and Finance team is typically selected to cover the Hong Kong law aspects of complex high value and multi-jurisdictional Banking and Finance work.

Lawyers in our Banking and Finance team have extensive experience in advising on:

- Syndicated corporate lending
- Acquisition finance
- Asset finance
- Project finance
- Trade and export finance
- Regulatory
- Debt restructuring
- Enforcement of lenders' rights

*"They are **strong: quick to respond and pragmatic** in their advice and assistance."*
Chambers Asia-Pacific China / Hong Kong

*Sources say: "The team not only covers all the legal angles but also **understands** the commercial needs of a deal. They executed everything **with precision**, good planning and **without wasting time**."* Chambers Asia-Pacific China / Hong Kong

*"**Edmond Leung** is **technically sound** but **pragmatic** as well in his advice to deliver effective legal solutions." Further, "Edmond maintains good client relations and he is very good to work with."*
Chambers Asia-Pacific China / Hong Kong

"The lawyers deliver a 'very client-oriented service'; they provide 'excellent business and industry knowledge', and concise and to-the-point advice'.
Legal 500 Asia Pacific

Regulatory and Compliance

*"You get **partner attention,** even on small matters."*
Chambers Asia, China / Hong Kong

*Tanner De Witt provides "**incisive analysis of legal issues, and sound business acumen**".*
Legal 500 Asia Pacific

*What sources say about Tanner De Witt's lawyers: "**Extremely user-friendly** and **commercial...**" "…knows exactly what steps to take in order to succeed in a case"…"**cost-conscious and excellent value for money**"….*
IFLR1000

Financial Regulatory & Compliance

Tanner De Witt has significant experience in dealing with and advising upon clients' needs in the challenging and changing area of financial regulation.

We advise and act on matters concerning:

- Advising and acting in regulatory investigations and enforcement actions by domestic and overseas regulators
- Advising on licensing matters including applications for SFC licences (both corporations and individuals/representatives) and the implications of overseas investigations
- Compliance with substantial shareholder filings regulations and requirements
- Defending SFC criminal prosecutions
- Drafting inter-company and client engagement agreements including asset management, advisory mandate and brokerage arrangements
- General compliance matters including implementation of new regulatory and anti-money laundering requirements
- Judicial review proceedings against regulators and regulatory decisions
- Lobbying, advising and commenting on regulatory consultations regarding the implementation of new regulations and practices
- SFC investigations and disciplinary proceedings and appeals to the SFC appeals tribunal

China Practice Group

Tanner De Witt's **China Practice Group** was established in response to the growing need of clients in Hong Kong and overseas to understand better the legal and commercial landscape in Mainland China as well as of clients in Mainland China (the People's Republic of China or PRC) to understand and develop their business and invest in Hong Kong and other parts of the world. Whilst we are a Hong Kong law firm advising on Hong Kong law, our knowledge and experience of China enable us to advise overseas clients who have or wish to establish business interests in China.

Acting as **super-connectors** (see article Hong Kong is "super-connector" bridging Mainland and global markets under Belt and Road Initiative on the Hong Kong Government's website), we engage suitable local and regional expertise in China to help our clients with PRC-related issues. Similarly for our clients based in Mainland China, we utilise our established relationships with a network of recommended law firms and various intermediaries throughout Europe, the US and the rest of the world to assist them in establishing and expanding their business outside of Mainland China.

__Tanner De Witt__ is cited as a __"household name"__ in Hong Kong.
Chambers Asia, China / Hong Kong

"__Tanner De Witt__ attracts praise for its __'sound and timely advice'__ and __'practical solutions__ to problems'.
Legal 500 Asia Pacific

"Clients can't seem to say enough good things about Tanner De Witt's __capability__ and __service__."
IFLR1000

We are experienced in advising clients in drafting documents and completing deals within Hong Kong. Hong Kong law is often the governing law of contracts with Sino-Foreign elements and Hong Kong is a popular seat of arbitration for such contracts due to its developed and fair legal system and bilingual environment. We frequently represent clients in such arbitration. We advise and act on matters concerning:

- **Restructuring and Insolvency**
- **Employment**
- **General Corporate Commercial matters:**
  - Mergers and acquisitions
  - SFC regulation / licensing
  - Company formation and joint ventures
  - Hedge fund and PE fund formation and investment
  - Corporate finance
  - Trademark registration and protection
  - Trust and probate
  - Immigration issues

- **Dispute resolution including Litigation, Arbitration and Mediation:**
  - General contractual disputes
  - Shareholder disputes
  - Regulatory and SFC investigations
  - Urgent injunction and disclosure applications
  - White collar crime and money laundering
  - Immigration investigation and family matters law including matrimonial and probate dispute

Immigration

We have extensive experience in handling various Immigration matters including Visa applications, Immigration law advice and Immigration investigation and prosecution. We have provided these services to a wide range of clients from multinational corporations to high-profile individuals.

Employment Visa

We have assisted many employers to obtain Employment Visas for their employees in Hong Kong. The applicant of an Employment Visa must possess "special skills, knowledge or experience of value to and not readily available" in Hong Kong and the sponsor of this Visa must be a Hong Kong company.

If you wish to apply for an Employment Visa for your employee we can prepare the application forms and other necessary supporting documents such as supporting letter etc. and submit the application to the Immigration Department on your employee's behalf. We would also liaise with the Immigration Department throughout the application process and answer any requisition from them in respect of your employee's application.

Investment Visa

We have assisted many individuals in setting up their businesses in Hong Kong and obtaining Investment Visas. The Applicant of an Investment Visa should have a good education background and be "in a position to make substantial contribution" to Hong Kong's economy.

If you wish to apply for an Investment Visa, we can first assist you in incorporating a Hong Kong Company. After the Hong Kong company is incorporated, we would then assist you in preparing the application forms and other necessary supporting documents such as business plan, company documents etc. and submitting the application to the Immigration Department on your behalf. We would also liaise with the Immigration Department throughout the application process and answer any requisition from them in respect of your application.

Dependants Visas, Extension of Stay and Appeal

If you are applying for one of the visas above and would like your family (married spouse and children) to stay in Hong Kong with you, we can also assist in applying for dependent visas for your family.

