

## Catrina Lam

LLB, University College London (1998)  
PCLL, University of Hong Kong (1999)  
PgD in EU Competition Law, King's College London (2016)  
MA in EU Competition Law (Distinction), King's College  
London (2018)  
PgD in Economics for Competition Law, King's College  
London (2021)

**Email Address:**

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**Year Of Call:**

1999 (Hong Kong)

**Practice Areas:** Administrative and Public Law, Arbitration  
, Mediation, Chancery, Commercial Law, Company Law and  
Insolvency, Competition Law, International Trade, Land &  
Planning Law, Securities Law, Tax Law,  
Telecommunications



Catrina is recognized as a leading senior junior barrister whose practice spans all aspects of contentious commercial disputes (including domestic and international arbitrations), administrative and constitutional law, competition (antitrust), securities and regulatory litigation. She is ranked as a Band 1 junior for Commercial Dispute Resolution in Chambers & Partners, as well as a Tier 1 junior for Competition, Administrative and Public Law and Commercial Disputes in The Legal 500. She is also recognised as a Recommended Global Leader in Who's Who Legal Global Guide in the practice area of competition law.

She has represented domestic and multinational clients operating in a wide range of industry sectors, including banking and financial services, technology, telecommunications, real estate and construction, energy, media and entertainment, manufacturing, education, aviation and gambling. She is experienced in handling highly complex commercial disputes, many involving novel legal issues and/or technical evidence, and has been described as being "great for matters which concern very difficult facts and evidence". She is in demand for her "sharp legal mind", "quickness on her feet", "strong legal literacy" and as a practitioner who "thinks outside the box and always tests the limits of the evidence".

She appears at all levels of court, as well as other specialist and disciplinary tribunals, including the Competition Tribunal, Securities and Futures Appeals Tribunal, Insider Dealing Tribunal and the Board of Review. In her public law and judicial review practice, Catrina has advised and represented many public bodies and officials, including acting for the Secretary for Justice intervening in the public interest, as well as private individuals.

Catrina is "held in particularly high esteem for her accomplished competition law practice" and is "widely identified as Hong Kong's front runner for competition matters". She "stands out" for her "depth of knowledge in competition law".

Apart from acting as counsel, Katrina accepts appointments to sit as arbitrator. She is on the HKIAC's List of Arbitrators and is a member of the Panel of Arbitrators for both the Shanghai International Arbitration Centre and the Shenzhen Court of International Arbitration.

Outside of practice, Katrina is active in public service. She has served as a Temporary Deputy Registrar of the High Court and as a Deputy District Judge. She is currently sitting on 6 statutory appeal boards and tribunals on appointment by the Government. She has been serving as the Secretary of the Middle Temple Society in Hong Kong since 2009 and was appointed an Honorary Member of The Honourable Society of the Middle Temple in 2018.

Catrina speaks English, Cantonese and Putonghua (conversational), and is a CEDR accredited mediator.

## Directory Quotes:

Catrina "is familiar with Hong Kong procedures and is very good at finding out the real story behind the evidence". "She's a great technical lawyer, has a commanding courtroom manner and is very good with clients. To my mind she is clearly the leading competition law barrister in Hong Kong."

"Catrina Lam of Des Voeux Chambers maintains a diverse practice across a range of commercial litigation instructions, commanding particularly high esteem for her accomplished competition law practice." - Band 1 Leading Junior

### Chambers & Partners Greater China Region (2023)

Catrina is "one of the go-to counsel for competition law." "Catrina Lam is notable in the space [of competition law], leading a successful defence against the complex and unusual allegation of cartel conduct employed as a defence to a contractual claim in *Taching Petroleum Co Ltd v Meyer Aluminium Ltd.*" - Tier 1 Leading Junior (Competition)

"Catrina is hardworking and an expert in judicial review matters. She is a detailed thinker." - Tier 1 Leading Junior (Administrative and Public Law)

"Catrina is very prepared and meticulous. Her written submissions are excellent and her oral advocacy is outstanding. No weaknesses." - Tier 1 Leading Junior (Commercial Disputes)

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### Legal 500 Asia Pacific HK Bar (2023)

Catrina “really gets into the details, but presents them to the court in a way that will be understood and which leaves the other side with no possible room to object.” She is described as “exceptionally good,” and “She is always well prepared for her cases and combines a good knowledge of the law with a good understanding of client’s needs.”

