

# ABRAHAM VERGIS, SC

FCIArb

Managing Director

abraham@providencelawasia.com

## Qualifications & Appointment

LL.B (Hons), National University of Singapore.  
Senior Counsel, Supreme Court of Singapore.  
Fellow, Chartered Institute of Arbitrators.  
Fellow, Asian Institute of Alternative Dispute Resolution.  
Principal Mediator, Singapore Mediation Centre.



INTERNATIONAL ARBITRATION SINGAPORE LITIGATION



## CURRICULUM VITAE

Abraham is an experienced Singapore court advocate and counsel in international arbitrations across Asia. He is also an accredited arbitrator and mediator. Abraham is on the panel of various arbitration institution across Asia.

Abraham established Providence Law Asia LLC as a boutique international arbitration and litigation practice in 2012 and has 20 years of extensive experience in contentious work in Asia. He works closely with leading lawyers from other jurisdictions and is regularly instructed as lead counsel in Asian arbitrations by foreign law practices.

Abraham was named “Singapore Managing Partner of the Year” and shortlisted for “Dispute Resolution Lawyer of the Year” at the Asian Legal Business SE Awards 2019. Abraham was a finalist for “Asia’s Dispute Star of the Year” at the AsiaLaw and Benchmark Litigation Asia Pacific Dispute Resolution Awards in 2017 and 2018.

Chambers and Partners has ranked Abraham amongst the top twenty litigators in Singapore since 2016. Legal 500 recognises Abraham as a “Leading Lawyer” in the dispute resolution arena.

Under Abraham’s leadership, Providence Law Asia has attained multiple accolades, including being awarded “Best Dispute Resolution Boutique Practice of the Year in Southeast Asia” in 2017, “Rising Law Firm of the Year” in 2018, and finalist for “Singapore Litigation Law Firm of the Year in 2019”, at the annual Asian Legal Business SE Asia Awards.

### **Representative Arbitration Experience (Infrastructure, Energy and Transport Disputes)**

Abraham has acted as counsel in construction and engineering disputes in the infrastructure, energy and transport space. Abraham’s past experience include:

- 80-day multi-party construction and engineering arbitration in Singapore concerning the partial collapse of Southeast Asia’s tallest multi-cell cement silo. Abraham acted for the main contractors, who were being sued alongside the silo designer and the accredited checker. A technically challenging case involving complex civil and structural engineering issues addressed by an international panel of 14 expert witnesses.

- Represented the main contractors in termination claims against the concessionaire of a multi-billion-dollar airport reconstruction project for an Indian Ocean republic. The client is a prominent South-Asian infrastructure conglomerate with a track record of airport construction projects in India, Philippines and Turkey.
- 25-day construction arbitration under ICC Rules in Bangkok between a Malaysian boilermaker and a prominent Thai mill owner concerning construction defects in a palm oil refinery in Thailand.
- SIAC arbitration in respect of claims exceeding USD150 million against a sovereign government for repudiating a 50-year joint venture agreement for the development of a lagoon, with claims for aborted reclamation and infrastructure development works.
- Multi-party litigation before the Singapore International Commercial Court involving a failed joint venture with Singapore and PRC entities to develop an RMB3 billion Winter Theme Park, with Olympic-accredited ski slopes and resort project in Shanghai.

#### **Representative Arbitration Experience (Corporate and Commercial)**

- SIAC arbitration against a sovereign government for prematurely terminating a 20-year concession agreement for the development of a comprehensive immigration and border control system.
- Multi-party SIAC arbitration with a claim value of over A\$400 million involving claims of breach of contract, misrepresentation and breaches of fiduciary duties in respect of the forced sale of shares in an Australian listed company to institutional lenders.
- Acting for a Telekom Malaysia in an SIAC arbitration against a Singapore IPTV provider, with respect to a dispute worth over USD 34 million arising out of a collaboration agreement for the sale and distribution of IPTV units.
- Arbitration under the London Metals Exchange Rules, representing of one of Indonesia's largest tin metal traders.
- Represented a Thai satellite company in ad hoc arbitration proceedings against an Indian television broadcaster.

