

## **MICHAEL PALMER**

Michael Palmer has more than 25 years of experience in civil and commercial litigation, arbitration and dispute resolution. He graduated from University College London, University of London in 1992 and was called to the Bar in England and Wales in 1994. He was admitted as an Advocate and Solicitor of the Supreme Court of Singapore in 1995.

Michael's main areas of practice are corporate & commercial litigation, arbitration and dispute resolution, employment law, defamation law and the law relating to clubs and associations. In addition, Michael has acted for various professionals and professional firms that have been involved in potential negligence actions and disciplinary proceedings. Michael has also sat as Arbitrator in an international commercial arbitration under the auspices of the Singapore International Arbitration Centre.

He also currently advises various clubs and associations in Singapore, a role that requires him to provide counsel on their constitution, rules and regulations and internal dispute resolution procedures.

Michael started the first Sports Law practice in Singapore in the early 2000s. He has consulted and provided legal advice to various national sports associations in Singapore including, Netball Singapore, Singapore Swimming Association and Singapore Rugby Union. He was instrumental in the preparation and successful bid for Singapore's HSBC Sevens International Rugby Tournament.

In 2009, Michael was appointed a committee member of the organising committee for the Youth Olympic Games that was hosted in Singapore in 2010.

Michael served as a Member of Parliament in Singapore between 2006 and 2012 and was the Speaker of Parliament in Singapore between 2011 to 2012.

### *Legal Highlights*

Over more than two decades, Michael has acted in several high profile cases, examples of which include:

- Successfully represented CSAPL (Singapore) Holdings Pte Ltd in its defence against claims brought by its joint venture partner, Carlsberg A/S, for alleged breaches of multiple agreements as well as in the counterclaim it is pursuing against Carlsberg A/S: *Carlsberg Breweries A/S v CSAPL (Singapore) Holdings Pte. Ltd.* [2021] SGHC(I) 1;
- Acted for contributories in opposing winding-up applications brought by a shareholder of 3 companies on just and equitable grounds. *Ma Wai Fong Kathryn v Trillion Investment Pte Ltd* [2018] SGHC 88;
- Acted for directors in an application for leave to bring a derivative action against them for negligence: *Ma Wai Fong Kathryn v Trillion Investment Pte Ltd and ors* [2019] 1 SLR 1046 and *Ma Wai Fong Kathryn v Trillion Investment Pte Ltd and ors* [2020] 5 SLR 1374;
- Acted for the Plaintiffs in an application for the Court to reverse the decision of an arbitral tribunal on the question of its jurisdiction. The Plaintiffs' application was heard in the Singapore International Commercial Court: *BXY and ors v BXX and ors* [2019] 4 SLR 413;

- Acted in an international arbitration at the Singapore International Arbitration Centre for the joint venture partner of an internationally recognised listed beverage company (the Claimant) in its claim against the said beverage company (the Respondent) for various breaches of their shareholders' agreement, including the Respondent's obstruction of the joint venture company's IPO;
- Acted for the Claimant in a dispute at the Singapore International Arbitration Centre for the repayment of loans of US\$4,000,000 which were made to the Respondents pursuant to agreements executed in Thailand;
- Acted for our clients who are parties to a trial before the High Court of Justice of the British Virgin Islands (the "BVI Trial" and the "BVI Court" respectively). Our clients' witness was recently imprisoned in Singapore's Changi Prison, preventing him from giving evidence in the BVI Trial. We successfully obtained orders from the Singapore High Court for evidence to be taken from the imprisoned witness by way of examination for use in the BVI Trial, pursuant to a Letter of Request issued by the BVI Court. In the course of the action, we also successfully resisted applications filed by a third party to intervene in the action and to have the order of court varied;
- Successfully obtained an acquittal for a client in respect of 15 charges brought against her in respect of the Betting Act for alleged online bookmaking: Public Prosecutor v Chua Buan Ling Alicia [2019] SGMC 70;
- Acted for liquidators of a company in respect of a challenge brought by a creditor of the company in respect of the liquidators' adjudication on creditors' proofs of debt. MWA Capital Pte Ltd v Ivy Lee Realty Pte Ltd (in liquidation) [2017] SGHC 216; Evan Lim Industrial / Warehousing Development Pte Ltd v MWA Capital Pte Ltd and anor. [2018] SGCA 76;
- Acted for a successful party in a landmark decision of the Singapore Court of Appeal where an action in the High Court brought on the grounds of oppression of a minority shareholder in a company was held to be arbitrable and was stayed in favour of arbitration even though not all the parties in the action were parties to the arbitration agreement: Tomolugen Holdings Ltd and another v Silica Investors Ltd and other appeals [2016] 1 SLR 373;
- Acted for the Defendant in a case where the purchaser of an HDB managed commercial property sued the owner for the recovery of his deposit after failure to obtain consent from the HDB for the sale of the property: The One Suites Pte Ltd v Pacific Motor Credit (Pte) Ltd [2014] 4 SLR 806; [2015] 3 SLR 695;
- Acted for parties in various cases involving the founding shareholders of the Raffles Town Club: (1) Lim Eng Hock Peter v Ang Yee Lim Lawrence & Others Suit No. 742 of 2000/W – Unreported; (2) Nganthavee Teriya alias Gan Hui Poo v Ang Yee Lim Lawrence and Others (Lim Eng Hock Peter and Another, Third Parties) [2003] 2 SLR(R) 361; [2003] SGHC 86; and (3) Raffles Town Club v Lim Eng Hock Peter and Others (Lin Jian Wei and Another, Third Parties) [2013] 1 SLR 374; [2012] SGCA 62; [2010] SGHC 163; [2011] 1 SLR 582; [2010] SGHC 291;
- Acted for a shareholders and directors of a company in a claim for conspiracy, fraud and breach of directors' duties: [2010] SGHC 181;
- Acted for a defendant in a claim brought by Resorts World Sentosa for amounts owed: [2018] 5 SLR 1039;