“Catrina maintains a diverse practice across a range of commercial litigation instructions, commanding particularly high esteem for her accomplished competition law practice.” - Band 1 Leading Junior

### Chambers & Partners Greater China Region (2022)

The ‘very capable’ Catrina has an excellent reputation for her expertise in the area, with an established track record in appearing in high-profile cases involving enforcement actions and investigations into alleged breaches of competition rules. In a recent highlight, Lam acted for the Competition Commission in *Competition Commission v Quantr Ltd*, a cartel case involving a bid-rigging exercise via the exchange of competitively sensitive information in the IT sector. The case marked the first use of an infringement notice by the Commission to resolve the matter, as well as the first set of proceedings to arise from a successful leniency application in Hong Kong. - Tier 1 Leading Junior (Competition)

*‘Catrina is a meticulous junior, who is very detailed when preparing her cases. A very user-friendly barrister.’* - Tier 1 Leading Junior (Commercial Disputes)

*‘She addresses the court’s concerns in a plausible and persuasive manner.’* - Leading Juniors (Administrative and Public Law)

### Legal 500 Asia Pacific HK Bar (2022)

Catrina Lam is held in particularly high esteem for her accomplished competition law practice. “She would be the name I would highlight at DVC; she’s really cornered the competition law market well and is doing some interesting stuff there,” Further sources confirm she is “highly thought of” at the Hong Kong Bar, and is singled out as “very reliable for fact-heavy cases.” “She is great for matters which concern very difficult facts and evidence... She’ll spend a lot of time speaking to the experts, so she can explain things in a way that everyone in the court can understand.”

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### Chambers & Partners Asia Pacific (2021)

Senior-junior Catrina Lam represented the Competition Commission in the Nutanix case, and is instructed by it in an investigation into an alleged bid-rigging exercise for a project at a theme park; in the private sector, she also represents the claimants in the Taching Petroleum v Meyer Aluminium case over unpaid fuel invoices in which the defendants argue that Taching fixed prices with Shell. Catrina Lam is singled out as a Leading Junior for Commercial Disputes and Competition Law.

### Legal 500 Asia Pacific HK Bar (2021)

Catrina Lam of Des Voeux Chambers is widely identified as Hong Kong's "front runner for competition matters," having "had the lion's share of the cases so far heard" and being a member of the Competition Commission's panel of external counsel. Interviewees pay tribute to her "sharp legal mind and provision of clear, punchy advice" and to the "particularly impressive calmness and ability of quick response" she shows when "surprising or difficult issues" are raised in the courtroom.

### Chambers & Partners Asia Pacific (2020)

Catrina Lam of Des Voeux Chambers operates across a broad swathe of the civil law spectrum, but stands out in the opinion of many commentators for what one calls her "depth of knowledge of competition law in Hong Kong, the US and the EU," one interviewee maintaining that she has "pretty much monopolised the market in this respect." More generally, she is admired as a practitioner who "thinks outside the box and always tests the limits of the evidence, is not afraid to tell solicitors and clients when they have a bad case and can be a fighter - but always at the right moment." She acted for the Competition Commission in Competition Tribunal proceedings - that body's first - against Nutanix and other companies in connection with their alleged involvement in bid-rigging.

### Chambers & Partners Asia Pacific (2019)

Catrina Lam of Des Voeux Chambers maintains a "pretty diverse and versatile practice" but is "increasingly known for her expertise in competition-related matters and as one of the very few Hong Kong barristers with experience of handling competition cases." Sources also highlight her ability to work within a team as "a very important and significant part of her capability," and they further praise her quickness on her feet, "strong legal literacy"

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and instinctive recognition of "when to advance and when to retreat."