#### **Representative Arbitration Experience (Emergency Arbitrations)**

- \$83 million Emergency Arbitration brought by a high profile businessman and art dealer, arising from a sale and purchase agreement relating to a Freeport. The Emergency Arbitration involved novel issues under Singapore law as to whether the "*alter-ego*" and "*group of companies*" doctrines could be invoked to give an arbitral tribunal jurisdiction over non-signatories to an arbitration agreement. This matter also involves related Court proceedings in support of the Emergency Arbitration.
- Emergency Arbitration in connection with the spectacular collapse of one of Singapore's most popular investment schemes that had attracted substantial retail investor funds on the promise of lucrative guaranteed returns from financing social housing in Brazil.

## **Litigation Experience**

### **Corporate & Commercial Litigation**

- Successfully represented the founder and leader of a regional real estate group of companies in resisting garnishee orders in respect of bank accounts held jointly by the founder and his wife. The judgment creditor was a company affiliated to the largest group of IT companies in Russia. This matter involved a recent landmark decision which, in departing from precedent, held that joint bank accounts could be garnished under certain specific circumstances. This is also noteworthy in being the first case dealing with the question of the party that bears the burden of proving the ownership over the funds in the joint account sought to be garnished. This matter also involved related committal proceedings brought by the judgment creditor over documents which were allegedly not disclosed during examination of judgment debtor proceedings.
- Multi-party litigation before the Singapore International Commercial Court and the Court of Appeal involving a failed joint venture with Singapore and PRC entities to develop an RMB3 billion Winter Theme Park, with Olympic-accredited ski slopes and resort project in Shanghai.
- Singapore International Commercial Court proceedings between a Chinese SOE and an Australian bank arising from a commodity swap transaction.
- A US\$2.6 billion claim by Motorola Credit Solutions as part of worldwide effort to enforce a judgment obtained in USA in 2003 against Turkish political dissident Cem Uzan and family.
- A 65-day Singapore High Court trial, involving 3 consolidated Suits, 14 parties and 5 sets of Counsel, and concerning claims for misrepresentation and market manipulation in relation to a US\$40 million take-over of a Malaysian public-listed company. The other parties included German and Singapore banks and prominent Malaysian business and political elites.
- High Court Suits involving liquidation of S\$200 million company and competing derivative action and minority oppression claims.
- S\$50 million real estate dispute involving a Singapore statutory board and a number of sizeable Singapore companies.
- Singapore High Court trial against an Australian public-listed company over oil & gas industry services contracts in the Caspian.
- Successfully struck out an AUD 43million claim brought by an Australian casino against a Singapore high-roller in the Singapore International Commercial Court for the recovery of gaming debts.

### **Private Wealth Litigation**

- Represented a high net worth US Permanent Resident against a claim by one of the wealthiest men in Singapore, in respect of a dispute relating to the shares in an Indian company worth around US\$40 million. This litigation raised complex and novel legal issues involving, among other things, Indian law relating to regulated agricultural land in India and the enforceability of agreements relating to the transfer of property held by, and to be transferred to, third parties.

- Instructed to resolve the deadlocked administration of a S\$320 million estate that had remained unresolved for 15 years.
- Instructed in several related Singapore High Court Suits relating to S\$200 million estate (held through a network of corporate structures and nominees) that became the subject of controversy among the testator's family members and his business associates.
- Represented a member of royalty in South East Asia in a number of Singapore court proceedings relating to a private equity investment.

#### Crime, compliance & Internal Investigations

- Acted in a multi-jurisdictional fraud case involving misappropriation of several million dollars by two senior executives in a Kazakhstan subsidiary of a Singapore company, and diversion of proceeds to Hong Kong, Ahmedabad and Liechtenstein. Abraham directed the fraud investigations in Almaty and Singapore, which culminated in worldwide freezing orders and legal action in the Singapore High Court
- Directed and coordinated multi-disciplinary investigations for a leading airport operator in India against a former director in respect of suspected conflict of interest and other serious irregularities, which led to Singapore High Court proceedings, which were subsequently settled favourably.
- Instructed by a foreign Government to investigate substantial hospital bills rendered by a South East Asian hospital in respect of treatment rendered to a group of foreign patients. Investigations revealed that the hospital had systematically overcharged the foreign government millions of dollars, which directly resulted in an amicable settlement based on substantial discounting of all outstanding hospital bills.
- Secured two acquittals for a Singapore lawyer in two separate trials on serious charges of perjury and corruption, allegedly committed in the course of his practice as an advocate & solicitor.
- Secured an acquittal in the High Court for a client who had been charged with 5 counts of sexual offences against a teenage girl.
- Secured an acquittal for client who had been charged with overclaiming GST tax refunds from IRAS.

