

ISSUE 4

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Shearn Delamore &co.

DISPUTE RESOLUTION DEPARTMENT

Newsletter

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Celebrating **MR. T. SAGADAVEN'S** extraordinary 40 years at Shearn



CONTRIBUTORS:

NURULHUDA MANSOR, PARTNER

IBRAHIM ABD RAZAK, ASSOCIATE

After 40 years of dedication, it was bittersweet to say goodbye to our DR Partner Mr. T. Sagadaven. Saga specialised in insurance law and medico-legal law and recently retired on 1st January 2025.

Saga first joined the firm in January 1983 as a Claims Executive. He had a passion for the law and worked diligently towards earning his law degree as an external student with the University of London while balancing work commitments. After he obtained his law degree, he obtained his Certificate of Legal Practice. Saga was subsequently called to the Malaysian Bar in 1995.

Saga's hard work and unwavering commitment to legal practice and the firm led to him entering the partnership in 2003.

Over the years, Saga was approachable and friendly with every member of the firm. Partners, associates and staff alike were always welcome to knock on his door whether for work or for a chat. He definitely left a lasting impact on all who worked with him over the years.

In December 2024, the DR Partners hosted a dinner to commemorate Saga's many years of dedicated service. Heartfelt speeches were given by our DR Head of Department, Rabindra S Nathan, and others who took the opportunity to reflect on Saga's significant contributions, both professionally and personally, to the firm over the years. A farewell medico-legal team dinner was also hosted by our DR Partners, Dhinesh Bhaskaran and Nurulhuda Mansor.

We extend our deepest gratitude to Saga and wish him happiness, fulfilment and all the best for his retirement.





Apex Court grants leave to appeal on novel questions of law relating to payment of termination benefits and indemnities to employees retained post winding-up under Section 527 of the Companies Act 2016 ("CA 2016")

CONTRIBUTORS:

RABINDRA S. NATHAN, PARTNER

SARESH MAHENDAREN, SENIOR ASSOCIATE

PRIYANKA MENON, ASSOCIATE

SITI NURSYAFIQAH BINTI ZAINUDDIN, ASSOCIATE

Liquidators may occasionally need to continue the business operations of a company in liquidation to preserve its going concern value. This approach aims to maximise the realisable value of the assets and, consequently, the distributable surplus (if any) to creditors. When liquidators carry on the business of the company under the authority conferred by the 12th schedule of the CA 2016, they may inevitably need to retain some or all of the company's employees.

When the assets are eventually sold, the employees' employment contracts will need to be terminated. A recent case concerning 2 applications for leave to appeal to the Federal Court ("**Leave Applications**") has raised the issue of whether a liquidator is allowed to prioritise the payment of employees' termination benefits and indemnity in lieu of notice according to the terms of their contracts, over all unsecured creditors of the company. Unfortunately, there is limited case law in Malaysia addressing this matter.



The issue at hand is whether the liquidator's payment of the termination benefits and indemnity in lieu of notice qualifies as a cost and expense of the winding-up process, thereby conferring it priority over all other preferential and unsecured creditors under **Section 527(1)(a) CA 2016**.

As a matter of first principles and based on judicial pronouncements in cases from other common law jurisdictions, it appears that payments to employees upon the cessation of their continued employment following the winding-up, as part of the company's ongoing business operations, are indeed recognised as a cost and expense of the winding-up process itself.

The issues outlined above were of significant public importance and novel, warranting leave to appeal to the Federal Court against a Court of Appeal decision that decided such payments were wrongful and contrary to law by a Federal Court panel comprising Sri Hasnah Binti Dato' Mohammed Hashim Chief Judge of Malaya, Abu Bakar Bin Jais FCJ, and Ahmad Terrirudin Bin Mohd Salleh FCJ on 9th December 2024. Our **DR Partners, Rabindra S. Nathan and Sathya Kumardas** assisted by our **DR Associates Daud Sulaiman, Priyanka Menon** and **Siti Nursyafiqah binti Zainuddin**, appeared for the applicant liquidator who successfully secured leave to appeal.