Chambers & Partners Asia Pacific (2018)

## **Expertise:**

## **Memberships and Appointments**

### **Statutory board/tribunal and other appointments**

- Temporary Deputy Registrar, High Court of HKSAR [May 2018]
- Deputy District Judge, District Court of the HKSAR [September 2014]
- Deputy Chairman, Education Appeal Boards Panel under the Education Ordinance (Cap 279) [2019 - present]
- Chairman, Licensing Appeals Board under the Public Health and Municipal Services Ordinance (Cap132) [2018 - present]
- Deputy Chairman, Accreditation of Academic and Vocational Qualifications Appeal Board and Rules Committee [2023 - present]
- Member, Hong Kong Institute of Certified Public Accountants Disciplinary Panel A [2017 - 2023]
- Member, Inland Revenue Board of Review Panel [2016 - 2022]
- Chairman, Buildings Appeal Tribunal [2015 - 2021]
- Member, District Cooling Services Appeal Board Panel [2018 - 2021]
- Secretary and Advisory Board, The Middle Temple Society of Hong Kong [2012- present]
- Honorary Member, The Honourable Society of the Middle Temple [2018 - present]
- Arbitrator, List of Arbitrators, Hong Kong International Arbitration Centre [2021]
- Member of the Panel of Arbitrators for the Shanghai International Arbitration Centre [2021]
- Member of the Panel of Arbitrators for the Shenzhen Court of International Arbitration [2022]

### **Hong Kong Bar Association**

- Member, Committee on Constitutional Affairs and Human Rights, Hong Kong Bar Association [2020 - present]
- Member, Committee on Arbitration, Hong Kong Bar Association [2017 - present]
- Member, Bar Council [2013]

### **Competition related**

- Elected Vice President, International League of Competition Law (Ligue Internationale de Droit de la Concurrence) [2022 - 2023]
- Chairman, Committee on Competition Law, Hong Kong Bar Association [2020 - present]
- Founder and Vice Chairman, International League of Competition Law, Hong Kong Chapter

[2019 - present]

- Vice Chairman, Committee on Competition Law, Hong Kong Bar Association [2018 - 2020]
- Non-Governmental Adviser to the International Competition Network [2018 - present]
- External Counsel to the Competition Commission [2016 - present]

## Selected Cases

### Commercial

- **Catrina is ranked as a Band 1 junior for Commercial Dispute Resolution in Chambers & Partners and a Tier 1 junior for Commercial Disputes in The Legal 500**
- *Better Marine International Limited v Zhong Shan Company Limited* [2020] HKCA 145 – claim for commission arising out of a ship brokerage contract
- *China Cinda (HK) Asset Management Co Ltd v Linca Industry (Hong Kong) Holdings Co Ltd* [2019] HKCFI 2565 - successfully appealed against a refusal to grant summary judgment for a claim of HK\$800m
- *China Merchants Bank Co Ltd v Cai Sui Xin* [2018] HKCFI 2358 - whether necessary to apply for a variation of a Mareva injunction to exercise disposal rights under a Share Charge
- *Leighton LLC v Mongolia Energy Corp Ltd* [2015] 6 HKC 98 - O.14A determination on whether an instrument was a demand performance bond or a true guarantee in the context of a mining agreement in Mongolia
- 張才奎所託管中國山水投資有限公司股份 v 張才奎 [2015] HKCU 2478 (CA) - interim injunction pending application for leave to appeal
- *Dragonrider Opportunity Fund LP v Lam Fung* [2014] HKC 253 (CA) - the validity of a put option notice and enforcement of share charge
- *Turbo Top Ltd v. Lee Cheuk Yan & Ors* [2013] 3 HKC 578; [2013] 3 HKLRD 41 - injunction to restrain striking dock workers and protestors from demonstrating and keeping tentage in the public open space outside Cheung Kong Center
- *Wingames Investments Ltd & Ors v Mascot Land Ltd & Ors* [2013] 3 HKC 444; [2013] 2 HKLRD 521 - security for costs and application for transfer to Commercial List in the context of an action involving a sale of shares by way of convertible notes and a deposit exchange agreement
- *Wingames Investments Ltd & Ors v Mascot Land Ltd & Ors* [2013] 5 HKC 45; [2013] 1 HKLRD 1186 (CA) - mandatory injunction effectively determining parties' substantive rights should not have been made at the interlocutory stage in the absence of an application by the parties
- *Wingames Investments Ltd & Ors v Mascot Land Ltd & Ors* [2013] 1 HKLRD 26 - judgment on admissions
- *Aspial Investment Ltd v Mayer Corp Development International Ltd* [2012] HKEC 988 - trial concerning a dispute over ownership of shares involving the construction of a Custodian Agreement and trust (led by Warren Chan SC)
- *Taihan Global Holdings Ltd v Lau Siu Ming* [2011] HKC 835 - fortification of undertaking as to damages in Mareva injunction

