



## THERESA CHOW 周廷勵大律師

Call: 2014 (HK)  
Solicitor: 2012 - 2013 (HK)

Fellow of the Chartered Institute of Arbitrators (FCIArb)  
Fellow of Hong Kong Institute of Arbitrators (FHKIArb)  
Member of the Hong Kong Bar Association List of Arbitrators  
Accredited Member and Representative Neutral to serve as Mediator, Arbitrator, Negotiator and Ombudsman of the Federation of Integrated Conflict Management - Mediation and Conciliation Network (FICM-MCN)  
Registered Foreign Lawyer, Singapore International Commercial Court

### PROFILE

Theresa Chow commenced full practice in 2014 after completing her pupillage with Mr Victor Joffe QC, Mr Paul Lam SC, Ms Anita Yip SC, Mr Bernard Man (now Bernard Man SC) and Mr Osmond Lam.

Before being called to the Hong Kong Bar in 2014, Theresa was a Judicial Assistant to the Court of Final Appeal and the Court of Appeal from 2012 to 2013 where she provided assistance to appellate judges.

Theresa was previously qualified as a solicitor from 2012 to 2013 following her training at Allen & Overy from 2010 to 2012.

Theresa has a broad civil practice and accepts instructions in all areas of Chambers' work. She has been instructed in a wide range of cases involving areas such as family/matrimonial (ancillary relief and children matters), probate, mental health proceedings, general commercial, company, employment and arbitration matters.

She has assisted the Court as *amica curiae* in *Cyberworks Audio Video Technology Ltd (in compulsory liquidation) v Silver Kent Technology Ltd* [2020] HKCFI 347.

She has appeared as an advocate (either in her own right or as a led junior) in all levels of Court including the Family Court, the District Court, the Court of First Instance, the Court of Appeal and the Court of Final Appeal.

She has also appeared as an advocate (either in her own right or as a led junior) in arbitration under the UNCITRAL Arbitration Rules, HKIAC Administrated Arbitration Rules and the ICC Rules of Arbitration.

### CONTACT

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### SECRETARY

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### PRACTICE AREAS

- Family / Matrimonial
- Probate / Succession
- Arbitration

- Employment
- Company
- Insolvency
- Commercial
- Securities & Regulation
- Personal Injury / Medical Negligence

## APPOINTMENTS AND PUBLIC OFFICE

- Adjudicator of the Registration of Persons Tribunal: 2020 – present
- Committee on Family Law, HK Bar Association, Honorary Secretary: 2019 – present
- Committee on Family Law, HK Bar Association, Member: 2017-present
- Standing Committee on China Practice Development, HK Bar Association, Member: 2017-2019
- Council Member, The Bar Council, 2017 – 2018

## EDUCATION

2013	MA, University of Cambridge
2010	PCLL, University of Hong Kong
2009	BA (Hons) in Law, University of Cambridge

## PUBLICATIONS AND ARTICLES

- Contributor under the 2020 Memorandum of Understanding between the Department of Justice and the Hong Kong Institute of Arbitrators, bilingual case summaries of Hong Kong judgments on the 1999 Arrangement Concerning Mutual Enforcement of Arbitral Awards between the Mainland and the HKSAR, UNCITRAL Model Law on International Commercial Arbitration and the New York Convention
- Contributing Author, *Hotten and Ho on Family and Divorce Law in Hong Kong* (2019 - 2020)
- Contributing Editor, *Hong Kong Civil Procedure (The White Book)* (2015-2016; 2021)
- Annotator, *The Annotated Ordinances of Hong Kong, Maintenance Orders (Reciprocal Enforcement) Ordinance (Cap 188)*
- Contributor, *Lexis Practical Guidance – Dispute Resolution*(2015)
- Contributor, *Hong Kong Competition Law*

## SCHOLARSHIP AND PRIZES

2013	Charles Ching Memorial Scholarship
2006 - 2009	Jardine Scholarship (full scholarship for undergraduate studies at University of Cambridge)
2006 - 2009	Cambridge Commonwealth Overseas Trust Scholarship - Honorary Scholar
2006 - 2007	Cambridge University Magdalene College Governing Body Exhibition Prize
2004 - 2006	Hong Kong Government Scholarship
2004	Sir Edward Youde Memorial Prize