If you wish to continue to stay in Hong Kong after your current visa expires, we can make an extension of stay application for you. This application should be submitted within 4 weeks before your current limit of stay expires.

We have also represented clients in appeals against the Immigration Department's decision in refusing their Visas applications.

*"The lawyers deliver a 'very client-oriented service'; they provide 'excellent business and industry knowledge', and concise and to-the-point advice'. In particular, **Tim Drew** has a 'strong sense for the needs of the client' and 'sets the right tone in negotiations'."*
Legal 500 Asia Pacific

*"They are **strong: quick to respond and pragmatic** in their advice and assistance."*
Chambers Asia-Pacific
China / Hong Kong

*"They are a **quality outfit**, and in the area of restructuring and insolvency they are at the **forefront of the field**."*
Chambers Asia-Pacific
China / Hong Kong

Prolonged Visitor's Visas

Under the existing Immigration policy, same sex couples and unmarried heterosexual couples are not eligible to apply for Dependants Visas in Hong Kong. Alternatively, the Immigration Department may grant a 6 months Prolonged Visitor's Visa to an applicant in the said situations. However, a holder of a Prolonged Visitor's Visa does not enjoy the same rights and benefits of other Visas (i.e. Employment Visa) in Hong Kong. We have assisted a number of clients in obtaining this type of Visa. Please contact us for further details.

Permanent Residency

Once a person has ordinarily resided in Hong Kong for more than 7 years, he/she may be eligible to apply for a Hong Kong permanent resident card. We also offer assistance to clients who wish to apply for permanent resident status.

Immigration Law Advice, Investigation and Prosecution

We have provided advice to clients in relation to various Immigration matters such as Immigration status and breach of condition of stay. We have also assisted some clients in dealing with Immigration investigation and prosecution. Our experienced practitioners would guide you through the processes with a view to minimising the impact of such investigations and prosecutions.

Further, the existence of a criminal record now has greater implications for individuals than ever before because of the regulatory implications, internal codes of conduct and disciplinary standards, the need to disclose such matters on employment applications, credit applications and visa and emigration/immigration applications.

Tanner De Witt has developed a team to coordinate the criminal, regulatory, immigration and employment issues flowing from criminal charges such as public order offences, minor crimes of violence, domestic violence and the like. We are well placed to ensure that the status of "fit and proper", typical in most professional codes, is not lost or compromised as a result of criminal charges flowing from a person's work life, private life or non-work lifestyle.

Criminal Law and White Collar Crime

*"The firm often represents senior executives and employees, including in **breach of fiduciary duty** cases. **Fraud is another area of expertise** for the department, which also includes **Pamela Mak**"*
Legal 500 Asia Pacific China (Hong Kong)

*"They are **strong: quick to respond and pragmatic** in their advice and assistance."*
Chambers Asia-Pacific China / Hong Kong

Many occupations in Hong Kong have a specialist regulator. Amongst the well-known regulators are the SFC, the HKICPA, the Hong Kong Medical Council and The Law Society. There are many others who control the entitlements of individuals to enter or to continue in employment or practise.

The various law enforcement agencies (such as the Police Force, the Commercial Crimes Bureau, the Independent Commission Against Corruption and other specialist crime prevention units) have an increasingly prominent role in business in so-called "white collar crime" (such as money laundering) because business crime is a high priority in the sophisticated commercial environment of Hong Kong.

Further, the existence of a criminal record now has greater implications for individuals than ever before because of the regulatory implications, internal codes of conduct and disciplinary standards, the need to disclose such matters on employment applications, credit applications and visa and emigration/immigration applications.

Tanner De Witt has developed a team to coordinate the criminal, regulatory, immigration and employment issues flowing from criminal charges such as public order offences, minor crimes of violence, domestic violence and the like. We are well placed to ensure that the status of "fit and proper", typical in most professional codes, is not lost or compromised as a result of criminal charges flowing from a person's work life, private life or non-work lifestyle.

We advise on matters concerning:

Non-Commercial/Non-Corporate Crime:

- Driving offences
- Immigration – e.g. breach of employment law or visa conditions
- Juvenile offending and child care proceedings
- Theft and assaults etc.

White Collar Crime, Regulatory and Compliance:

- Bribery
- Conspiracy
- Financial services regulatory and compliance
- Fraud
- Money laundering
- Liquor licence applications and appeals
- Tax evasion

Technology, Media & Telecommunications (TMT)

*"They are **strong: quick to respond and pragmatic** in their advice and assistance."*
Chambers Asia-Pacific China / Hong Kong

*Sources say: "The team not only covers all the legal angles but also **understands** the commercial needs of a deal. They executed everything **with precision**, good planning and **without wasting time**."* Chambers Asia-Pacific China / Hong Kong

"The lawyers deliver a 'very client-oriented service'; they provide 'excellent business and industry knowledge', and concise and to-the-point advice'.
Legal 500 Asia Pacific

Technology is the engine of the modern global economy. It is also the critical infrastructure to all businesses. Yet, as sophisticated and empowering as technology may be, it is often opaque, complex and capricious. When things go wrong, it seems like there may be an unfriendly ghost in the machine.

Experienced lawyers in Tanner De Witt's Technology practice provide legal advice in Hong Kong to international clients in relation to commercial, contractual, corporate and compliance matters across a range of technologies. Clients of our Technology practice include businesses in the technology sector, or business in other sectors in relation to legal issues arising from their use of technology.

We have advised clients applying cutting edge technologies such as:

- artificial intelligence
- augmented reality and virtual reality
- big data
- blockchain and distributed ledgers
- cloud computing
- internet of things
- smart city

Lawyers in our Technology team have advised businesses operating in a broad range of technology verticals, including fintech, insurtech, regtech, healthtech, biotech, edutech, cleantech, and supply chain tech. We have advised a number of clients on legal issues relating to e-commerce platforms or online services sales and marketing. We work with clients at all stages of the corporate growth cycle, from early through growth and on to mature and multinational stages.

We are a member in Hong Kong of the International Technology Law Association. iTech Law is a technology law community with a global membership base of lawyers specialising in technology from six continents and in more than 60 countries.

