

Pat Lun Chan

Year Of Call:

1994 (England and Wales)

1994 (Hong Kong)

Practice Areas: Chancery, Commercial Law, Company Law and Insolvency, Criminal Law, International Trade, Professional Negligence, Sale and Carriage of Goods and International Trade, Defamation, Criminal Law



Pat Lun is an experienced Hong Kong barrister and was called to the Bar of England and Wales in 1994.

Since joining Des Voeux Chambers in 1995, Pat Lun's practice has encompassed a broad spectrum of commercial litigation, common law tort claims, contract disputes, trust and probate disputes and company law matters. Pat Lun has regularly advised on and appeared as an advocate in a wide range of appellate, trial and interlocutory proceedings and in statutory tribunals.

Expertise:

Selected Cases

- **LIBERTARIAN INVESTMENT LTD v. THOMAS ALEXEJ HALL** (2013) 16 HKCFAR 681. Landmark case on breach of fiduciary duty and equitable compensation. The Court of Final Appeal confirmed the lower courts' finding that the Defendant breached fiduciary duties owed to the Plaintiff, but concluded that it was not desirable or necessary to order an account to be taken. Instead, the Court made an order for equitable compensation requiring the Defendant to compensate the trust fund for the loss caused to it by the Defendant's breach of his fiduciary duty. Involved at all 3 levels of the litigation.
- **Zhang Hong Li v. DBS Bank** (2019) 22 HKCFAR 392. Notable case on "anti-bartlett" provisions, trustees duties and equitable compensation. Involved at all 3 levels as junior counsel.
- **Joe Zhou v. SAIF Partners II L.P.** (2019) HKCA 766 - Trial (and subsequent appeal) concerning the breakdown in a Cayman Islands venture capital firm, ELP partnership, fiduciary duties and equitable compensation relief.
- **The Liquidator of Wing Fai Construction v. Robert Yip & Ors.** [2018] HKCFI 1369 Successfully represented the 2nd Respondent in the Liquidator's (dismissed) action against the respondents for damages arising from alleged acts of misfeasance.

- Yue Xiu Finance Co. Ltd. v. Agnew & Ors. (formerly trading as Deloitte Haskins & Sells (a firm) [1995] 3 HKC 158 Professional Negligence - Auditors - Duty of Care - Proximity - Civil Procedure - Statement of Claim - Striking out on grounds of no reasonable cause of action - RSC O.18 r 19. Junior Counsel for Applicant/Defendant. Plaintiffs sued the auditors of two unrelated companies for alleged negligence/ breach of duty of care in the preparation of unqualified audited reports. Held, inter alia, no proximate relationship giving rise to a duty of care; the Statement of Claim was struck out.
- CHINA CONSTRUCTION REALTY LTD v. SINO BUSINESS SERVICES PROPRIETARY LTD AND OTHERS (02/02/2007, HCA1294/2005). Setting aside default judgment.
- LEE YUNG SHING AND OTHERS v. CHAN HING KAI, the Executor of MADAM MOK NG (deceased) AND ANOTHER (19/04/2007, HCA2043/2005). Claim for possession of land and resisting claim for adverse possession.
- HANTEC SECURITIES CO v. TSUI CHIU MAN AND ANOTHER (19/03/2003, HCA8794/1991). Claim for malicious falsehood.
- CHAU HUNG KAU v. TEXGAR LTD. AND OTHERS (24/12/2001, HCMP1372/2000). S. 168A Petition for winding-up.
- CHAU HUNG KAU v. TEXGAR LTD. AND OTHERS (02/04/2001, HCMP1372/2000). Contempt of court proceedings.
- WONG KWOK SUN, ERNEST v. TONG YING YUNG, JAMES AND ANOTHER (24/04/2001, HCMP1538/2000). S. 168A Petition for winding-up.
- THE 1998 COMMISSION OF INQUIRY ON THE NEW AIRPORT UNDER THE COMMISSIONS OF INQUIRY ORDINANCE (CAP. 86) TO INQUIRE INTO THE OPERATION OF THE NEW AIRPORT (HONG KONG INTERNATIONAL AIRPORT). Acted as junior counsel to Mr John Griffiths, QC and Teresa Cheng on behalf of HACTL.
- GALCO INTERNATIONAL TOYS N.V. v. KADER INDUSTRIAL CO. LTD. (23/08/1996, HCA250/1991). Acted as junior counsel to Mr John Griffiths, QC and Mr Barrie Barlow for the successful Defendant, a well-known locally listed company.