In unanimously allowing the Leave Applications ("**FC Decision**"), the Federal Court effectively admitted the following questions of law for further consideration in the appeals proper: –

1. Where a liquidator has obtained authority by order of court under Schedule 12 Part II para 1(a) to carry on the business of the company, whether "costs and expenses of winding up" under limb 1(a) of **Section 527 CA 2016** can include termination benefits and indemnity in lieu of notice payable to employees who are continued to be employed post winding up of a company as part of the carrying on of the business of the company;

2. Whether the making of a payment by a liquidator of a company in good faith but which might be in breach of **section 527 of the CA 2016** can constitute a ground on which a liquidator of a company can be denied a release and discharge pursuant to section 490 of the CA 2016;

3. Whether the making of a payment by a liquidator of a company in good faith but which might be in breach of section 527 of the Companies Act 2016 can constitute a ground on which the liquidator can be removed for cause; and

4. Whether the making of a payment by a liquidator of a company in good faith but which might be in breach of section 527 of the Companies Act 2016 can constitute a ground on which leave to commence legal proceedings can be granted against the liquidator.

This case concerns fundamental principles relating to insolvency law and employee rights in winding-up scenarios.

The core issue of this case revolves around whether the payment of approximately RM1.7 million by the liquidator to the employees of the company in liquidation as termination benefits and salary in lieu of notice as per the terms of their employment contracts constitute a preference under **Section 527(1)(b) of the CA 2016**, or if it qualifies as an expense of the winding-up that takes priority under **Section 527(1)(a) of the CA 2016**. The proprietary of this payment was challenged, raising complex legal questions regarding its categorisation in the context of **Section 527(1) CA 2016**.

The determination of this issue is vital in cases where a liquidator, with the Court's sanction, continues to operate business after liquidation. In such instances, retaining and employing key employees is often essential to the business's ongoing operations. Hence, categorising their termination benefits and indemnity in lieu of notice payments as an expense of the winding-up becomes a critical matter in liquidation proceedings.

The determination of this issue will also have wide ranging applicability and considerable importance to various stakeholders, particularly those within the insolvency profession. It will clarify whether liquidators, authorised to carry on the business of a company post-liquidation can safely make payments to employees retained for that purpose, in accordance with the terms of their contracts. This issue is of general importance, as it will set a precedent for future liquidation cases and provide guidance on the correct interpretation of "costs and expenses of winding-up" under **Section 527(1)(a) of the CA 2016**.

As the present matter proceeds to appeals proper, this is a space to be closely monitored by both legal and insolvency practitioners as well as corporate stakeholders for developments.

No Escape for Subcontractors: The Federal Court's Stance on Defective Works

CONTRIBUTOR: SHARON KAUR JESSY, SENIOR ASSOCIATE

In a significant decision, our **DR Partner Sathya Kumardas**, our **DR Senior Associate Sharon Kaur Jessy**, and our **DR Associate Mohammed Daud bin Sulaiman** successfully opposed an application for leave to appeal to the Federal Court lodged by a nominated sub-contractor ("**NSC**").

The dispute concerned the failure of the NSC to rectify and restore substantial defects in the works undertaken for the construction of a refrigerated storage facility. Given that the contractual relationship between parties was a back-to-back arrangement, our client, as the main contractor, undertook the obligation to rectify the defects and commenced legal proceedings against the NSC to recover such rectification costs.

At the High Court, the NSC admitted their breach, failed to contradict the evidence given by our client and proceeded to make a submission of no case to answer. The High Court in allowing our client's claim recognized inter alia the back-to-back agreement between the (i) owner/employer and our client as the main contractor and (ii) our client and the NSC. The High Court's finding was affirmed by the Court of Appeal.

Notwithstanding two concurrent findings, the NSC filed its leave application to the Federal Court. On 5th December 2024, the Federal Court, presided by Chief Justice Tun Tengku Maimun binti Tuan Mat, held inter alia that the 7 questions of law did not meet the threshold test under Section 96 of the Courts of Judicature Act 1964 and dismissed the NSC's application with costs of RM30,000.00 in favour of our client.

This Apex Court decision upholds the sanctity of contract between a main contractor and a sub-contractor and reinforces the principle that a main contractor is entitled to seek recourse against a sub-contractor for defective works in a back-to-back contract scenario.

Recent Court of Appeal Ruling Clarifies Bank's Duty on Credit Rating Reports

CONTRIBUTOR: KOO JIA YOU, ASSOCIATE

In recent years, disputes related to credit rating reports have been on the rise, with an increasing number of lawsuits targeting financial institutions and credit rating agencies. A key issue in these cases is whether banks owe their customers a duty of care to ensure the accuracy of credit rating reports. **Our DR partners, Sathya Kumardas and Koo Yin Soon**, and **DR Associate Koo Jia You**, recently represented a bank in the Court of Appeal on this issue.