Intellectual Property

*Sources say: "A great firm handling a wide variety of work at a very **high standard**."*
Chambers Asia, China / Hong Kong

*"They provide very **hands-on, practical advice**, they're **swift**, and in a nutshell they provide **very reliable services**."*
Chambers Asia-Pacific China / Hong Kong

*"Clients can't seem to say enough good things about Tanner De Witt's **capability** and **service**."*
IFLR1000

Our intellectual property practice deals with both contentious and non-contentious matters on behalf of our clients. Intellectual assets can represent a significant portion of the overall value of a business, and although intangible, these assets have to be protected, promoted and included as part of a business' overall business plan.

Most business transactions touch upon intellectual property issues with long-term implications depending on how these issues are handled. Our lawyers are experienced in helping clients understand their intellectual property rights and use them as effective business tools in protecting and growing their business.

We help clients protect and preserve their intellectual property rights against unauthorised use by developing internal monitoring programs and litigation when needed. Our professionals, including many Putonghua speakers, also work with professionals in the People's Republic of China to help protect clients' assets from unauthorised use.

Our services:

- Acquisition and disposal of intangible assets
- Purchase and sale of businesses with intellectual property assets
- Licensing and sub-licensing
- Franchising, distribution and agency arrangements
- Management of intellectual property right
- Intellectual property audits and review
- Intellectual property registration and portfolio building

In conjunction with the firm's litigators, litigation involving:

- Infringement of trademarks, registered designs, copyright
- Trade Mark Registry hearings
- Injunctive relief
- Passing off, reverse passing off, deceptive trade description
- Breach of licence
- Intellectual property related issues

Notarial Services

Notarial Services

Tanner De Witt provides a range of notarial work and services. The main work of a Notary Public is to authenticate and certify signatures, authority and capacity relating to documents for use in business transactions outside Hong Kong.

"The lawyers deliver a 'very client-oriented service'; they provide 'excellent business and industry knowledge', and concise and to-the-point advice'.
Legal 500 Asia Pacific

*"They are **strong: quick to respond and pragmatic** in their advice and assistance."*
Chambers Asia-Pacific
China / Hong Kong

***Tanner De Witt** attracts praise for its '**sound and timely advice**' and '**practical solutions** to problems'.*
Legal 500 Asia Pacific

Services include:

- authenticating documents, including:
- personal documents for marriage, adoption, succession or immigration
- corporate, commercial or business documents
- documents for the purpose of purchasing or selling land overseas
- preparing and authenticating Powers of Attorney
- verifying original documents (usually identification documents), and certifying true and complete copies of them
- witnessing signatures
- administering oaths
- taking affirmations and declarations
- noting and protesting Bills of Exchange
- legalising documents, including arranging an apostille from the High Court

Our Experience

Eddie Look *offers a broad range of expertise in corporate transactions and private equity work, advising on M&A, joint ventures and corporate restructurings. He is highly rated by a range of international companies with operations in Hong Kong.*
Chambers Asia, China / Hong Kong

Tim Drew *has attained a premier reputation for high-value corporate transactions, including M&A, joint ventures and corporate restructurings. He draws praise from clients for his responsiveness, with one stating: "He has strong experience and is always available and able to provide quick advice."*
Chambers Asia, China / Hong Kong

"On the transactional side, the firm has seven qualified lawyers acting on such matters as private equity firms' ***cross-border acquisitions*** *in China,* ***joint venture establishments****, and* ***M&A matters*** *for other Asia-based corporate clients."*
IFLR1000

Corporate and Commercial

- Advised a private equity investor in the **purchase of a PRC based financial services business**.
- Advised a multibillion dollar global beverage brand in their **acquisition of a Hong Kong-based subsidiary** as part of their wider global expansion plan.
- Acting for the sellers in the **sale of a majority stake** in their company to a Hong Kong listed logistics group.
- Acting for a client in respect of the **restructuring and reorganisation** of its investments in various **infrastructure projects in Vietnam**.
- Advised on the **establishment of fund managers** in Hong Kong and on the **establishment of their investment funds**.
- Acting for **John Brown Media Limited**, a leading content marketing agency, on its acquisition of a Hong Kong communications agency.
- Acting for **Writer Corporation, India's largest relocation company** on its acquisition of a majority interest in a Hong Kong-based relocation group (with subsidiaries in Singapore and Shanghai).
- Acting for one of the **world's largest inter-dealer brokerage firms** on its proposed acquisition of a Hong Kong brokerage company.
- Acting for a **Hong Kong corporate services group** on the disposal of its offshore wholesale corporate services business to a UK based corporate services group.
- Acting for a **large privately owned logistics group** based in UK in connection with the establishment of a 50:50 joint venture with the long term trading partner in Hong Kong.
- Acting for the purchaser in connection with its acquisition of various trademarks and other intellectual property rights from the liquidators of a **Hong Kong-listed company**. The trademarks and rights being acquired relate to an established global fashion brand.
- Acting for a distributor of **medical devices** in respect of its licensing arrangements.
- Acting for a **well-known footwear brand** on its worldwide distribution, commercial agency, licensing and manufacturing arrangements.
- Acting for the vendors in the disposal of their shares in a group of companies (headquartered in Hong Kong, with subsidiaries in China, Vietnam and Indonesia) involved in **quality control, inspection and testing of household goods** to a Jersey registered French owned investment fund. Consideration US$10million.
- Acting for Italian **electronics manufacturer** on the establishment in China of a wholly foreign owned enterprise.

__Edmond Leung__ is held in high regard in the market and is regularly instructed by Hong Kong-based clients to advise on outbound investments across the Asia-Pacific region. His clients speak positively about his responsiveness.
Chambers Asia, China / Hong Kong

- Acting for an Italian **motorcycle manufacturer** in connection with its acquisition of a controlling interest in the Hong Kong investment vehicles and the Chinese joint venture company.
- Acting for UK company engaged in the design and distribution of **children's clothing** in the establishment of a Hong Kong joint venture with its exclusive supplier and the acquisition by the joint venture of its supplier's manufacturing operations in China.

