



KC Tai

Of Counsel

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With more than 10 years' experience in litigation practice, KC's practice covers a wide range of commercial litigation, white collar crimes and regulatory matters. He has strong business acumen which enables him to offer practical solutions to client. He is often commended for his solution-driven approach and unique insight and perspective.

LANGUAGES SPOKEN

- English
- Chinese (Cantonese)
- Chinese (Mandarin)

- Litigation, Arbitration and Investigations
- International Arbitration

English Chinese
(Cantonese) Chinese
(Mandarin)

- Acting for a Hong Kong listed company in its 23-day-trial at High Court and succeeded in the claim against several PRC entities for a sum of over RMB510 million regarding a contractual dispute over the sale and purchase of the interest in a PRC company. The case has involved a number of cross-border issues between Hong Kong and the PRC which was appealed to the Supreme People's Court in the PRC.
- Acting for a Hong Kong listed company in defending two sets of legal proceedings and advising client on regulatory matters arising out of the same subject matter. The case concerns with a number of Hong Kong listed companies identified by David Webb as the "Enigma Network" which were allegedly controlled by Mr. Roy Cho, a seasoned player in the capital market. This case can be said to be one of the largest civil litigation in recent years in terms of the scale of litigation, regulators' investigation and legal teams involved.
- Acting for a reputable financial institution in its debt recovery action against the substantial shareholder of a listed company where we successfully terminated the rights issue proposed by the listed company in the capacity of a shareholder and gained control over the listed company.
- Acting for the securities arm of a Hong Kong listed company in relation to a number of legal proceedings arising out of a margin loan granted by the securities firm to a BVI company to recover the margin loan and unwind the undervalue sale carried out by the BVI company. Successfully wound up the BVI company and struck out the counterclaim made by the defendants claiming conspiracy and

stock market manipulation. This is a high-profile commercial dispute which has attracted wide media coverage.

- Acting for the former Chairman of a Hong Kong listed company in relation to a dispute arising out of the sale of controlling interests in the listed company and mortgagee action taken out by the new owner of the listed company. Resisted the new owner's claim on the grounds of breach of implied terms, breach of fiduciaries duties and tort of conspiracy. Successfully dismissed the new owner's application for summary determination of the mortgagee action.
- Acting for a Hong Kong company in relation to the ownership of the largest wind energy company in Thailand which was worth USD700 million. Successfully defended the receivership application taken out by the original owner and discharged the injunction obtained by the original owner against client under s.21M of the High Court Ordinance (HCO) in aid of arbitration and on the basis of Chabra jurisdiction. The case has involved complicated cross-border issues involving litigation and arbitration in various jurisdiction including Hong Kong, Thailand, Singapore, the United Kingdom, BVI and Belize.
- Acting for a high net worth client in defending various private prosecutions brought against him for alleged breach of s.298 of the Securities and Futures Ordinance (SFO) for disclosing false or misleading information inducing transactions, conspiracy to perverting the course of justice and blackmail. Secured acquittal in all those criminal prosecution.
- Acting for the former Chairman of two Hong Kong listed companies in a disciplinary action carried out by the Stock Exchange of Hong Kong (SEHK) for breach of Listing Rules relating to certain transactions involving the provision of financial assistance between the listed companies. Prepared submissions in response to SEHK's investigation and managed to reach settlement agreement with SEHK without the need to proceeding to the disciplinary hearing.
- Acting for a PRC online P2P leading platform in relation to an investigation carried out by Securities and Futures Commission (SFC) for potential breach of provisions under the SFO relating to collective investment scheme (CIS) and carrying out of regulated activities. Successfully persuaded SFC to drop the claim.
- Advising the audit committee of a Hong Kong listed company carrying on metal recycling business for a forensic investigation carried out pursuant to the direction of SEHK regarding certain adverse allegations raised by a short-seller against the company.

CREDENTIALS

Professional Qualifications

- Solicitor of the High Court of Hong Kong

Recognitions

- KC is named as a lawyer to note in *Legal 500* (2020 and 2021 Edition), according which, "KC is very responsive and very easy to work with. Always give clear answers and sensible solutions to problems."

Education

- The University of Hong Kong, LLB
- The University of Hong Kong, P.C.LL

INSIGHTS

Publications

PUBLICATIONS

- Another Reminder for Principles of "Reflective Loss" and Abuse of Process, *Hong Kong Lawyer*, July 2020
- Grant of Interim Relief by Court Against Non-Parties to Arbitration, *Hong Kong Lawyer*, July 2019
- Court of Appeal Clarified the Operation of RHC O.59 r.14(3), *Hong Kong Lawyer*, December 2018

NEWS

DLA Piper helps CAPE win High Court claim for seller misrepresentation

9 February 2021

DLA Piper has advised China Agri-Products Exchange Ltd, a company listed on the Hong Kong Stock Exchange, on a complex cross border litigation heard in the High Court of Hong Kong.