- *Re Moulin Global Eyecare Holdings Ltd* (2009) 12 HKCFAR 621; [2010] 1 HKC 90; [2009] 4 HKLRD 203 - application of the "Internal Management Rule" in *Royal British Bank v Turquand*
- *Akai Holdings Ltd (in compulsory liquidation) & Ors v Ho Wing On Christopher Ho Family Trust* [2009] HKCU 1308 - acted for the Intervener, the trustee of the Ho Family Trust, in an application for leave to be joined as a party and to vary the terms of a Mareva injunction over trust assets
- *Hui Chi Ming v Koon Wing Yee* [2009] HKC 1642 - Mareva injunction
- *Wynn Resorts (Macau) SA v. Mong Henry* [2009] 5 HKC 515 - whether proceedings by Wynn Resorts Macau and Wynn Las Vegas in Hong Kong to recover alleged gambling debts totalling US\$6.75 million should be stayed in favour of Macau and Las Vegas, whether the basis of the suit was under a credit agreement or the marker
- *Hong Kong Rifle Association v Hong Kong Shooting Association* [2007] 4 HKLRD 121 - challenge to a resolution passed at an inquorate meeting which had been treated as valid and acted upon after 13 years
- *Alan Hoo v Benjamin Lung* [2007] 3 HKLRD 169 CA; [2005] HKCU 1747 - trial and appeal concerning a partnership dispute (led by Mr Benjamin Yu SC)
- *Goldlion Properties v Regent National Enterprises Ltd* [2006] 1 HKLRD 793; [2005] 4 HKC 500 (CA) - waiver of legal professional privilege where contents, as opposed to the effect of legal advice, relied upon in affirmation (led by Daniel Fung SC)
- *Wycombe Investment Ltd v Edwin Leong Siu Hung* [2005] HKCU 950 - trial concerning breach of duties in the context of foreign exchange commodities trading
- *UDL Holdings Ltd v Leung Yuet Keung* [2004] 1 HKC 547 (CA) - appeal against security for costs

## Competition

- **Catrina is ranked as a Tier 1 leading junior in the Competition section of The Legal 500 and is recognised as a Global Law Expert for the practice area of competition law in Hong Kong. She "stands out" for her "depth of knowledge of competition law" and is "widely identified as Hong Kong's front runner for competition matters", having "had the lion's share of the cases so far heard". She has acted for and accepts instructions from both regulators and respondents in competition proceedings and regularly advises undertakings on competition issues, as well as investigations of suspected breaches of competition rules.**
- *Competition Commission v ATAL Building Services Engineering Ltd & Ors* [2022] HKCT 4 - confidentiality protocol
- *Taching Petroleum Co Ltd v Meyer Aluminium Ltd* [2021] HKCFI 3028 and [2021] HKCT 2 - successfully defended an allegation of price fixing between two diesel oil suppliers
- *Taching Petroleum Co Ltd v Meyer Aluminium Ltd* [2021] HKCFI 1690 - successfully opposed an application for a split trial of liability and quantum
- *Taching Petroleum Co Ltd v Meyer Aluminium Ltd* [2021] 3 HKC 587 (CA) - successfully opposed an appeal against refusal to allow expert evidence on quantum