Case Background

The dispute originated from a bankruptcy proceeding initiated by a bank in 2007 against the Appellant, following a breach of payment obligation under a Consent Judgment. This led to an Adjudication and Receiving Order ("AORO") being entered against the Appellant on 29th October 2009. The Appellant claimed to only have become aware of the AORO when he was stopped by immigration authorities from returning to Singapore to work on 26th January 2010 and 29th January 2010. Following settlement negotiations, the AORO was set aside on 17th December 2010 by consent with necessary updates to the Insolvency Department made and supporting letters obtained, allowing the Appellant to return to work by 8th February 2010. However, in 2016, a lucrative job offer was rescinded due to a credit report indicating 'past bankruptcy'. Consequently, the Appellant filed a lawsuit against the Bank in 2021, claiming negligence in ensuring the accuracy of his credit rating report.



High Court

The High Court struck out the Appellant's claim against the bank, citing that his claim was barred by limitation and the doctrine of laches. The High Court held that any claim should have been filed latest in 2015, as the AORO occurred in 2009.

Court of Appeal

The Appellant appealed against the decision of the High Court, asserting that the limitation period began in 2021, when the job offer was withdrawn. During the appeal, the Appellant cited cases such as **Nyo Nyo Aye v Kevin Sathiaselan a/l Ramakrishnan & Anor [2020] 4 MLJ 380** and **Julian Chong Sook Keok & Anor v Lee Kim Noor & Anor [2024] MLJU 869**, arguing that negligence claims could be refreshed with each new instance of damage. The bank in response, relied on the principle set out in the English Court of Appeal decision of **Manley v Burn [1916] 2 K.B. 121**, which recognized that where the effect of the first act is brought to an end (as is the case here), liability will attach to a future actor notwithstanding such damage would not have occurred but for the first act. In this regard, even assuming the AORO was wrongfully entered – the Appellant's causative factor for the alleged loss in 2016 was the outdated credit reports. This was an act of the credit rating agencies and the bank (who had no duty to ensure the accuracy of a third party's credit report) would not be liable.

The Court of Appeal accepted that the bank's duty did not extend to the accuracy of credit rating reports, which is the responsibility of the credit rating agencies, and upheld the High Court's decision.

Significance

The Court of Appeal's ruling is helpful in clarifying the boundaries of a financial institutions' duty concerning credit rating reports and underscores that a bank may limit its liability where reasonable efforts have been expended to correct the public record. By delineating the responsibilities of banks and credit rating agencies, this judgment prevents banks from unjust legal consequences related to third-party errors, while emphasizing the accountability of credit rating agencies.

The Drew Network Asia Secondment Programme

CONTRIBUTOR: MATTHEUS GOON, SENIOR ASSOCIATE



From October to November 2024, Shearn Delamore & Co hosted a 2-month secondment programme. This programme was part of an initiative by Drew Network Asia. The Drew Network Asia is an expansive legal alliance spanning nine ASEAN countries—Singapore, Indonesia, Malaysia, the Philippines, Thailand, Cambodia, Laos, Myanmar, and Vietnam—boasting over 800 fee-earners and more than 1,600 professionals. Last year, Drew & Napier (Singapore) hosted the programme for the first time.

Immersing the Secondees in Malaysian Litigation Work Life



We introduced a buddy system to the secondment programme, which turned out to be a great success. Essentially, each secondee was paired with a buddy, a lawyer within our firm.

From the DR practice, the cross-jurisdictional exchange proved enriching for all involved, especially as the secondees hailed from both common law and civil law jurisdictions. We gained fresh insights into our differences such as how judicial precedent is made and its binding nature, along with varying approaches to drafting legal documents such as witness statements.

We learnt intriguing details about the secondees' work cultures back home. Contrary to what many might expect, some revealed that their workplaces embraced flexible hours and regular tea breaks (P.S. it's the Singaporeans). Some even had the option to work from home two or three days a week. This stood in refreshing contrast to our fast-paced, high-stakes litigation environment, where being physically present in office or in Court is the norm.

While we made sure the secondees felt comfortable, we didn't shy away from introducing them to the demands of Malaysian litigation practice. They quickly got involved in drafting key affidavits, mastering legal research, and producing written submissions under tight deadlines. (P.S. to our secondee friends—this part is for your bosses, just in case they're reading!)



Beyond the Courtroom

With the buddy system, our role extended beyond professional mentorship, fostering personal connections. There were go-kart races and karaoke nights filled with off-key renditions and hearty laughter.

One of the highlights was a trip to Ipoh, where some of our lawyers guided the secondees through the city's cultural and culinary treasures. They savoured local dishes and explored serene spots like the Lost World of Tambun and the mural art tours, creating the perfect blend of relaxation and cultural immersion. and Langkawi.



