



## ESTHER MAK 麥凱淇大律師

Call: 2019 (HK)

### PROFILE

Esther joined Chambers after completing her pupillage with Ms Eva Sit (now Ms Eva Sit SC), Ms Maggie Wong SC, Ms Sara Tong and Mr Jonathan Chang. She is developing a broad civil practice and accepts instructions in all areas of Chambers' work.

### CONTACT

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### SECRETARY

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### PRACTICE AREAS

- Commercial
- Company
- Injunction / Contempt
- Civil Fraud / Asset Recovery
- Public Law / Judicial Review
- Professional Liability
- Arbitration
- Restitution / Unjust Enrichment
- Equity / Trust
- Property & Conveyancing
- Probate / Succession

### EDUCATION

2017 BCL, University of Oxford (Distinction, First Class in all subjects)

2016 BA in Jurisprudence, University of Oxford (First Class Honours)

### PUBLICATIONS AND ARTICLES

- Associate Editor, Oxford University Commonwealth Law Journal (2016-17)

- Senior Associate Editor, Oxford University Undergraduate Law Journal (2015-16)
- Associate Editor, Oxford University Undergraduate Law Journal (2014-15)

## SCHOLARSHIP AND PRIZES

2019	Bar Scholarship
2018	Robertson Prize for the best performance in civil litigation in Postgraduate Certificate in Laws
2017	Hou De Charitable Foundation Scholarship for Postgraduate Certificate in Laws
2016	7 King's Bench Walk Commercial Law Moot – Champion and Best Oralist
2016	University College Prize for outstanding performance in Final Honour School
2016	Peter Rowley Prize for the best performance in the Land Law paper in Final Honour School examinations, awarded by University College
2014 - 2016	University College Scholarship for academic excellence
2014	Hogan Lovells Academic Prize for the best results in Law Moderations, awarded by University College
2013	Swire Scholarship–Full scholarship for three years to read law at University College, Oxford

## LANGUAGES

English, Cantonese and Putonghua

## SELECTED CASES

- *SUNeVision Holdings Ltd v Hong Kong Science and Technology Parks Corporation*  
 [2019] HKCFI 1569: acted on behalf of the Respondent to resist leave to appeal against decision refusing leave to amend Form 86 (led by Wong Yan Lung SC and with Eva Sit (now Eva Sit SC)); [2019] HKCA 1351: acted on behalf of the Respondent to resist a renewed application for leave to appeal (led by Wong Yan Lung SC and Eva Sit SC)  
 [2019] HKCFI 1752: appeared on behalf of the Respondent to resist application for leave to adduce expert evidence in judicial review (led by Wong Yan Lung SC and Eva Sit SC); [2019] HKCFI 2178: acted on behalf of the Respondent to resist application for extension of time to apply for leave to appeal (led by Wong Yan Lung SC and Eva Sit SC)  
 [2019] HKCFI 3051: appeared on behalf of the Respondent in application for leave to rely on and adduce affirmation evidence in substantive judicial review hearing (led by Wong Yan Lung SC)  
 [2020] HKCFI 548: appeared on behalf of the Respondent in judicial review proceedings concerning its policy of restricting subletting and sharing of occupation (led by Wong Yan Lung SC and Eva Sit SC)
- *Kot See For v Lam Man Cheung & Ors*  
 [2019] HKCFI 1871: appeared on behalf of the Plaintiff in seeking proprietary injunction and ancillary disclosure orders on conspiracy to injure and fraudulent misrepresentation claims (with Sara Tong)  
 [2019] HKCFI 2403: appeared on behalf of the Plaintiff to resist leave to appeal and stay of execution pending appeal (with Sara Tong)
- *Poon Loi Tak (Administrator of the late Poon Nuen) v Poon Loi Cheung Desmond* [2020] 1 HKLRD 511: appeared on behalf of the Defendant to expunge parts of witness statements and items of disclosure on the ground of without prejudice privilege (with Sara Tong)
- *Ngai Sau Ying v Collector of Stamp Revenue* [2019] HKCA 1104; [2019] 5 HKC 547: whether a transaction involving two assignments was an exchange, chargeability of stamp duty under sections 25(7) and 27 of the Stamp Duty Ordinance (Cap. 117) (led by Stewart Wong SC, appeared as amicus curiae)
- *Re Simpson QC* [2019] 5 HKLRD 441: appeared on behalf of the Hong Kong Bar Association to resist ad hoc admission of overseas silk without instruction of local barrister (led by Gladys Li SC, Stewart Wong SC and with Anthony Chan)

- *Airport Authority v Persons unlawfully and wilfully obstructing or interfering with the proper use of the Hong Kong International Airport* [2019] HKCFI 2104: appeared on behalf of the Plaintiff in its application to continue injunction over Hong Kong International Airport (led by Victor Dawes SC and with Jonathan Chang)
- *MTR Corporation Ltd v Persons unlawfully and wilfully obstructing or interfering with the proper use and operation of the railway as defined in the Mass Transit Railway Ordinance (Cap. 556)* [2019] 4 HKRLD 446: appeared on behalf of the Plaintiff in its application to continue injunction over the MTR (led by Benjamin Yu SC and with Jonathan Chang)
- *Secretary for Justice & Ors v Persons unlawfully conducting themselves in any of the acts prohibited under paragraph 1(a), (b) or (c) of the Indorsement of Claim* [2019] 5 HKLRD 500: appeared on behalf of the Hong Kong Journalists Association to vary the injunction restraining “doxxing” against police officers to give exemption in respect of “news activity” by journalists and news agencies (led by Jin Pao SC and with Albert Wong)
- *DAC China SOS (Barbados) SRL v Pacific Harbor Advisors Pte Ltd* [2020] HKCFI 365: appeared on behalf of the Plaintiff to resist discharge of proprietary injunction in aid of arbitration proceedings (led by Rimsky Yuen SC)
- *Elliott International LP & Ors v The Bank of East Asia Ltd & Ors* [2020] HKCFI 310: appeared on behalf of the 2nd to 19th Respondents seeking discovery under Order 24 rules 3 and 10 (led by Benjamin Yu SC, Bernard Man SC and with Brian Lee)
- *Zhang Qiang v Cisco Systems (HK) Limited* HCA 1497/2010: appeared on behalf of the Defendant at an 8-day trial on breach of contract and wrongful termination (led by Jin Pao SC)
- Acting for the Registrar of the Hong Kong Institute of Certified Public Accountants in disciplinary proceedings before the Disciplinary Committee of the HKICPA (ongoing) (with Sara Tong)