- *Competition Commission v Nutanix Hong Kong Ltd* [2020] HKCT 11 - judgment on pecuniary penalties and consequential orders where the Tribunal endorsed for the first time a lump sum approach in determining the Base Amount where no value of sales figure is available
- *Taching Petroleum Co Ltd v Meyer Aluminium Ltd* [2020] HKCA 1005 - successfully opposed an appeal against a decision refusing amendment and leave to appeal against the Tribunal's dismissal of an application to adduce expert evidence
- *Competition Commission v Quantr Ltd* [2020] HKCT 10 - exchange of competitively sensitive information in IT sector; first case in which Commission and Respondents reached an agreement to resolve liability and relief portions of proceedings by consent and the first set of proceedings in HK resulting from a successful leniency application; first case in which the Commission made use of an infringement notice as a remedy
- *Taching Petroleum Co Ltd v Meyer Aluminium Ltd (No 2)* [2020] 4 HKLRD 646 - whether leave to appeal required for decision refusing amendment and expert evidence
- *Taching Petroleum Co Ltd v Meyer Aluminium Ltd* [2020] 1 HKC 2 - successfully opposed an application to amend the Points of Defence, request for further and better particulars and the majority of expert evidence directions
- *Competition Commission v Nutanix Hong Kong Ltd & Ors (No 3)* [2019] 3 HKC 307 - instructed by Competition Commission in first ever enforcement proceedings in Hong Kong. Trial on bid-rigging in relation to a tender for IT server. Landmark judgment on standard of proof, warning notice and attribution of liability.
- *Taching Petroleum Co Ltd v Meyer Aluminium Ltd* [2019] 2 HKLRD 205; [2019] 6 HKC 553 - confidentiality ring - inclusion of non-legal representatives in confidentiality ring - split trial
- *Taching Petroleum Co Ltd v Meyer Aluminium Ltd* [2018] HKCFI 2095; [2018] HKCT 4 - case management - the first case where defence raised in High Court action alleging collusion in price fixing and information exchange - procedure upon transfer of allegation to Competition Tribunal
- *Competition Commission v Nutanix Hong Kong Ltd & Ors (No 2)* [2018] HKCT 1; [2018] 3 HKC 173 - specific discovery against Competition Commission - application of the principle of public interest immunity, informer privilege, without prejudice privilege
- *Competition Commission v Nutanix Hong Kong Ltd & Ors* [2017] 5 HKLRD 712 - self-incrimination - prohibition on direct use of compulsorily obtained answers under s.45(2) of Competition Ordinance - whether protection under s.45(2) prohibition limited to the subject of compulsion or extended to employer undertaking
- *Competition Commission v Nutanix Hong Kong Ltd & Ors* [2018] 1 HKC 27 - case management - confidentiality protocol - necessary directions to enable the matter to proceed to substantive hearing fairly, expeditiously and economically
- *PCCW-HKT v Telecommunications Authority Appeal No 3 of 2002* (led by Mr Peter Roth QC and Mr Mark Strachan QC acting for PCCW-HKT before the Telecommunications (Competition Provisions) Appeal Board on jurisdiction and power of Appeal Board to grant interim relief)
- *PCCW-HKT v Telecommunications Authority, Appeal No 4 of 2002* (led by Mr Peter Roth QC acting for PCCW-HKT in trial on abuse of dominance)

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## **Public Law / Judicial Review**

- **Catrina is ranked as a Tier 1 junior in the Administrative and Public Law section of The Legal 500. Catrina has acted for and accepts instructions from both applicants/claimants and respondent authorities. She has advised and represented private litigants as well as public officials and bodies including the Chief Executive, Chief Executive in Council, Secretary for Justice, Secretary for Labour and Welfare, Director of Civil Aviation, Director of Fire Services, Director of Social Welfare, Lands Department, Housing Authority, Communications Authority, Town Planning Board, and the Information and Technology Commission.**
- *Leelan Rukesh Marasinghe v Director-General of Civil Aviation* [2022] HKCFI 2483 - a challenge to a decision made by the Director-General of Civil Aviation to maintain the suspension of a pilot's class one medical certificate
- *Tomorrow Finances Ltd v Director of Fire Services* [2022] HKCA 531 - acted for Director of Fire Services in successfully resisting an appeal against the CFI's decision dismissing an application for leave to apply for judicial review
- *Tam Hoi Pong v Town Planning Board* [2022] HKCA 462 - successfully appealed against a first instance judgment quashing the TPB's approval of a residential development at Fung Lok Wai located within the Deep Bay Area and the Mai Po Nature Reserve (led by Johnny Mok SC)
- *Lam Tat Ming v Chief Executive of the HKSAR* [2021] HKCFI 1911 - acted for the Chief Executive of the HKSAR in successfully resisting a judicial review against his decision to reject a petition lodged by a former police inspector against the Secretary for the Civil Service's refusal to grant him a pension
- *莊裕安 v. 終審法院* [2020] 5 HKLRD 780; [2021] 2 HC 427 - acted for Secretary of Justice as Intervener in successfully opposing an appeal against the dismissal of a judicial review against the determination of the Appeal Committee of the Court of Final Appeal - automatic disqualification and apparent bias - the principle of necessity
- *U Storage Group Ltd v Director of Fire Services* [2020] HKCFI 2114 - successfully opposed the second application for judicial review out of a series of judicial review applications brought by mini-storage operators against fire hazard abatement notices issued by the Director of Fire Services
- *Hong Kong Resort Co Ltd v Town Planning Board* [2020] 4 HKLRD 298 and [2021] HKCA 1313 - judicial review brought by the sole developer of Discovery Bay against TPB's decision to reject its application to convert an area originally designated for staff quarters
- *Yau Lung Sung v Secretary for Labour and Welfare* [2020] HKCFI 1499 - acted for the Director of Social Welfare and Secretary for Labour and Welfare in successfully opposing an application for judicial review against a decision to carry out the first phase clearance of Dills Corner Garden involving a residential care home
- *Companhia De Engenharia e Construcao Weng Fok Limitada v Hong Kong Accreditation Services & Anor* [2020] HKCFI 1181 - successfully applied for a split hearing
- *Tomorrow Finances Ltd v Director of Fire Services* [2019] HKCFI 3025 - successfully opposed an application for leave for judicial review against notices issued by the Director of Fire Services