## LANGUAGES

Fluent in Cantonese, Putonghua and English

## FURTHER INFORMATION

- 2019: Guest Lecturer on Family Law and Private International Law, the University of Hong Kong

## SELECTED CASES

### FAMILY / MATRIMONIAL

- *LSH v WLS*, HCMC 1/2017, FCMC 11001/2014: 8-day ancillary relief trial; resisting disclosure application in ancillary relief proceedings, including against third parties (e.g. administrator of creditor's scheme and banks) and advising on preliminary issue and ancillary relief trial (led by John Scott SC and Russell Coleman SC).
- *NC v PHM*, HCMC2/2019, FCMC 15518/2017: Questionnaire and discovery application, First Direction Hearing, application for transfer to High Court; advising on ancillary relief and children matters; attending first appointment hearings and Children Dispute Resolution hearing.
- *LWH v NKWS & others*, CAMP 14/2018, FCMC 2953/2015: 12-day hearing of preliminary issue on beneficial ownership of certain companies; application for indemnity costs for preliminary issue trial (led by Russell Coleman SC); resisting application for leave to appeal in the Family Court and in the Court of Appeal.
- *CSH v LS*, FCMC 12435/2016: 5-day ancillary relief trial; application for *Mareva* injunction (led by Richard Todd QC and appearing with Corinne Remedios).
- *TSYV v LWSV*, FCMC 12681/2014: advice on and applications for maintenance pending suit, release from implied undertaking, joinder and pursuant to section 17 of the Matrimonial Proceedings and Property Ordinance (Cap. 192), discovery and subpoena against third party (led by Benjamin Yu SC, Russell Coleman SC, Bernard Man SC).
- *TSC v KWH & others*, FCMC 2755/2014: 5-day hearing of preliminary issue on beneficial ownership of certain companies; application for interim maintenance (led by Russell Coleman SC).
- *M v E*, CACV 75/2015, HCMP 392/2015: resisting application under Child Abduction and Custody Ordinance (Cap. 512) (led by Russell Coleman SC); and application for stay of execution pending appeal.
- *TYT v TLH & another*, FCJA 3690/2017: resisting joinder application, avoidance of disposition application and injunction against third party; resisting leave to appeal (led by Richard Todd QC).
- *LQH v ZYJ & another*, HCMP 360/2020: obtaining an *ex parte* order for injunction and discovery under ss.21M and 21N of the High Court Ordinance (Cap. 4) in aid of Canadian divorce proceedings, continued until final determination of Canadian proceedings.
- *HK v OM*, FCMC 3332/2019: application for stay of proceedings on grounds of forum non conveniens.
- *LCC v LTLA*, HCMC 4/2019, FCMC 10000/2017: First Directions Hearing, advice on ancillary relief (led by Richard Todd QC).
- *PZN v ZG*, FCMC 3712/2016: 3-day ancillary relief trial.
- *XS v LB*, FCMC11635/2016: resisting leave to appeal decision on custody and access.
- *CYS v CCY & another*, FCMC4228/2017: advising on and attending 6-day preliminary issue trial regarding beneficial ownership of certain businesses and companies.
- *LRL v ESSA*, FCMC265/2014 (consolidated with FCMP 133/2013 and FCMP 111/2014): application for contempt of court order restricting removal of child from jurisdiction, resisting variation of interim care and control and access arrangement.
- *CLFC v CYM*, FCMC1694/2015: application for maintenance pending suit (led by Bernard Man SC); application for interim interim maintenance; attending Financial Dispute Resolution hearing.
- *NTKA v OSP*, FCMC 5417/2015: maintenance pending suiting application.
- *DF v MF (nee Z)* FCMC 17358/2013: resisting application for leave to serve further questionnaire in

ancillary relief proceedings.