Banking and Finance

"Tanner De Witt is recommended for its 'response time, quality of work and __commercial judgement__'."
Legal 500 Asia Pacific, 2011

- Advising the **senior secured note holders** on the Hong Kong aspects of a US$600 million debt restructuring of a **multi-national electronics company**
- Advising a **US debt fund** on the Hong Kong aspects of its **secured US$70 million acquisition facility** to an international sports conglomerate

*"On the transactional side, the firm has seven qualified lawyers acting on such matters as private equity firms' cross-border acquisitions in China, joint venture establishments, and M&A matters for other Asia-based corporate clients."*IFLR1000, 2014

- Acting for an **international manufacturer of confectionery** in the refinancing of its corporate credit facilities including an **export finance facility**
- Advising a **large European bank** in an ongoing compliance review of the **regulatory environment for financial institutions** and financial service providers in Hong Kong
- Advising an Indonesian bank on the Hong Kong aspects of **its senior and mezzanine credit facilities** to an **international mining corporation**

"Tanner De Witt's three-partner corporate department has a fine record in mid-market transactions for local and international businesses."
Legal 500 Asia Pacific, 2013

- Advising a **large Asian bank** on a security arrangement involving a number of **high value fleet vehicles**
- Acting for a **US debt fund** in several of its **Asian financing transactions** in the technology sector
- Acting for the borrower on the Hong Kong law aspects of a **cross-jurisdictional US$80 million facility agreement** for financing the construction of an oil drilling rig

Edmond Leung is ranked as "__Up and Coming__" for Corporate/M&A.
Chambers Asia 2014, China / Hong Kong

- Advising a **Hong Kong based investment fund** on a convertible notes issuance for the **acquisition and development of solar assets**
- Acting for a leading global provider of environmental, health, safety, risk, and social consulting services on the **refinancing of a US$700 million syndicated loan facility**
- Acting for a **major Chinese bank** on the **Hong Kong aspects of a ship finance transaction**

Employment

***Russell Bennett** is experienced in handling all aspects of employment disputes and litigation, from mediations relating to terminations and harassment claims to court proceedings and pro bono employee defence. Market commentators call him a "good technical lawyer" and a "safe pair of hands with regard to financial services clients."*
Chambers Asia, China / Hong Kong

*Sources say: "They are good at what they do and are **genuine employment experts**."*
Chambers Asia-Pacific China / Hong Kong

- Advising a leading **Hong Kong insurance brokerage firm** on various employment issues including recruitment of employees for various departments and restrictive covenant issues.
- Defending a **senior advertising executive** in injunction proceedings and obtaining dismissal of application for enforcement of a 12-month non-compete covenant.
- Advising several **international companies** on setup and establishment in Hong Kong. This included all related advice on employment, contracts, handbooks and policies (including discrimination, harassment and financial/regulation policies, visas and licensing).
- Redrafting a staff employment handbook for a **leading retail jewellery chain** dealing with substantive employment terms and a wide range of policies including staff monitoring with pricing, insider dealing, health and safety and anti-discrimination policies.
- Advising a **Hong Kong listed entity and its subsidiary** in connection with claims against an employee for suspected breaches of fiduciary duty and diversion of business opportunities.
- Defending **four senior executives** in a high-profile claim brought by their former employer, alleging breaches of contract and fiduciary duty and seeking enforcement of restrictive covenants.

Dispute Resolution

- Assisting Grant MacEwan University with **the tracing and recovery of CAD11.8 million** misappropriated through **cyber fraud**.
- Acting for a global private markets investment management firm in Singapore to apply for **disclosure orders and gagging orders** against several major banks in Hong Kong to assist in the investigation of the flow of investment funds on a confidential basis.
- Frequently acting for overseas payers in applying for **urgent asset freezing injunctions** against account holders in Hong Kong in fraudulent transactions and seeking corresponding **disclosure orders against the banks** involved for **tracing claims**.
- Acting for overseas victims of fraud who have obtained injunctions overseas to apply for **parallel injunctions** in Hong Kong pursuant to section 21M of the High Court Ordinance (Cap. 4).

*A client reports: "I find the team **very approachable** and **personable** and take comfort in the service provided not being delegated by the partners to subordinates. The strengths for me stem from the broad range of experience the partners collectively share on matters which rarely appear in court proceedings and are novel to the legal system in Hong Kong."*
Chambers Asia-Pacific China / Hong Kong

*'the advice from the team is **straightforward** and to the point, but they don't simply cut and paste elementary knowledge to us.'*
Chambers Asia-Pacific China / Hong Kong

*"They are a **quality outfit**, and in the area of restructuring and insolvency they are at the **forefront of the field**."*
Chambers Asia-Pacific China / Hong Kong

*"Though its expertise is much broader than in contentious work, Tanner De Witt truly excels in the **litigation** environment. This is thanks in part to the presence of immensely experienced litigator **Ian De Witt** ("expert analysis and opinion")."*
Legal 500 Asia Pacific

- Regularly advising clients on matters concerning the **sale of goods** legislation and product liability including product complaint investigations.

- Acting for a **leading accounting firm** in defending claims of professional negligence over the administration of the estate of a prominent artist in Asia.

- Acting for a leading PRC software provider (a subsidiary of a Hong Kong-listed company) in proceedings commenced in Hong Kong by a leading US software provider for **breach of copyright**.

- Acting for two UK plaintiffs seeking damages against a Hong Kong company for **breaches of duty** as agent, including failure to obtain the best prices available for products sold in the PRC and failing to disclose its interest in the PRC factory introduced by the agent to manufacture one of the plaintiff's products.

- Acting for a licensed person in respect of **disciplinary proceedings by the SFC** in respect of an alleged breach of Code of Conduct for Persons Licensed by or Registered with the SFC. The case resulted in a landmark decision that is the first occasion that the Securities and Futures Appeals Tribunal (SFAT) has reversed a disciplinary decision by the SFC on both culpability and penalty, since the SFAT's establishment more than a decade ago.

- Acting for a seller based outside of Hong Kong **seeking payment** from a buyer who refused to pay for goods that were not delivered due to an **Act of God** destroying the factory that produced the goods. The buyer was also based outside Hong Kong while the agreement between the two parties was governed by Hong Kong law.