#### Special Interest Cases

- Representing Mrs Lee Suet Fern, sister-in-law of Singapore's Prime Minister, in Disciplinary Tribunal proceedings against her for her alleged role in the drafting of Mr Lee Kuan Yew's last will and testament.
- Represented Li Shengwu, nephew of Singapore's Prime Minister, in criminal contempt proceedings brought against him by the Attorney-General of Singapore in respect of a statement he made in a private Facebook post.
- Represented Mr Deepak Sharma, the retired global chairman of Citi Private Bank in judicial review proceedings against the Law Society of Singapore. Although the review was ultimately dismissed, Abraham succeeded in establishing precedent on novel legal issues on public interest.

- Represented the directors of a Singapore Catalist-listed company in disciplinary proceedings commenced by the SGX in respect of offences relating to the alleged non-disclosure of material transactions and misleading announcements.
- Advised the Air Line Pilots Association Singapore (ALPA-S), a union representing SIA pilots, on its collective agreement negotiations with SIA, particularly in relation to various issues involving the salary and training contracts of SIA pilots.
- Instructed to represent a plaintiff in a 30-day medical negligence suit in the High Court involving neurosurgical and neuroradiological expert evidence.
- Instructed by the Law Society of Singapore to prosecute a veteran lawyer charged with failure to supervise his conveyancing clerk.
- Represented a junior lawyer convicted of forgery in disciplinary proceedings before the Court of Three Judges.

### **Appointments**

#### *The International Academy of Financial Litigators*

- Singapore sole representative

#### *Singapore Academy of Law*

- International Promotion of Singapore Law Committee: Appointed by Justice VK Rajah to promote the use of Singapore law and Singapore as a venue for arbitration in cross-border disputes in South Asia
- Law Reform Committee: Appointed by Justice Vinodh Coomaraswamy, and Judith Prakash to consider law reforms in the area of arbitration law
- Professional Affairs Committee: Appointed by Solicitor-General Lionel Yee to contribute to the Professional Values Chapter

#### *Law Society of Singapore*

- Chairman, Law Society's Criminal Legal Aid Scheme
- Served as Chairman of the Law Society's Investigative Tribunal for Inadequate Professional Services Subordinate Courts
- Principal Mediator, Primary Dispute Resolution Centre

### **INDUSTRY RECOGNITION**

Our consistency and reliability in our services are best exemplified in our numerous industry sector awards:

- Asian Legal Business Southeast Asia Law Awards 2019 – Abraham Vergis is recognized as Managing Partner of the Year in Southeast Asia

- Asian Legal Business Southeast Asia Law Awards 2018 – Rising Law Firm of the Year in Southeast Asia
- Asia Business Law Journal – Abraham Vergis is recognized as Singapore’s Top 100 Lawyers 2018.
- Asian Legal Business Southeast Asia Law Awards 2017 – Best Dispute Resolution Boutique Practice in Southeast Asia
- Benchmark Litigation Asia-Pacific 2018 & 2019 – Disputes Star in Commercial Disputes, Bankruptcy & Insolvency and International Arbitration: Abraham Vergis
- Singapore, Chambers & Partners– Dispute Resolution: Litigation – Ranked Lawyers: Band 3, 2017
- Chambers & Partners – Top 20 litigators in Singapore: Abraham Vergis, 2017
- IFLR1000 Recognised Firms – Restructuring & Insolvency, 2017, 2018 & 2019
- The Legal500 – Recommended Firms (Dispute Resolution), 2016 & 2017 and Tier 4 Law Firm in 2018 & 2019
- The Legal500 – Abraham Vergis recognized as a Leading Individual in 2018
- The Best Lawyers in Singapore – Ranked Firm for International Arbitration, 2017 & 2019
- Asia Law Profiles – Recommended Firm for Dispute Resolution and Litigation & Restructuring and Insolvency, 2017 & 2019
- Acquisition International Dispute Resolution – Best Specialist Dispute Practice & Award for Excellence in Cross Border Arbitrations – Singapore