#### PROBATE / SUCCESSION

- *LYYC v CHL and CSMS, the Executrices of the Estate of CGSK (decd)*, FCMP 223/2017: attending discovery and directions hearing, advising the Estate in respect of a Cap.481 claim, application for transfer to High Court, resisting application for interim order.
- *FNG v. BCJ*, HCMP 776/2019 & HCMP 109/2020: application for accounts from and injunction against attorney appointed under an enduring power of attorney by an interested party under the Enduring Powers of Attorney Ordinance (Cap 501).
- *In the matter of the Estate of THM (decd.)*, HCMP 1479/2012, HCA 1742/2012, HCA 2143/2012: attending directions hearing, advising the Estate in respect of a Cap.481 claim (led by Richard Todd QC).
- *In the matter of the Estate of CSLZ (decd.)*: advising the Estate on potential claims against former business partners and rights of subrogation (led by Bernard Man SC).

#### ARBITRATION

- 5-day hearing of a RMB550 million claim and RMB 662 million counterclaim for breach of distributor agreement by a PRC national distributor of an Italian brand (led by Russell Coleman SC).
- 10-day hearing for an over US\$45 million claim in contract, trust and restitution for wrongful sale of pledged shares under a stock-secured loan agreement (led by Russell Coleman SC).
- Advising on merits of challenge to ruling on jurisdiction by arbitration tribunal under sections 34 & 81 of the Arbitration Ordinance (Cap 609) (led by Paul Shieh SC).
- Advising on, drafting pleadings and attending hearings (conducted in Putonghua) relating to a claim pursuant to a share entrustment agreement relating to shares in various onshore and offshore funds (led by Bernard Man SC).
- Attending hearing for claim in breach of contract by a financial institution for transfer of money due to internet fraud (led by Jose Maurellet SC).
- Opposing objection to the continued involvement as Counsel on grounds of purported conflict/ bias given the arbitrator belongs to same set of chambers (led by Russell Coleman SC).
- Advising on merits of a US\$10 million claim in arbitration relating wrongful termination of a sale and purchase agreement for online apps business.
- Application for joinder on behalf of minority shareholder in a land development joint venture.

#### EMPLOYMENT

- Theresa is recommended as a leading employment & labour law barrister in the Doyles Guide 2020 (Hong Kong).
- *Mackinlay Andrew Antony v Hong Kong Dragon Airlines Limited* DCCJ 2228/2016: 6-day trial; advising on merits and amendment of pleadings (assisting Bernard Man SC).
- *Pratt, Jon Vaughan Merrick v Barclays Capital Asia Limited* [2018] HKCA 132, CACV123/2017, HCA 1295/2016 – application for strike-out of pleadings (led by Bernard Man SC).
- *Egner David Parks & others v Cathay Pacific Airways Limited & others* HCA 244-247/2014: advising on merits, amendment of pleadings and expert evidence (assisting Bernard Man SC).
- Advising the Hospital Authority on matters relating to strike, attire and disciplinary actions (assisting Benjamin Yu SC).
- *Chau Chi Kin v China Life Franklin Asset Management Co., Limited* HCA 1550/2019: advising on merits, preparing defence relating to claim for discretionary bonus.
- In re a complaint of disability discrimination: attending Equal Opportunities Commission Conciliation Meeting on behalf the employer.

#### COMPANY

- *Trenus Oceanway Ltd v Richland International Limited & another*, HCCW 352/2014: advising on merits in resisting unfair prejudice petition and various interlocutory applications including for specific discovery and expert directions (led by Mr Victor Joffe QC).
- *Chinaculture.com Limited (suing on behalf of itself and all other shareholders in CNT Group Limited, except Prime Surplus Limited) v Lam Ting Ball, Paul & others*, HCA 2902/2017: advising on merits, strategy, amendment of pleadings and various interlocutory applications including for discovery and expert evidence (led by Mr Benjamin Yu SC and Mr Victor Joffe QC).
- *Joseph Ghossoub v Team Y&R Holdings Hong Kong Limited & others* HCMP1074/2015: application for stay of unfair prejudice proceedings pending determination of underlying disputes by English Courts (led by

Russell Coleman SC).

- *Foo Tsing (also known as Nelson Foo) v Roeders Geschaefstfuehrungs GmBH & another*, HCCW 68/2016: resisting an injunction in unfair prejudice proceedings that the company be restrained from removing the plaintiff from the board of its subsidiary (led by Mr Victor Joffe QC).
- *張才奎所託管中國山水投資有限公司股份相關員工 & others v 張才奎 & others*, HCA 1661, 1766 & 2191 of 2014 and 623, 939 & 1564 of 2015: acting for receivers applying for Court directions on how to vote shares at EGM of listed company (led by Lisa Wong SC).