- Arbitrating on behalf of a buyer who was seeking compensation from a seller for **defective goods** received. While the contract was governed by Hong Kong law, both parties were based overseas.

- Acting for a chemical product manufacturer in matters concerning enforcement of **trademark rights** in Hong Kong and other jurisdictions including the PRC, Taiwan, Singapore, Malaysia and Italy.

Restructuring and Insolvency

- Advised two joint and several liquidators of STX Pan Ocean on issues relating to the company's **voluntary winding up** in Hong Kong.

- Acted for a director of Grand Horizon on the **restructuring of the business** and assisted with defending various actions that have been commenced by creditors.

*"They provide **insolvency expertise** at a level that is hard to find anywhere in Hong Kong or in Asia for that matter".*
IFLR1000

*"They have **greater experience** than other firms in town. In terms of handling liquidation or insolvency matters, I rate them the **highest**."*
Chambers Asia-Pacific China / Hong Kong

- Advising Nirav Modi Limited (and Firestar Holdings Limited), a global diamond jewellery house established in 2010, on **liquidation and related matters** following the global news of its public collapse and alleged $2bn fraud.

- Advising the Joint Provisional Liquidators (PwC) appointed in the Cayman Islands over a company listed on the Hong Kong Stock Exchange on **liquidation, asset recovery and related matters** arising from a large and complex fraud (involving several hundred million US dollars) by directors and others.

- Following a long running battle with a major international investment bank judgment was granted in favour of our client, an offshore investment consultancy. The subject matter of the dispute concerned a **private share placement** of HK$2bn relating to a Hong Kong listed company involved in the casino industry.

- Lead counsel on the **complex restructuring** of Kaisa Group's offshore debt amounting to over $2.5bn.

- Acted for KPMG as the liquidators of the Hong Kong arm of OW Bunker Group, advising on numerous issues associated with its **insolvency proceedings**.

- Advised KPMG as the liquidators of MF Global, which includes representation at hearings on issues such as the **ad valorem duty payable** by provisional liquidators and the **treatment of costs incurred by liquidators**.

- The firm played a pivotal role in connection with the appointment of provisional liquidators to Oasis Hong Kong Airlines, and was instructed by

- the provisional liquidators in all aspects of this **multi-faceted administration**, which has presented some unique challenges given the international scope of the Oasis business and the **high-profile nature** of the collapse.

- Successfully acting in what is now the leading case of an **unfair preference action** in a "non-associate" case where the firm acted for the liquidators against a receiver holding the proceeds of certain assets that were "preferred" to the company's bankers.

- Advising the receivers appointed in respect of an online trading company selling CDs and DVDs following a **much publicised judgment** against the company in the UK for some £40 million. Notwithstanding the UK judgment, the receivers successfully concluded a sale of the company's assets following a period of **trading under receivership**, a rare event in Hong Kong.

- Assisting receivers appointed by the Jersey Court over a Jersey trust in taking legal action in Hong Kong to **secure control** over entities within the trust structure in an effort to **enable court-ordered payments** of several

million pounds to be made to a disenfranchised beneficiary of the trust, in connection with a **long-running and high-profile matrimonial matter** in Hong Kong concerning a jewellery trading family.

- Advising a US-based manufacturer of retail electronic products in connection with difficulties arising with its Hong Kong and PRC partners, **concerning indebtedness** of in excess of US$70 million.

Family

__Joanne Brown__ of Tanner De Witt "is very reassuring with clients, very professional and practical. She is the kind of person that people would go to if they want some very practical advice or if they want the case to be handled by someone with immediate maturity," according to a client. She continues to serve a diverse range of clients from HNW individuals and expatriates to locals.
Chambers Asia-Pacific
China / Hong Kong

- Acting for a former husband to pursue proceedings to vary downwards court ordered **maintenance payments**.
- Acting for a finance professional in a long-term **wardship case** that involves allegations of sexual abuse and violence towards the child. The case also involves complicated access and **financial disputes**.
- Acting for a husband in a case involving divorce, a **postnuptial agreement**, ongoing issues regarding execution and administration of the post-nuptial agreement.
- Acting for a wife in a hostile divorce case from her husband who has displayed significant substance and alcohol abuse behaviours. Case involves **mediation** and an application for an injunction against the husband to protect matrimonial assets.
- Acting for a mother in a **removal case** where the mother wishes to take the children of the family overseas per month.
- Acting for a client on **pre-nuptial agreement** and trust structures to achieve the client's goals of pre-marital wealth protection of international reach.
- Acting for the husband to **divorce** proceedings brought by an estranged wife who is from a high net worth Hong Kong family.
- Acting for the husband in a long marriage with **complex matrimonial asset valuation issues** specifically international commercial and hedge fund structures. Assets are held in Hong Kong, UK and the US.
- Acting for a former wife to enforce a **maintenance order** which is in default and opposing application to set aside a consent order.
- Acting for a NGO to **bring child protection** proceedings for the benefit of a neglected child in the High Court and acting against various Government and other NGO bodies.

Department Head Joanne Brown ranked as an 'Up and Coming' Partner in Chambers Asia Pacific Guide 2018: *Joanne is recommended this year by numerous clients and peers, who highlight her negotiation and client management skills. One interviewee notes: "*She is great at dealing with highly complex cases and difficult clients*," adding that she is "*the kind of person you would want to have there, very calm and collected*."*

- Acting for a **Domestic Helper who seeks a divorce** from her husband in the Philippines.

Intellectual Property

- Acting for a large company on the registration of a trademark in more than **fifty countries**, and successfully enforcing against **infringement** in **six countries** across Asia and Europe.
- Acting for multiple defendants in a case alleging hundreds of **copyright infringements** of a well-known jewellery line.
- Acting for a large **China-based sporting association** successfully defending its application for a trademark against opposition by a US-based sporting association, who believe they own the right to the trademark.
- Advising large multinational shoe company on intellectual property **licensing and endorsement and distribution agreements.**
- Acting for a major Hong Kong restaurant group advising on **structuring of licensing agreements** and trademark matters.
- Acting for provisional liquidators of **Eco Group Asia** in the sale of the intellectual property rights in their product for US$450,000.