requiring "Store Friendly" to abate fire hazards in its mini-storage facility

- *Uni-Creation Investments Ltd v Secretary for Justice* [2018] HKCA 141; [2018] 2 HKC 531 - whether a columbarium is offensive within the meaning of an offensive trade clause in a Block Government Lease
- *Sin Chung Yin Ronald & Ors v The Dental Council of Hong Kong* (2016) 19 HKCFAR 528 - appeared for the Appellants in the Court of Final Appeal in overturning the Dental Council and Court of Appeal's judgments in convicting the Appellants for disciplinary offences and successfully resisting an application to remit the matter back to the Dental Council for reconsideration
- *Ng Fun Sing v Director of Food and Environment Hygiene* [2009] HKEC 1809 - judicial review against decisions of Director of Food and Environmental Hygiene
- *Lo Siu Lan v. Hong Kong Housing Authority* (2004) 7 HKCFAR 631; [2005] 2 HKLRD 208 (CFA); [2004] HKCU 1472 (CA) - challenge against a decision to divest retail and car park facilities in connection with the public listing of Link REIT
- *Ho Man Kay v Hong Kong Housing Authority* [2004] HKC 1558 - whether the claim should be subject to public law remedies
- *Liu Pik Han v. Hong Kong Federation of Insurers Appeals Tribunal* [2005] 3 HKC 242 - a judicial review based on Art. 10 Bill of Rights - decision of Insurance Agents Registration Board to suspend the registration of insurance agent by reason of alleged misconduct

### **Securities / Finance**

- Advised SFC on various market misconduct and directors' disqualification proceedings
- *SFC v. Hontex International Holdings Co Ltd* - Mareva injunction
- *SFC v. Jun Du (previously "A")* [2009] HKCU 2041 - variation of Mareva injunction
- *China Apollo Holdings Ltd Inquiry* - 35-day insider dealing inquiry
- *HKCB Bank Holding Co Ltd & Lippo China Resources Ltd Inquiry* - preliminary application before the Insider Dealing Tribunal
- Various disciplinary proceedings before the Securities and Futures Appeal Panel

### **Aviation**

- *Cathay Pacific v Dragon Airlines* - acted for Dragonair in opposition to Cathay Pacific's application for route licences to Beijing, Shanghai and Xiamen before the Air Transport Licensing Authority

### **Commission of Inquiry**

- *Commission of Inquiry into Excess Lead found in Drinking Water* - acted for one of the main contractors in a 67-day hearing