Closer to home, our firm's location in the heart of Malaysia's iconic food scene meant our secondees got a firsthand look at the country's culinary diversity. Situated near Masjid Jamek and Petaling Street, we were surrounded by a variety of delicious food—everything from fragrant nasi lemak to freshly made wanton noodles. Introducing our secondees to these culinary treasures was not just a treat for them but a rediscovery for us.

Watching their reactions as they tried quintessential Malaysian dishes like nasi lemak, curry mee, char kuey teow, and even mala (though not a Malaysian dish, it's popular here) was especially enjoyable. Asking whether we make the food better never failed to spark lively, and sometimes heated, discussions and laughter.

In addition to these cultural experiences, we ensured the secondees gained insight into Malaysia's legal infrastructure. They visited the Asian International Arbitration Centre (AIAC) in Kuala Lumpur, explored the country's highest court in Putrajaya, and even took an exclusive tour of the lockup and the appellant judges' backroom. This was an opportunity many of our own lawyers have yet to experience, making it even more special.

Rekindling Our Love for Malaysia

Hosting the secondees certainly rekindled our appreciation for Malaysia's multiracial identity and the warmth of our shared culture. We were reminded that while we wear the firm's badge with pride, we are also proud representatives of Malaysia.



We will miss being their tour guides, buddies, and friends. To our secondees: thank you for bringing your energy, insights, and enthusiasm to our team. Your time here enriched us, and we hope you left with a lasting impression of both Malaysia and our firm.



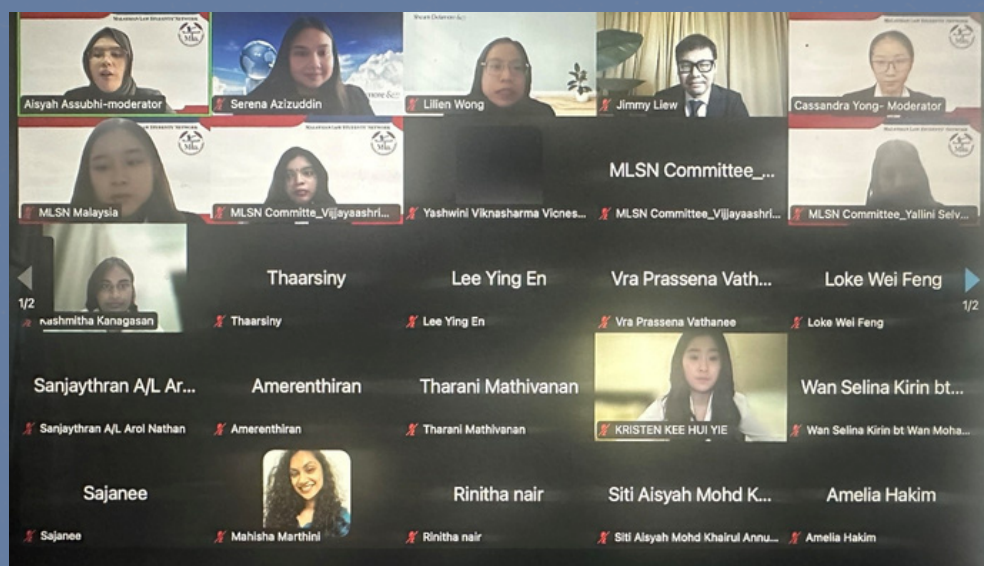
Malaysian Law Students' Network 2024/2025

CONTRIBUTOR: SERENA ISABELLE AZIZUDDIN, PARTNER

On 19th October 2024, our DR Partners, Jimmy Liew, Lilien Wong and Serena Azizuddin, were invited to speak as panellists on the Malaysian Law Students' Network Webinar on Alternative Dispute Resolution – the Role of Arbitration and Mediation in Modern Legal Practice.

The Webinar was attended by 50 participants and our DR Partners spoke on the following topics:

- (i) An introduction to mediation including the processes, skills and benefits and drawbacks.
- (ii) An introduction to arbitration including the processes, skills and benefits and drawbacks.
- (iii) Career pathways in mediation and arbitration.
- (iv) Ethical and professional considerations.
- (v) Real-life experiences and case studies in both mediation and arbitration.



The Webinar ended with questions being posed by the participants. A variety of questions were asked including job prospects as an arbitrator, conflict of an arbitration seat and potential issues that may arise in a mediation or arbitration.