China Practice Group

*"They understand our business and their legal service is provided from our business' viewpoint. They provide **strong attention** to detail, experience and **valuable advice."***
Chambers Asia-Pacific China / Hong Kong

*"They deliver **solid work** and are reliable. They are **responsive**, friendly and offer **good commercial judgement**."*
Chambers Asia, China / Hong Kong

*"They have **greater experience** than other firms in town. In terms of handling liquidation or insolvency matters, I rate them the **highest**."*
Chambers Asia-Pacific China / Hong Kong

- Advised Kaisa Group Holdings Limited in the **multi-jurisdictional restructuring** of the company's offshore debt of approximately USD 2.6 billion (nearly RMB 17 billion).
- Advising the liquidators of a large Chinese financial institutionin connection with **novel issues arising from the PRC regulators** refusing to release funds held in PRC other than in RMB for payment of dividends in that currency.
- Advised on and assisted a PRC-based fund manager to structure their China fund management platform by introducing an **entirely new shareholding structure** to permit separation of income streams and control.
- Advised one of the largest natural resources companies in China on an investment into a Hong Kong company that holds coal mining assets in Pakistan. The investment involves a **subscription for shares** in the target company and our client will become the majority shareholder.
- Advised a Hong Kong start-up company on the **investment and acquisition of shares** in the company by a world-leading international

electrical products and telecommunications company and a Chinese PE fund.

- Acted for the intervener in a preliminary issue of whether his shareholding in a Shanghai-listed company is considered a **matrimonial asset** in a divorce.

- Acting for Chinese businessman to **recover assets** (including listed shares and properties in Hong Kong, interests in a sino foreign equity joint venture in the PRC and companies in the BVI) which were fraudulently transferred abroad.

- Acting for major shareholders and Directors in various medium-sized companies who **experience disputes**.

Our Partners

At Tanner De Witt we have an international team of lawyers who have significant experience and qualifications across many jurisdictions worldwide. As a multilingual and multicultural team, we are able to communicate and facilitate cross-cultural understanding and respect. Our partners who are featured below have more than 150 years of combined experience in Hong Kong.

Eddie Look

Corporate and Commercial

eddielook@tannerdewitt.com

Eddie Look *offers a broad range of expertise in corporate transactions and private equity work, advising on M&A, joint ventures and corporate restructurings. He is highly rated by a range of international companies with operations in Hong Kong.*
Chambers and Partners Asia Pacific

Eddie Look has extensive experience in a broad range of corporate and commercial work in Hong Kong and the Asia Pacific region. He advises clients on acquisition of shares and businesses, private equity, structuring of companies and commercial documentation including shareholders' financing, licensing, distribution, franchise and manufacturing arrangements. Eddie has also been advising on intellectual property protection including registration of trade-marks and immigration matters. On regulatory matters, he advises on onshore elements of offshore funds and on Securities and Futures Ordinance requirements for commercial documentation. Additionally, Eddie assists businesses to develop in the PRC, including arranging for the establishment of representative offices, wholly foreign-owned enterprises (WFOEs) and joint ventures.

Tim Drew

Corporate and Commercial

timdrew@tannerdewitt.com

Tim Drew *has attained a premier reputation for high-value corporate transactions, including M&A, joint ventures and corporate restructurings. He draws praise from clients for his responsiveness, with one stating: "He has strong experience and is always available and able to provide quick advice."*
Chambers and Partners Asia Pacific

Tim Drew advises clients across a broad range of general corporate and commercial matters, including mergers, acquisitions and disposals, business transfers, joint ventures, investment and shareholders' agreements, China investment, due diligence, corporate reorganisations, loan and security documents, agency and distributorship agreements, manufacturing and supply agreements, terms of business, franchise and licensing and regulatory and compliance. He advises upon all aspects of employment, from drafting contract documentation and share ownership/incentive schemes to handling work and investment visa applications. In particular, Tim has considerable experience in advising senior level executives and investment bankers on lateral moves. Tim's clients include multinational corporations, regional and locally based companies, accountancy firms, overseas law firms, small and medium-sized enterprises, start-up entities and individuals.

__Edmond Leung__ is held in high regard in the market and is regularly instructed by Hong Kong-based clients to advise on outbound investments across the Asia-Pacific region. His clients speak positively about his responsiveness.
Chambers and Partners Asia Pacific

Edmond Leung

Corporate and Commercial
edmondleung@tannerdewitt.com

Edmond Leung advises on mergers, acquisitions, disposals, joint ventures, re-organisations, private equity transactions, and the establishment of funds including private equity, venture capital and hedge funds, and banking and finance matters. He also advises on general corporate and commercial matters including the establishment of companies and businesses, franchise, commercial agency and distribution arrangements, and other general commercial agreements. In addition, he advises on regulatory and compliance matters including in relation to financial services.

__River Stone__ provides 'solid advice in a reasonable period of time' and have 'a great attitude to service'.
Legal 500 Asia Pacific

River Stone

Corporate and Commercial, Co-Head of China Practice Group
riverstone@tannerdewitt.com

River is from Mainland China and co-heads the China Practice Group of the firm. His practice focuses on Corporate and Commercial law and he advises on mergers and acquisitions, joint ventures, private equity deals, fund formation (including private equity, venture capital and hedge funds), and banking and finance matters. He also advises clients on financial section regulatory and compliance matters and other general corporate and commercial matters. He advises western clients in transactions related to China. Meanwhile, he assists Chinese clients in their business development in other parts of the world.

"__Padraig Walsh__ is a really exceptional lawyer. He looked at everything from our perspective, and provided us with solutions – not advice."
Chambers and Partners Asia Pacific

Pádraig Walsh

Corporate and Commercial, TMT
padraigwalsh@tannerdewitt.com

Pádraig's practice focuses on the technology sector. His clients also include businesses in other sectors in relation to legal issues arising from their use of technology. He has represented companies within specific verticals of fintech, insurtech, regtech, biotech, healthtech, edutech, cleantech, and supply chain tech. Pádraig works with businesses at all stages of the corporate growth cycle, from early through growth and on to mature and multinational stages. Pádraig's practice areas include corporate and venture capital, commercial and privacy, and regulatory and compliance.