#### INSOLVENCY

- *The Liquidator of Wing Fai Construction Co Ltd (in liquidation) v Yip Kwong Robert & others* HCCW 735/2002: 10-day trial of misfeasance proceedings under section 276 of the Companies Ordinance (Cap. 32); setting aside of subpoena ad testificandum; application to amend pleadings; resisting application for leave to adduce expert evidence (led by Linda Chan SC); attending hearing on costs.
- Advising on structure and risk of setting aside of a HK\$500 million settlement as transaction at an undervalue under the Bankruptcy Ordinance (Cap 6) and/or disposition to defraud creditors under the Conveyancing and Property Ordinance (Cap 219) (assisting Victor Joffe QC).
- *Re Sun Wang Group Investment Limited*, HCCW384/2017: appointment of provisional liquidator, resisting discharge application (led by Jose Maurellet SC).
- *Re Brightoil Petroleum (Holdings) Limited*, HCCW 147/2019: resisting winding-up application and application for substitution.
- *Re ICG Asia Finance Limited*, HCCW 209/2015: acting for petitioner for winding up order on insolvency grounds.

#### COMMERCIAL

- *Cheung Chi Yuen, Frank v Yeung Siu Wai, Anthony* HCA826/2014: 6-day trial – breach of contractual and tortious duties of financial advisor (led by Bernard Man SC).
- *Deyi Investment Ltd v Macjin Info Com Tek., Ltd & another* [2016] 5 HKLRD 137 (CA): setting aside leave to serve writ out of jurisdiction within O.11 r.1(1)(d)(iii), (iv) of the Rules of High Court; principles on apparent authority and agency (led by Bernard Man SC).
- *Jin Li Da Limited v Hui Ngai Hing Abbie*, HCA 435/2020: obtaining an *ex parte* injunction against sale of property, with further continuation.
- *Spearhead International Limited v Goldfield Investment (Group) Limited (in liquidation)*, HCMP 710/2016: application to set aside default judgment.
- *Wan Chi Hing v Wong Chung Kai t/a Kai Hing Trading Company & others*, HCA 1552, 1554 & 1555/2013: 5-day trial – breach of contract (led by Bernard Man SC).
- *Wason Holdings Limited & others v BHP International Markets Limited & others*, HCA 1692/2014: application for continuation of *ex parte* injunction to restrain dealing in proceeds of sales of shares with additional disclosure order and resisting application to strike out; resisting leave to appeal (led by Russell Coleman SC).
- *Yinggao Resources Ltd v ECO Metal (HK) Ltd & Citibank NA*, HCA 964/2012: opposing appeal against Master's order on amendment of pleadings; application to vary cost order nisi (led by Eugene Fung SC); application for security for costs and resisting appeal from Master's decision.

#### SECURITIES & REGULATION

- *Re AcrossAsia Limited & others* (MMT Report 29 November 2016): representing the CEO in MMT hearing to determine whether a breach of disclosure requirements within the meaning of sections 307B and 307G of Part XIVA of the Securities and Futures Ordinance Cap 571 has taken place.
- *Securities and Futures Commission v C & others*, HCMP 727/2008: discharge of injunction for proposed intervener (with Laurence Li).
- *A & other v C*, HCMP1707/2015: acting for trustee in application to Court for directions in relation to notice of investigation pursuant to s.183 of the Securities and Futures Ordinance (Cap. 571) and requests for disclosure therein (with Laurence Li).

#### PERSONAL INJURY / MEDICAL NEGLIGENCE

- *Chan Hon, the administrator of the estate of Poon Lai Ming, deceased v Bayer Healthcare Limited & others*, HCPI 32/2016, CACV 53/2020: application to set aside service out and extension of writ and appeal to Judge and the Court of Appeal; drafting defence (led by Raymond Leung SC).

- *Cheung Shuk Ling Zoe (decd.) v Dr. Li Wang Pong Franklin*, HCPI 180/2019: Mareva injunction restraining disposal of assets in Hong Kong (led by Raymond Leung SC).