



ANDREA YU 余思賢大律師

Call: 2013 (HK)

Affiliate of STEP

Associate of HKI Arb

PROFILE

Andrea joined Chambers in 2013, following completion of her pupillage with Mr. Jat Sew Tong SC and Eugene Fung SC. She is developing a broad civil practice and has been instructed in relation to a wide range of cases, including trusts and equity, regulatory, company, commercial, land, tort and family law.

Andrea has been ranked as a rising star in Legal 500 and is described as “a strong commercial junior, combining good legal research, clear presentation and pragmatism”.

She appeared as an advocate in her own right in the Court of First Instance, in the Court of Appeal and in tribunals.

CONTACT

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PRACTICE AREAS

- Equity / Trust
- Securities & Regulation
- Commercial
- Insolvency
- Property & Conveyancing
- Family / Matrimonial
- Professional Liability
- Insurance

EDUCATION

2012 PCLL, University of Hong Kong

2011 LLB (Hons), King's College London

PUBLICATIONS AND ARTICLES

- Contributor, Lexis Practical Guidance, Dispute Resolution, (2014; current)
- Contributor, Hotten and Ho on Family and Divorce Law in Hong Kong (2019)

SCHOLARSHIP AND PRIZES

Middle Temple Bar Scholarship

SELECTED CASES

EQUITY / TRUST

- Currently involved in trial of high-profile family dispute of estate involving interests in assets estimated at RMB billions.
- *Lo Tao Soh Ngun v HSBC International Trustee Limited* (HCA 3246/2016)- 33-day trial of family dispute involving matriarch of a high-profile family claiming against a trustee bank for breach of duties owed to a family trust involving interests in a Hong Kong Listed Company estimated at HKD billions. Led by Benjamin Yu SC, Bernard Man SC and Sara Tong.
- *Chen Jinhui v Wong Kam San & Others* (HCA 1524/2012)- 16-day trial involving breach of trust claim for interest in a Hong Kong corporation holding interests in mining rights and an iron ore land in Liaoning Province, PRC. Led by Wong Yan Lung SC.
- *Fupo Investments Ltd v Ma Wing Kwong & Others* (HCA 297/2007; HCA 869/2008; HCA 2303/2014; HCA 2487/2014; HCA 2488/2014) 8-day trial on family dispute over ownership and use of premises of 5 properties in a family-owned building. Led by Richard Khaw SC.
- Advised executors of estate on merits of a claim against a trust involving assets amounting to approximately US\$5 million. Led by Eugene Fung SC.
- Advised on merits of claim against a bank in relation to trustee and investment services provided by the bank to a family involving family assets amounting to US\$50 million. Led by Laurence Li SC.

SECURITIES & REGULATION

- *Re Listed Securities of Meadville Holdings Limited* (Former Stock Code: 3313)- 11-day trial representing and successfully defending high-profile former chairman and executive director of listed company from insider dealing allegations. Led by Benjamin Yu SC.
- *Re Evergrande Real Estate Group Limited and its listed securities* (Stock Code: 3333) - market misconduct proceedings against specified person brought by SFC. Led by Laurence Li SC.
- Advised Hong Kong corporate subsidiary of major state-owned asset management conglomerate in the PRC on securities margin financing under the Securities and Futures Ordinance. Led by Laurence Li SC.
- Advised corporate shareholder in Hong Kong listed company on legal options in relation to the suspension of trading of shares of listed company. Led by Laurence Li SC.
- Jointly advised in legality of an online peer-to-peer platform with use of blockchain-based tokens under the applicable regulations in Hong Kong. Led by Laurence Li SC.

COMMERCIAL

- *Lee Kwok Keung v Chick Poon Lun Antony & Amalgamated Union of Seafarers* (HCMP 2388/2012) – Trial on locus standi on behalf of trade union in relation to appointment of chairperson.
- *Re The Grande Holdings* (HCCW 177/ 2011 & HCA 48/2014)- application for a section 221 examination under Cap.32. Led by Mark Strachan SC.
- 北京橙天嘉禾影視製作有限公司 *v Cheung Shing Sheung* (HCA 2481/2013 & HCMP 2666/2016)- application to set aside default judgment and leave to appeal application before Court of Appeal.
- *Tsoi Chik Sang Lawrence & Fonduet Industrial Ltd v Cheng Hung Kit* [2017] 4 HKLRD 579- Strike out application of statement of claim.
- Arbitration claim involving management expenses of high profile hotel resort, involving assets amounting to US\$9 million. Led by Bernard Man SC.
- Also appeared in arbitration proceedings in HKIAC and CIETAC for breach of contract claims involving sale of commercial goods.

INSOLVENCY

- *Re GW Electronics Company Limited* (CACV 24/2017 & CACV 84/2017)- company's appeal on strike out and winding up order Led by Russell Coleman SC

- *Re Fully Fortune (Asia) Limited and Matrix Wealth Limited* (HCCW 250/2016 & HCCW 251/2016)- winding up petition.
- *Lai Kar Yee v Prudential Assurance Co Ltd* [2015] 4 HKC 385- Ladd v Marshall approach in appeals against refusal to set aside statutory demand.
- *Re Carl Cheung* (HCB 6679/2015)- bankruptcy petition.
- *Tsoi Lawrence Chik Sang v Cheng Hung Kit* (HCB5061/2014)- bankruptcy petition.

PROPERTY & CONVEYANCING

- *Wui Fung Lee Investment v Incorporated Owners of Hong Kong Mansion* [2019] HKCFI 2739; [2020] HKCA 1048 - Handled trial and appeal between developer and incorporated owners of building for possession of disputed area on mezzanine floor of building. Led by Eugene Fung SC.
- *Ever Score Development Limited v Hang Heung Foods (Group) Limited-* (LDPE 1146/2014)- trial on whether landlord waived right of forfeiture.
- *Wu Rong Zhao v Clarissa Or & Fu Kor Kuen Patrick* (HCA 2556/2016)- application on behalf of third party to intervene in proceedings and application to set aside ex parte injunction application for completion of sale of property of HK\$12.5 million.
- *Sidepec International Limited v Cheung Hing* (HCA 829/2010)- injunctive application restraining party from dealing with subject property.
- Advised bank in relation to dispute over construction of DMC of commercial building. Led by Benjamin Yu SC.

FAMILY / MATRIMONIAL

- Urgent injunctive application on behalf of wife to preserve shell-value of Hong Kong listed company estimated at approximately HK\$400 million. Led by Bernard Man SC.
- Advised on scope of a committee's powers of management under sections 11 and 12 of the Mental Health Ordinance. Led by Victor Joffe QC.

PROFESSIONAL LIABILITY

- *The Hongkong Electric Company Limited v Kin Wing Foundation Ltd-* (HCCT 10/2011) – Trial on tortious claim for property damage in the amount of HK\$4.6 million. Led by Eugene Fung SC.
- Advised on liability and quantum in a personal injury claim against the Hospital Authority.

INSURANCE

- Advised on marine insurance matters regarding the employee compensation and common law liability.
- Advised on insurance regulations in relation to proposed transfer of insurance policies pursuant to the Insurance Companies Ordinance.