It was a fruitful session and we hope the Malaysian Law Students left the webinar with a greater understanding of both mediation and arbitration.

DR Evening Talk Series

The DR Evening Talk Series consists of seminars and talks hosted by the DR Partners of Shearn Delamore & Co., aimed at benefiting the firm's young lawyers and pupils by keeping them updated on current legal issues and equipping them with practical skills for navigating legal practice. We continued to conduct 3 successful sessions in Quarter 4 of 2024.

CONTRIBUTORS:

HEE HUI TING, PARTNER
HASEENA ELAINE KAUR,
ASSOCIATE



On 18th October 2024, we hosted the 10th session of the DR Evening Talk Series, led by our DR Partner Lai Wai Fong, on the highly relevant and insightful topic of "Witness Handling".

Wai Fong is a litigator with extensive experience in a wide range of areas, including corporate and commercial disputes, insurance disputes, tort law, aviation disputes, and land litigation. She has been an Advocacy Trainer since 2016 and is a member of the Advocacy Training Committee of the Malaysian Bar.

During this session, Wai Fong shared her invaluable insights into the critical importance of advance planning and strategic preparation when handling both factual and expert witnesses in trials. She emphasized that effective witness management requires a proactive approach, starting well before the courtroom proceedings. She discussed the intricacies of witness identification, efficient management of timelines, and practical difficulties in terms of witness involvement and trial outcomes. One of the highlights of the session was Wai Fong's practical advice on drafting witness statements, offering attendees a deeper understanding of how to draft clear, compelling, and credible statements that serve the interests of their clients' cases.

The session provided the attendees with invaluable tools and strategies to enhance their legal practice, especially in the handling of witnesses for court proceedings.

On 22nd November 2024, DR Partner Alexius Lee led the 11th DR Evening Talk on a session titled "Introduction to Building Contracts". Alexius Lee provided an overview of key aspects of building contracts, including the roles of contracting parties, distinctions between conventional and design-and-build contracts, and fundamental provisions such as pricing, completion timelines, and variations.



On 15th December 2024, during the 12th and final session of 2024's DR Evening Talk Series, DR Partner Koo Yin Soon provided an in-depth analysis of restraining orders issued pursuant to Section 368 of the Companies Act 2016 in the session titled "Section 368 of Companies Act 2016: Restraining the Chaos, One Amendment at a Time!" Yin Soon discussed the key differences between the Companies Act framework prior and after the 2016 amendments, as well as the latest amendments that came into force earlier in April this year. His insights highlighted how these changes aim to address corporate restructuring challenges and improve legal clarity.



ESG In The Boardroom

CONTRIBUTOR: SERENA ISABELLE AZIZUDDIN, PARTNER

On 21st November 2024, Shearn Delamore & Co and Thomson Reuters co-organised a half-day seminar entitled "ESG in the Boardroom". We had the privilege of hosting The Hon. Justice Tan Sri Datuk Nallini Pathmanathan, Judge of the Federal Court, who delivered an illuminating opening address on "ESG And The Law – Redefining Corporate Responsibility".



This was followed by a panel session entitled "Navigating The ESG Landscape – Challenges And Solutions" which dealt with the challenges faced by companies, directors and senior management with regard to ESG framework introduced by the regulatory authorities, and discussed practical solutions to address these challenges. The panellists for this session were Amarjit Chhina, Geehanthie Rasaputra, Nooryusazli Yusoff and Saravanan Desigamanie. The session was moderated by our Corporate Partner, Lai Zhen Pik.



The second panel session entitled "Global ESG Litigation Trends – Where Are We Headed?", focused on the continuing proliferation of ESG litigation globally, and the implications of said litigation in the Malaysian context. The panellists for this session were Benjamin Gaw, Dalvin Kaur, Dr. Sheila Ramalingam and the Head of our Environmental Practice and DR Partner Dhinesh Bhaskaran. Driving the discussion was DR Partner, Lilien Wong, who acted as the moderator.



The seminar was well-attended by more than 140 attendees from diverse backgrounds, ranging from sustainability professionals and corporate counsel to C-Suite officers and Directors.

We are proud to have co-organised this timely seminar as part of our continuing commitment to help companies especially their directors and senior management navigate the rapidly evolving ESG space.



AIAC-CIETAC Seminar: Opportunities and Challenges faced by international arbitration users in the Data Era

CONTRIBUTOR: LILIEN WONG, PARTNER

As part of the China Arbitration Week, on 20th September 2024, our DR Partner, Lilien Wong spoke on "Opportunities and Challenges faced by international arbitration users in the Data Era" in a seminar jointly organised by CIETAC Hong Kong Arbitration Centre and the Asian International Arbitration Centre along with other esteemed panellists.