- Acted for an accused in defence of charges brought under the Betting Act for alleged online gambling: [2018] SGMC 9;
- Acted for Nike International Ltd in respect of an opposition to an application for registration of a trademark: [2010] SGHC 140; [2011] SGCA 6;
- Acted for a party in a case involving the Philippines Government and the escrow agent of the Philippines Government and various other parties concerning the recovery of money appropriated by the former President Marcos and his family - WestLB AG v Philippine National Bank & Others [2007] 1 SLR(R) 967; [2006] SGHC 234; [2008] 2 SLR(R) 857; [2008] SGCA 14; [2012] 4 SLR 894; [2012] SGHC 162;
- Represented the Singapore Turf Club in an action brought against it for breach of natural justice: [2000] SGHC 194;
- Acted for the Claimant in two international commercial arbitrations involving cross border telecommunications joint venture partners;
- Acted for a party in a case involving various senior members of the Cabinet and senior members of Parliament in the prosecution of their defamation actions - Tang Liang Hong v Lee Kuan Yew and Others [1997] 3 SLR(R) 576; [1997] SGCA 52; [1997] 2 SLR(R) 81; [1997] SGHC 138; [1997] 1 SLR(R) 538; [1997] SGHC 67; [1997] 1 SLR(R) 328; [1997] SGHC 38; [1997] SGHC 68;
- Acted for a party in a case involving the Business Software Alliance (BSA) and various representatives of the BSA in their defence of a defamation action - SM Summit Holdings Ltd & anor v Microsoft Corporation & ors and other actions [1999] SGHC 149; [1999] SGHC 294; [2000] 1 SLR(R) 819; [2000] SGCA 23; [2001] SGHC 94;
- Acted in a case brought against Singapore Press Holdings and others in defamation by members of the *House of Israel*: [1996] SGCA 78;
- Acted for a party in a case brought against the pro-tem committee in a collective sale and its lawyers in respect of fiduciary duties and negligence in the conduct of a privatisation of an HUDC Estate: [2004] SGHC 94;
- Acted for a major Thai borrower in the restructuring of their various syndicated loans necessitated by the 1997 Asian financial crisis. This included opposing various actions commenced against them in respect of their loans - Petch Palace Co Ltd & Ors v Commerzbank Aktiengesellschaft (Singapore Branch) [1998] SGHC 80; [1999] SGHC 156;
- Acting for various individuals in their claims against various international banks;
- Acted for a major group of Indonesian chemical companies in the restructuring of one of their syndicated loans necessitated by the 1997 Asian financial crisis. This included opposing various actions commenced against them in respect of their loans;
- Advising MediaCorp Limited and its various subsidiaries on issues concerning defamation;
- Advising a subsidiary of a public listed Australian power and infrastructure company in a sale and purchase of a local engineering consultancy;

- Advising a subsidiary of a public listed Australian power and infrastructure company in its negotiations with IRAS over GST;
- Advised one of the big four accounting firms on various issues ranging from advice on fraud risk management, to auditing issues, to interpretation of legislation and potential liability; and
- Acting for the company and various parties in minority oppression actions.