### **Company, Insolvency and Bankruptcy**

- *Trophy Gold Investments Ltd v Modern City Development Ltd* [2021] HKCFI 69 – successfully resisted an application to adduce expert evidence in an unfair prejudice petition
- *Re Wongs Investment Development Holdings Group Ltd* [2015] HKEC 1415 – injunction to restrain liquidators from voting in favour of removal of existing members of the board of directors and appointment of new members (led by Charles Sussex SC)
- *Grand Field Group Holdings Ltd v Chu King Fai* [2014] HKEC 1025 – breach of fiduciary duties of directors
- *Sy Chin Mong Stephen v Lo Shing Lin* [2013] HKCU 612 (CA) – stay of execution pending appeal; authorization to present petition for bankruptcy
- *Lim Jonathan v She Wai Hung* [2011] 1 HKLRD 305 – whether locus standi to bring derivative action where the petitioner held only one share and it was alleged he was a nominee
- *UDL Holdings Limited & Anor v. Leung Yuet Keung & Anor* [2010] HKCU 1458 (CFA); [2009] HKCU 1388 (CA); [2008] 6 HKC 127 (CFI) – breach of fiduciary duties and the “no conflict rule”, whether a director of a mortgagor company is precluded from bidding at the sale of the mortgaged property in a judicial sale
- *Harbour Front Ltd v Leung Yuet Keung* [2009] HKCU 1438 (CA) – injunction to restrain the holding of a company meeting
- *Tsang Wai Lun Wayland & Anor v. Chu King Fai & Ors* [2009] 5 HKLRD 105 – trial led by Johnny Mok SC – successfully argued that the appointment of additional directors by the board was invalid where its predominant purpose was to entrench management control; the difference between a derivative action where the wrong was done to the company and an action by the shareholder with a personal grievance against a company
- *Re Grand Field Group Holdings Ltd* [2009] 3 HKC 81 – leave to bring derivative action under s.168BC of Companies Ordinance – Breach of fiduciary duties of directors
- *Teamedics Enterprise (Holdings) Co Ltd v. JB Energy International Ltd* [2009] HKCU 1097 CFI – striking out of a winding-up petition
- *Re Leung Yat Tung* [2008] 5 HKLRD 394 – bankrupt’s estate – whether a trustee should comply with creditor’s request – election of members to creditor’s committee
- *Re Leung Yat Tung (No 2)* [2007] 4 HKC 192 (CA) – objection to automatic discharge
- *Re Precast Piling & Engineering Co Ltd* [2005] 2 HKC 10 CFI – whether security surrendered where secured creditor failed to disclose security by inadvertence in proof of debt
- *Re Niceline Limited* [2003] 2 HKLRD 725 – led by Mr Daniel Fung SC in an application for appointment of interim receivers and managers

## **Family**

- *LLC v LMWA & Anor* [2019] 2 HKLRD 529 – landmark judgment on family practice and procedure on determining ownership disputes in ancillary relief proceedings

## **Land**

- *Yew Chung Education Foundation Ltd v Town Planning Board*, Town Planning Appeal No. 1 of 2014 – acted for TPB in a 3-day hearing in successfully opposing Yew Chung’s appeal against the

- refusal of planning permission to convert a residential building into a primary school
- *Circle Angle Ltd v Orchard Enterprise (Hong Kong) Ltd* [2012] HKCU 254 - action for rescission and return of deposit in a sale of land transaction
  - *Year Harvest Investments v Labour Buildings Ltd* [2010] HKCU 369 - repudiatory breach and failure to show good title
  - *LBM Ltd v. Yearful Contracting Ltd* [2009] HKCU 53 CFI - O.86 Summons in respect of a HK\$160m conveyancing transaction
  - *Snowland Ltd v Topland Holdings Ltd & Anor* [2006] 4 HKC 188 (CFI) - construction of DMC and whether an external wall immediately above the front entrance to the basement were common parts
  - *Tony Investments Ltd v. Fung Sun Kwan* [2006] 1 HKLRD 835 CFI - action for specific performance over former slipway extinguished under the Foreshore and Seabed (Reclamations) Ordinance
  - *Tao Qin v. Ho Wai Leung* [2006] HKEC 793 - whether necessary or proper requisitions in a conveyancing transaction involved an uncompleted non-industrial development
  - *Century Main Investments Ltd v. Polyline Development Ltd & Anor* [2001] HKEC 1314 - 7-day trial in a dispute concerning the development of "Ding houses" in the New Territories under the Government's small house policy

### **Media and Entertainment**

- Catrina has represented a swathe of major local artists, managers, record companies and publishers within the media and entertainment industry in Hong Kong. Her artist clients have included Cecilia Cheung Pak Chi, Hu Bing, Soler, Edison Chan and Hillary Tsui. Cases have involved issues including contractual construction, defamation, royalties, commission, copyright, agency and restraint of trade.