Russell Bennett

Employment

russellbennett@tannerdewitt.com

***Russell Bennett** is experienced in handling all aspects of employment disputes and litigation, from mediations relating to terminations and harassment claims to court proceedings and pro bono employee defence. Market commentators call him a "good technical lawyer" and a "safe pair of hands with regard to financial services clients."*

Chambers and Partners Asia Pacific

Russell Bennett specialises in employment law and also has advised on a wide range of commercial litigation matters. He acts for both employers and employees, with particular emphasis on high-value employment disputes in the financial sector. He advises on all aspects of employment law, termination entitlements, post-termination restrictions, bonuses, discrimination, drafting employment contracts, handbooks and other HR related documentation as well as health and safety matters. Russell has also advised and acted in disputes on insurance and subrogation claims; joint venture terminations; landlord and tenant disputes involving possession, forfeiture, and distraint; debt collection, professional negligence, including surveyors/designers; international trade/sale of goods, and contractual commercial disputes.

Mark Chiu

Employment

markchiu@tannerdewitt.com

Mark is a partner in our Employment Practice having joined the firm in 2018. His practice involves advising employers and employees on different aspects of employment law regarding recruitment, termination, separation, post-termination restrictions, discrimination, harassment, drafting of handbooks and other HR-related policies/documents and other labour disputes. Mark has experience in contentious employment law and litigation in the Labour Tribunal, the District Court, the Court of First Instance and the Court of Appeal.

He has assisted in several multi-jurisdictional due diligence exercises with regard to Hong Kong employment law issues.

He has substantial experience in conducting internal investigations by employers into potential misconduct and serious breaches of employment contracts by employees. He also assisted clients in relation to criminal investigations relating to employment-related matters.

Prior to joining Tanner De Witt, Mark worked as an Assistant Legal Counsel at the Equal Opportunities Commission of Hong Kong, specialising in advising and representing discrimination/ harassment complainants with their claims under the Anti-Discrimination Ordinances.

*"**Pamela Mak** is particularly skilled at dealing with mainland clients, and skilled at soothing difficult clients."*
Legal 500 Asia Pacific 2023

Pamela Mak

Dispute Resolution, Co-Head of China Practice Group
pamelamak@tannerdewitt.com

Pamela Mak has extensive commercial litigation experience. She acts for high net worth individuals to claim against financial institutions for negligent investment advice. She also acts for individuals in investigations conducted by the SFC/HKMA. She has handled shareholders' disputes, sale of goods disputes and debt collection cases. Pamela frequently acts for payers/paying banks in asset tracing claims, applying for urgent asset freezing injunction orders against recipients in Hong Kong and seeking corresponding disclosure orders against the banks of the recipients. She often applies for worldwide asset freezing injunction orders and other interim relief in aid of overseas legal proceedings. Pamela is also experienced in contentious probate matters, in applying for non-molestation injunctions, and in making applications under the Mental Health Ordinance (Cap. 136). She is fluent in Cantonese, Mandarin and English.

*"Derived from many years' experience, **Douglas Clark** has excellent knowledge of China and Chinese law. He is the best IP lawyer practicing in China today."*
Chambers and Partners Asia Pacific

Douglas Clark

Dispute Resolution
douglasclark@tannerdewitt.com

Doug is a partner in the Disputes Resolution practice focusing on Mainland China and Hong Kong intellectual property disputes and arbitration. Doug's non-contentious IP experience includes negotiation and advising on technology transfer contracts; conducting patent and other intellectual property audits; and, freedom to operate analyses. He has also given expert evidence on Mainland Chinese and Hong Kong law in overseas court proceedings or international arbitrations.

***Ian De Witt** is a veteran at handling a range of insolvency matters, from debt recovery to pre-emptive actions and the appointment of provisional liquidators. One client enthuses: "Ian's approach is very personal and reassuring. He has a very casual manner about him which really helps, as these situations are very stressful, taking away a lot of the pain of the process in what was not a very savoury situation."*
Chambers and Partners Asia Pacific

Ian De Witt

Restructuring and Insolvency
iandewitt@tannerdewitt.com

Ian is Partner and Co-Head of Restructuring and Insolvency at Tanner De Witt, a well-respected Hong Kong firm that he co-founded in 1999, and which is now one of the largest independent law firms in Hong Kong. His practice is focused on a wide array of commercial litigation and insolvency matters, which include pre-emptive actions such as injunctions, asset tracing, the appointment of provisional liquidators and the like. Ian has also advised and acted for directors, employees and companies in respect of investigations, regulatory matters and prosecutions carried out by the Police, the Independent Commission Against Corruption ("ICAC"), the Commercial Crime Bureau ("CCB"), the Securities and Futures Commission ("SFC") and the Confederation of Insurance Brokers ("CIB") Disciplinary Tribunal. Ian is consistently ranked as a 'Leading Lawyer' for Restructuring and Insolvency in Hong Kong by various industry publications, including Chambers and Partners, Legal 500 and Who's Who Legal.

Robin Darton

Restructuring and Insolvency
robindarton@tannerdewitt.com

***Robin Darton** is a seasoned expert in Hong Kong insolvency disputes, acting for trustees in bankruptcy cases, disputes relating to shareholders' agreements and applications for the appointment of receivers. A client describes him as "very competent, very practical and commercially oriented."*
Chambers and Partners Asia Pacific

Robin has extensive experience in litigation and other contentious issues across a range of subjects, with an emphasis on contentious insolvency and banking matters. His experience includes acting in winding-up proceedings; appointments of provisional liquidators; claims against directors; claims against auditors; fraud and asset tracing; and the court-related aspects of creditors' schemes of arrangement. Robin also has extensive experience acting in banking litigation matters, such as debt recovery; security enforcements; guarantees; and contentious matters relating to trade finance, such as disputes concerning Letters of Credit and Bills of Exchange. Robin also advises in relation to general commercial litigation including employment and shareholders' disputes, and claims relating to breach of confidence, and has longstanding experience in international trade disputes.