Asian International Arbitration Centre (AIAC) Asia ADR Week 2024

CONTRIBUTOR: LILIEN WONG, PARTNER

Shearn Delamore & Co. was a Gold Sponsor at the Asian International Arbitration Centre (AIAC) Asia ADR Week 2024 themed SUPERNOVA: Igniting the Transformation of ADR held on 17-19th October 2024. In addition to being a sponsor, our partners, Shanti Mogan and Indran Shanmuganathan spoke at the event.

The event as well as the Gala Dinner were also attended by other partners and lawyers.



YSIAC Malaysia: Arbitration Quiz Night

CONTRIBUTOR: LILIEN WONG, PARTNER

Shearn Delamore & Co.'s Arbitration & Mediation Practice Group hosted an engaging and entertaining quiz night in collaboration with the YSIAC Council Members, our DR Partner Lilien Wong and Jocelyn Lim.

Our DR Partner Shanti Mogan, kicked off the event with her opening remarks. Shanti spoke on the strong international presence of SIAC, its recognition as a global venue for arbitrations and the sense of community found proudly amongst its members, many of whom were present last night.

Attendees from Malaysia, Singapore, Indonesia, Myanmar, and India enjoyed an evening filled with lively banter and friendly competition. The night concluded on a high note with drinks and refreshments, fostering connections and camaraderie among participants.



International Bar Association (IBA) Anti-Corruption Committee Asia Conference

CONTRIBUTOR: LILIEN WONG, PARTNER



Our DR Partner, Lilien Wong was in Singapore on 11th November 2024 for the International Bar Association (IBA) Anti-Corruption Committee Asia Conference held at Marina Bay Sands. As part of a diverse panel featuring representatives from various jurisdictions, Lilien delivered an engaging presentation during the session titled 'Safeguarding Data Privacy in the Fight Against Corruption.' Drawing on her extensive experience in Malaysia, she shared valuable insights and practical strategies to address the challenges of balancing data protection with anti-corruption efforts.



AIAC-CIETAC Joint Forum | The Green Silk Road: Navigating Challenges and Resolving Disputes in Sustainable Development

CONTRIBUTOR: LILIEN WONG, PARTNER



The Asian International Arbitration Centre ("AIAC") and the China International Economic and Trade Arbitration Commission ("CIETAC") jointly celebrated the 50th anniversary of diplomatic relations between Malaysia and China through a joint forum that took place on 12th November 2024 at the AIAC in Kuala Lumpur and virtually, with over 4,300 attendees. Our DR Partner, Lilien Wong was one of the panellists in the first session discussing "The Green Silk Road: Navigating Challenges and Resolving Disputes in Sustainable Development". Lilien also authored an article summarising the event which can be assessed here: https://admin.aiac.world/uploads/ckupload/ckupload_20241231043223_83.pdf

MIArb 8th Annual Law Review: Arbitration Insights from Malaysia and Singapore

CONTRIBUTOR: HEE HUI TING, PARTNER



On 28th November 2024, **DR Partner Hee Hui Ting** was invited to speak as one of the panelists at the Malaysian Institute of Arbitrators (MIArb) 8th Annual Law Review. Speaking during Session 1: Looking Back – Latest Developments in Arbitration in Malaysia and Singapore in 2024, Hui Ting shared about the case of *Swissray v V Medical Services*, which is an important development in the intersection between arbitration and insolvency. The session was joined by fellow arbitration practitioners practicing in Malaysia and Singapore, moderated by The Hon. Justice Datuk Nantha Balan, Judge of the Court of Appeal.

Institute of Corporate Directors Malaysia (ICDM)'s Power Talk - Boardroom Insights 2025- Navigating Governance, Risk and Strategic Foresight

CONTRIBUTOR: LILIEN WONG, PARTNER



On 17th December 2024, Our DR Partner, Lilien Wong shared a panel discussion with Saket Bhartia (Managing Director, Investigations, Diligence and Compliance, Kroll), Christina Foo (Independent Non-Executive Director, Touch 'n Go) and Richard Ong (Group Head, Group Risk & Compliance, Sime Darby Berhad) on "Boardroom Insights 2025- Navigating Governance, Risk and Strategic Foresight". The panel discussed the legal landscape in 2024 and provided insights into the outlook for 2025.

hello

We are happy to introduce our new DR Associates who were recently called to the Bar. Welcome!