### **Taxation**

- *Chan Chun Chuen v Commissioner of Inland Revenue* [2012] HKC 1004 - acted for Chan Chun Chuen in his application for leave to appeal to the CFA
- *China Map Ltd v. Commissioner of Inland Revenue* [2008] 11 HKCFAR 486 (CFA); [2007] 4 HKLRD 247 (CA); [2006] 3 HKLRD 719 (CFI) - led by Mr Robert Kotewall SC in a profits tax appeal
- *Commissioner of Inland Revenue v. Chapman Development Ltd* [2009] 3 HKLRD F7 - tax excessive - whether the taxpayer would be deprived of the constitutional right of access to courts
- *Commissioner of Inland Revenue v Wong Chi To* [2008] HKEC 2055 - application for leave to appeal
- *Weson Investment Ltd v. Commissioner of Inland Revenue* [2007] 2 HKLRD 567 (CA); [2005] 3 HKLRD 643 (CFI) - led by Mr Johnny Mok SC in a profits tax appeal

### **Telecommunications**

- Catrina has advised various telecommunications companies on various licensing issues including Hutchison Telephone Co Ltd, Hong Kong Broadband Network Ltd (in respect of interconnection using wireless LAN technology), International Network Billing Ltd, and the HK Government in relation to the appeals by way of petitions filed by ATV and TVB and their applications to renew their domestic free television programme services licences

## **Criminal**

- *HKSAR v Chan Chun Chuen* [2012] 5 HKC 35; [2012] 3 HKLRD 265 - committal proceedings - charge of forgery and use of false instrument arising from events following the death of Mrs Nina Wang - application for stay of proceedings.
- *HKSAR v Lam Ying Yu* [2014] 2 HKLRD 895 - causing death by dangerous driving
- *HKSAR v Cheng Wai Chun* [2004] HKCU 110 (HKCFI) - appeal against sentence
- Acted in numerous criminal proceedings before the Magistrate Court, High Court and Court of Appeal

## **Scholarship and Awards**

- Middle Temple Advocacy Scholarship [2001]

## **Publications, Lectures and Talks**

### **Publications:**

- Contributor to Ilene Knable Gotts and Kevin S Schwartz (Eds.) (2022). *The Private Competition Enforcement Review: Hong Kong Chapter*. The Law Reviews
- Contributor to P Kellezi, B Kilpatrick, P Kobel (Eds.) (2019). *Liability for Antitrust Law Infringements & Protection of IP Rights in Distribution*. Switzerland: Springer International Publishing
- Contributor to Butterworths Hong Kong Legal Dictionary (2004)

### **Seminars / Talks:**

Catrina speaks regularly on competition, securities and civil litigation matters.

- “Mind the Gap: Valuable Lessons from the EU and UK for Competition Litigation in Hong Kong Going Forward” - DVC / Monckton Chambers (August 2017)
- “Competition Law and Practice Update” - Courses & Seminar (October 2017)
- “Competition law red flags to look out for in the Finance Sector” - DVC / Monckton Chambers / Proskauer Rose (March 2018)
- “Know Your Competition Risks & Protect Your Goals” - Hong Kong Corporate Counsel Association (March 2018)
- “Capstones of the HK Competition Ordinance within the Construction Industry” - Hong Kong Construction Law Society (March 2018)

- “Trying Cartel Cases and a Dialogue with DOJ” - ABA Global Seminar Series (October 2018)
- “Prosecuting and Defending Competition Cases” - Hong Kong Bar Association (January 2019)
- “Algorithms and related developments in competition law in the digital sector” - DVC Legal Tech Forum (May 2019)
- “Hipster Antitrust” - Wolters Kluwer & Legal Plus 8th Annual International Arbitration, Regulatory & Competition Law Global Summit (July 2019)
- “Update on first two liability decisions” - Hong Kong Bar Association (July 2019)
- “Attribution of liability for tacit collusion by self-learning algorithms” - Legal Plus Fast Track CPD Seminar (October 2019)
- “Penalty shoot-outs in competition law: a field guide on penalty and costs for contravention of the First Conduct Rule in HK” - LIDC HK / DVC / Monckton Chambers (June 2020)
- “Making FRANDS or foes: The UK Supreme Court decision in Unwired Planet” - LIDC HK / DVC (October 2020)
- "Hub-and-Spoke Cartel Cases" - International Competition Network (March 2021)
- "Navigating Investigations by the Competition Commission" - Hong Kong Bar Association (March 2021)
- "Settlements and Parental Liability" - Freshfields Competiton Law Forum (June 2021)
- "Confidentiality & Privilege in Arbitration" - HKIAC / DVC (September 2021)

## Spoken Languages

English, Cantonese, Putonghua (conversational)