Sunny Hathiramani

Restructuring and Insolvency
sunnyhathiramani@tannerdewitt.com

*"Sunny has **many positive attributes** including **excellent client handling skills**, **strong technical skills** and also a **pragmatic and commercial** approach to problem solving. This is a critical mixture and makes him a **very able advisor**," a client commented.* Asian Legal Business 40 Under 40

Sunny has extensive experience in advising on a range of insolvency and restructuring issues, in relation to both companies and individuals. He has represented clients in complex commercial, winding-up and bankruptcy disputes and advised insolvency practitioners, shareholders, creditors and debtors, including in respect of cross-border issues. Sunny also advises and represents directors and companies in regulatory matters, including investigations by the Securities and Futures Commission and the Confederation of Insurance Brokers Disciplinary Committee.

Troy Greig

Restructuring and Insolvency

troygreig@tannerdewitt.com

Troy focuses on contentious matters with considerable knowledge in commercial and insolvency-related litigation, fraud and regulatory work with broad experience advising on all aspects of cross-border winding-up proceedings, bankruptcy, debt restructuring, on-going management and trading of businesses, asset marketing and sale, claims against and on behalf of the distressed estate. Troy also has extensive experience acting in banking litigation matters with a focus on financial transactions disputes. This includes enforcement of securities; guarantees; and contentious matters relating to trade and securities finance, such as disputes concerning Letters of Credit and Bills of Exchange.

Veronica Chan

Restructuring and Insolvency

veronicachan@tannerdewitt.com

Veronica has experience across a broad range of legal practices including litigation and insolvency. She acts for liquidators, receivers, creditors and directors. She also advises and acts in general commercial litigation including shareholders' disputes, trademark disputes, commercial and contractual disputes. Veronica is a Mandarin speaking Hong Kong lawyer who has a strong network of contacts in Mainland China and regularly works on matters involving the Mainland. Veronica holds a BA (Law with Business Honours Degree) from the University of Wales, Aberystwyth and a Legal Practice Course diploma from the College of Law, London. She was born in Hong Kong and is fluent in English, Cantonese and Mandarin. Veronica is the current Asia Regional Vice Director of the International Women's Insolvency & Restructuring Confederation's Hong Kong Network.

Tim Au

Restructuring and Insolvency

timau@tannerdewitt.com

Tim joined Tanner De Witt in September 2012. With a particular focus on contentious restructuring and insolvency matters, he regularly advises insolvency officeholders and corporate clients on all aspects of restructuring and insolvency issues including recovery of assets in insolvency estates, recognition of foreign appointments and foreign restructuring processes in Hong Kong, debt recovery matters and a wide range of court applications in relation to bankruptcies and liquidations. He has a strong interest in schemes of arrangement with cross border elements and advises on contentious scheme matters. Tim has extensive experience in trials concerning a variety of litigation matters.

***Joanne Brown** of Tanner De Witt "is very reassuring with clients, very professional and practical. She is the kind of person that people would go to if they want some very practical advice or if they want the case to be handled by someone with immediate maturity," according to a client. She continues to serve a diverse range of clients from HNW individuals and expatriates to locals.*
Chambers and Partners Asia Pacific

Joanne Brown

Family

joannebrown@tannerdewitt.com

Joanne is Head of the Family Department, advising on all aspects of family law including jurisdictional issues, divorce, separation, financial arrangements for spouse and children, nuptial agreements, custody and other disputes relating to children including applications to remove children from Hong Kong, paternity and adoption cases. Joanne is a Qualified Practitioner of the Hong Kong Collaborative Law Practice Group, a qualified Parenting Coordinator, Mediator and a member of the Hong Kong Family Law Association. Joanne studied Law in England before being admitted in Hong Kong in 2008. Prior to joining Tanner De Witt Joanne spent nine years with a well-established Hong Kong firm obtaining extensive litigation and non-contentious experience.

Adrian Au

Family

adrianau@tannerdewitt.com

Adrian is a partner in the Family Practice having joined the firm in 2017. Adrian advises clients on all areas of family and matrimonial law, including pre / post-nuptial agreements, matrimonial breakdown, separation and divorce, financial applications and arrangements for children. Adrian also regularly advises on contentious probate matters. He advises a diverse range of clients, ranging from chairmen of listed companies, second-generation owners of family businesses and SME entrepreneurs with international backgrounds, to high net-worth individuals in the PRC. Adrian often advises clients on challenging jurisdictional issues, complex financial arrangements involving pension schemes, share options or deferred bonus payments schemes, assets across multiple jurisdictions and entitlements under a trust structure, and spousal and children maintenance (interim and final).

Cost Certainty

We pride ourselves on our ability to provide practical, cost-effective advice. As is usual for lawyers in Hong Kong, we generally charge clients on the basis of time spent.

Our fees will be affected by the length and / or complexity of the work.

Our rates are very competitive in the Hong Kong market place, particularly considering the quality of service that we provide and our local experience. In order to keep our fees to a minimum, we ensure that the work is handled at a cost-effective manner and at the appropriate level within our firm, whilst maintaining supervision by a partner.

It is sometimes difficult to be specific for certain kinds of matters but the following information may be useful to note. We will be very happy to discuss further with you if needed.

1. For more complex or delicate matters, there may be more involvement by senior associates or partners, resulting in a higher average hourly rate.
2. For certain matters, if the scope of work is well defined, we can provide a quote for a fixed fee.
3. These rates are highly competitive in the market. In appropriate cases, we can agree alternative pricing structures.

Disbursements

In addition to our professional fees, our bills will include charges for disbursements and other out-of-pocket expenses such as telephone and travel. The fees of outside professionals (such as counsel) will be included at cost in our bills to you.

We hope this document provides sufficient information about Tanner De Witt and our experience and expertise across our specialised practice areas to enable an informed judgment to be made about the suitability of our firm to be instructed on particular legal matters. More detailed information about the firm is available on our website (www.tannerdewitt.com). We hope we can be of service.

We are located at:
17 Floor, Tower One, Lippo Centre, 89 Queensway, Hong Kong
Tel: (+852) 2573 5000
Fax: (+852) 2802 3553