Kate was called to the Malaysian Bar on 18th October 2024, following the completion of her pupillage at Shearn Delamore & Co. She has since joined the Dispute Resolution department as an Associate.

Kate is thrilled to continue this chapter of professional growth with the firm and she looks forward to embracing the opportunities that lie ahead.



KATE YONG WENG KEI



Michelle completed her pupillage at Shearn Delamore & Co. and was called to the Malaysian Bar on 8th November 2024. She has now joined the Dispute Resolution Department as an associate.

Being one of the four Michelles in Shearn Delamore, Michelle is used to the occasional mix-up—and doesn't mind being called by other names, as long as they are not unflattering! She is excited to embark on this exciting journey with Shearn's big team, contributing her skills and growing alongside the firm.

MICHELLE WONG JIA LIN

Congratulations

We take immense pride in our lawyers' academic achievements. Join us in celebrating their educational milestones and well deserved success.



DR Senior Associate Sharon Kaur Jessy completed her Master of Laws (LL.M) at King's College London in September 2024, specializing in International Financial Law. Sharon was awarded the prestigious Chevening-Khazanah Scholarship in June 2023, which enabled her to pursue this opportunity at one of the world's leading law schools.



DR Partner Hee Hui Ting completed her Master of Laws (LL.M) with distinction at the University of Malaya in September 2024. She has achieved this academic milestone whilst balancing the responsibilities of a full time legal career in Shearn Delamore & Co.

Litigation Drinks 2024

CONTRIBUTOR: SERENA ISABELLE AZIZUDDIN, PARTNER

On 5th December 2024, Shearn Delamore & Co hosted the Litigation Drinks 2024 at Souled Out Hartamas. It was an enjoyable celebration attended by over 200 litigators including our DR Senior Associates, Principal Associates and Partners.



The night kicked off with speeches by Christopher Leong, who initiated the first Litigation Drinks in 1996, followed by our DR Head of Department, Rabindra Nathan. Rabindra then handed the commemorative 'Litigation Drinks Tankard' to Gopal Sreenevasan, who will be hosting the Litigation Drinks 2025.

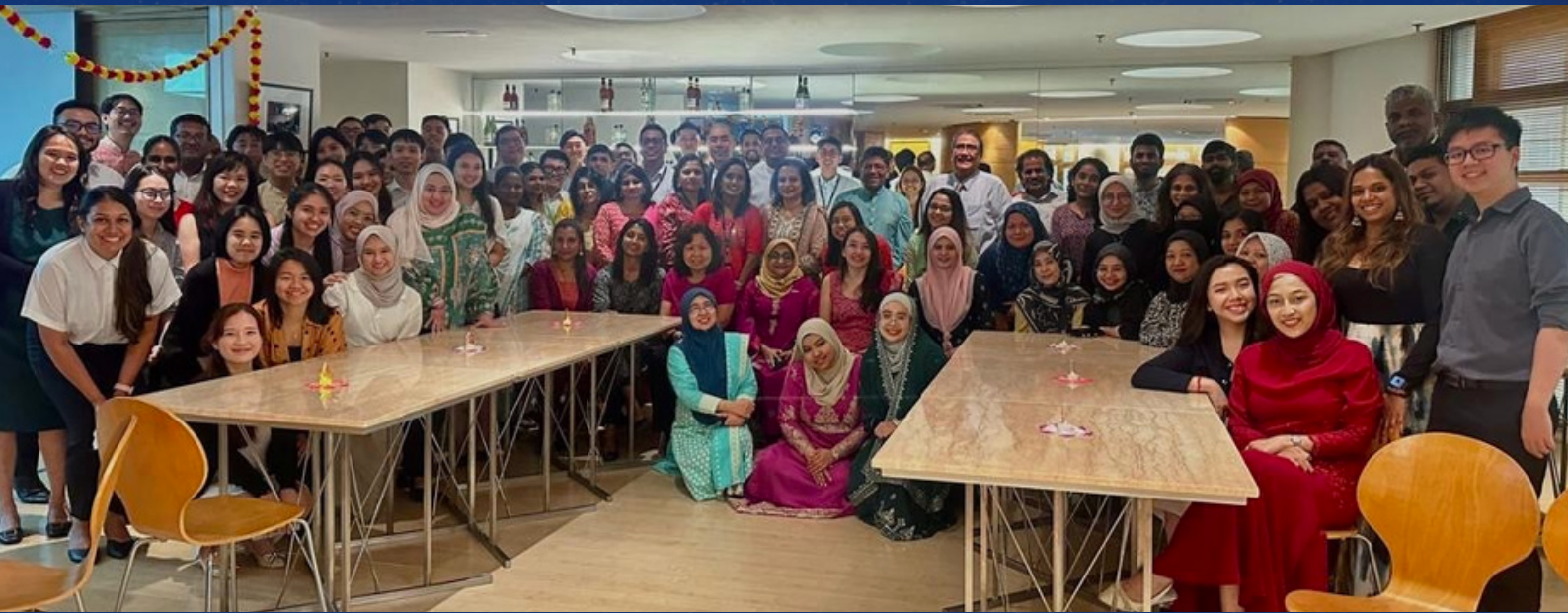


There was free flow drinks and food throughout the event and everyone could spend time drinking, eating and catching up with fellow litigators. The event is a lovely year end tradition which enables litigators to get together, reconnect and bring the year to a pleasant end over a few drinks. Shearn Delamore & Co was proud to host the Litigation Drinks 2024. A fun fact revealed was that Shearn Delamore & Co is the only firm whose name is engraved on all 3 tankards!



DR Department Deepavali Lunch Celebration

CONTRIBUTOR: SERENA ISABELLE AZIZUDDIN, PARTNER



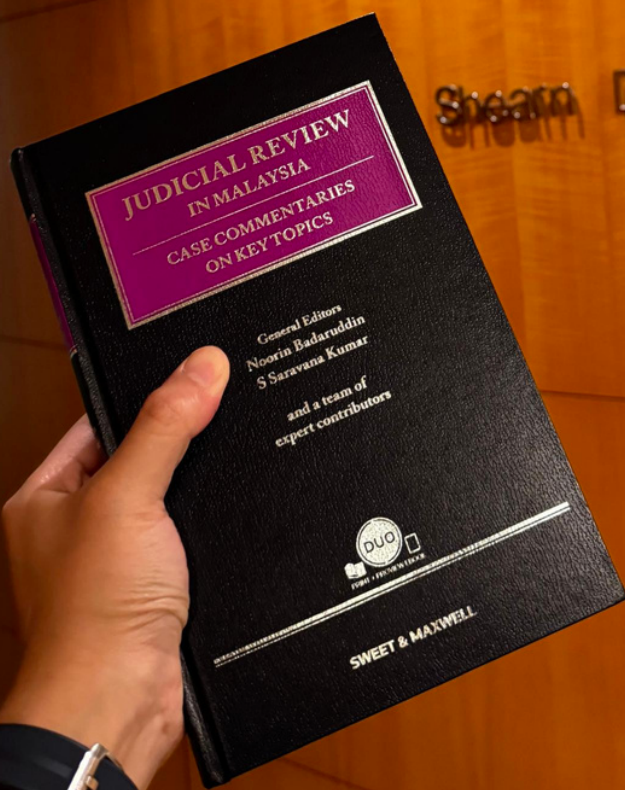
On 27th November 2024, the DR Partners hosted a lunch to celebrate Deepavali amongst the DR lawyers and staff.

The lunch was held on the 7th Floor and the area was beautifully decorated following the Deepavali theme. Scrumptious Indian food was served, such as mutton and chicken and an array of yummy desserts. The Deepavali lunch was extra-special because the DR department honoured our DR Partner Sagadevan Thangavelu, who retired as an equity partner at the end of 2024.

It was a joyous celebration and all staff and lawyers enjoyed eating together and having meaningful discussions while enjoying delicious food.

Book Launch: Judicial Review in Malaysia – Case Commentaries on Key Topics

CONTRIBUTOR: JUSTIN TONG, ASSOCIATE



On 7th October 2024, the Chief Justice of Malaysia, YAA Tun Tengku Maimun Binti Tuan Mat, officiated the launch of the book, "Judicial Review in Malaysia – Case Commentaries on Key Topics" at the Asian International Arbitration Centre. This practitioner's book features contributions from our **DR Partner G. Rajasingam**, and **DR Associates, Justin Tong and Ally Ong**.

The momentous event was also attended by Federal Court Judge, Justice Datuk Vazeer Alam, Sabah State Attorney-General, Datuk Brenndon Soh, and other notable guests.

Whilst Judicial Review is a developing creature, General Editors, Justice Datuk Noorin Badaruddin, Judge of the Court of Appeal and Mr. S Saravana Kumar, along with the learned contributors, have striven to put together the key and developing legal principles pertaining to Judicial Review Proceedings into one book for ease of reference.

Shearn Delamore &co.

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