



PROVIDENCE  
LAW ASIA



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## NIKI CHEN 陳思安

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*Niki is a Foreign Counsel with the firm. Her practice focuses on international commercial disputes.*

Niki represents a wide variety of clients including major corporations and high net worth individuals in a range of complex, high value disputes across sectors including mining, telecommunications, and commodity trading. She has represented clients in international commercial arbitrations administered by major arbitral institutions including the ICC and the SIAC.

Prior to joining the firm, Niki graduated with an LL.B. (Hons) from the University of Edinburgh and received an LL.M. from New York University School of Law, specialising in International Business Regulation, Litigation and Arbitration.

Niki is fluent in English and Mandarin.

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# *PROFESSIONAL* **EXPERIENCE**

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## Representative International Arbitration Experience

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- Represented a BVI company in a SIAC arbitration against a sovereign state for a claim in excess of US\$130 million arising from breaches of a joint venture agreement for the development of a lagoon.
- Represented Malaysia's leading telecommunication company in a SIAC arbitration commenced by a Singapore-based IPTV provider for a claim in excess of US\$34 million involving breaches of a collaboration agreement.
- Represented a leading Asian satellite operator in a SIAC arbitration against a subsidiary of one of India's largest integrated media companies in relation to a claim for approximately US\$15 million arising from a satellite transponder service agreement.
- Represented an Indonesian mining company in a SIAC arbitration against the Singapore arm of a publicly listed international commodities trader for breaches of an indemnity agreement for approximately US\$60 million.
- Represented a Hong-Kong based company in an SIAC against an Australian company for breaches of a sales and purchase contract for mineral sands. The arbitration was conducted under the SIAC expedited procedure.
- Represented a BVI company against a Maldivian company in a SIAC arbitration arising from breaches of a project management agreement in relation to the development of a resort in the Maldives. The arbitration was conducted under the SIAC expedited procedure.
- Represented a Vietnamese company in an arbitration commenced by the trading arm of the world's leader in the building material industry involving disputes arising from the sale and purchase of clinker materials. The arbitration was conducted under the SIAC expedited procedure.
- Represented a BVI company in a multi-party ICC arbitration over a breach of a private equity investment agreement valued at US\$17 million.



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# *PROFESSIONAL* **EXPERIENCE**

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## Representative Corporate & Commercial Litigation Experience

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- Representing and advising a high net-worth individual with assets worth over US\$1 billion on claims relating to conspiracy and misrepresentation.
- Acting for an investment company in respect of claims pertaining to fraudulent misrepresentation, unlawful means conspiracy and breach of contract with regards to a financing agreement secured by stocks in a Canadian listed company, with a claim sum of more than CAD 69 million.
- Acting for a high-net-worth individual in respect of claims against Credit Suisse brought in the Singapore international Commercial Court for breaches of duties owed by the bank to its customer, with a claim sum of more than US\$10 million.
- Acting for a French company in respect of claims for breach of contract, conspiracy, and misrepresentation in respect of the sale and purchase of nitrile gloves, with a claim sum of more than €5 million.
- Acting for a Canadian company in an application before the Singapore High Court to set aside a jurisdictional award rendered by a tribunal in the ICC International Court of Arbitration.
- Acting for a high net-worth individual and successfully arguing for the setting aside of service of Singapore court documents outside of jurisdiction before the Singapore High Court.

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## Representative Fraud & Asset Recovery Experience

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- Acted in the enforcement of a multimillion-dollar Korean judgment in Singapore, and successfully obtaining worldwide freezing injunctions against the judgment debtor and 4 other third-party affiliates. This case concerns the novel issue of third-party injunctions against foreign entities, which has hitherto not been considered in any reported Singapore judgment. The case also involved multi-jurisdictional elements, including concurrent enforcement and recovery proceedings in the USA, HK and the BVI.
- Acting in the enforcement of a Swiss judgment amounting to more than €26 million, arising out of foreign matrimonial proceedings.
- Acting in the enforcement of arbitral awards rendered in a London-seated arbitration, amounting to more than US\$12 million.



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# *PROFESSIONAL* **EXPERIENCE**

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- Acting for a US incorporated special purpose vehicle in resisting the enforcement of judgments obtained in the Mauritius Supreme Court in the sum of over US\$90 million.
- Acting for the liquidators of a Singapore company in recovery actions against former directors / affiliated entities involving fraud of over US\$140 million and assisting in the criminal investigations with the Singapore Commercial Affairs Department.
- Acting for the liquidators of a Malaysian company to resist recovery actions taken by United Overseas Bank in respect of a loan agreement, with a claim sum of more than US\$180 million.
- Acting for the founders and directors of an Indian listed company in the resisting of the enforcement of personal guarantees in claims totaling over US\$80 million.
- Acting for a decentralised web foundation in a contractual claim for the recovery of cryptocurrencies loaned to a service provider, in claims totaling more than US\$40 million.
- Acting for the liquidators of a Singapore company involving recovery actions totaling S\$50 million, and successfully obtaining a freezing injunction against the judgment debtor. The case concerns novel issues pertaining to tracing and the account of profits by a knowing recipient.
- Acting for a private equity firm in the enforcement of real estate bridge loans in claims totaling over S\$30 million.
- Acting in the successful enforcement of personal and corporate guarantees against directors and affiliated companies in claims totaling over US\$6 million, and successfully resisting an application for the stay of the Singapore court actions in favour of arbitration.
- Acting for the Singapore arm of the second-largest electronics manufacturer in Taiwan in obtaining a judgment and freezing injunction against an errant employee in the sum of over US\$5 million, flowing from the employee's misappropriation of the company's properties.
- Obtaining a proprietary injunction against a Singapore financial institution which was the appointed custodian for shares held in an Indonesian listed company.



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# *PROFESSIONAL* **EXPERIENCE**

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- Representing the beneficiaries of a Labuan trust in obtaining an interlocutory status quo injunction to prevent the dissipation of assets by the trustees from a bank account situated in Singapore holding proceeds of over S\$10 million.
- Acting for a Singapore software solutions company in applying for a banker's trust order in connection with suspected fraudulent payments.
- Acting for a US director and shareholder of a Singapore company in applying for disclosure of the company's financial statements and records.
- Acting for a Singapore global commodities trading firm in resisting the enforcement of a corporate guarantee, and successfully negotiating a favourable settlement for the client.

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## Representative Investigations & Business Crimes Experience

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- Advising a leading global investment firm on employment-related matters as well as conducting an investigation into the firm's subsidiaries for transactions made in several foreign jurisdictions.
- Advising a Singapore petrochemical company on matters relating to liquidated damages clauses and claims alleging inducement of breach of contract.
- Acting in an investigation into Singapore Post Limited's US\$168.6 million acquisition of TradeGlobal Holdings, Inc.



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# *MEMBERSHIPS, QUALIFICATION,* **EDUCATION & PUBLICATION**

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## Memberships

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- Young Singapore International Arbitration (YSIAC) - Member
- International Chamber of Commerce, Young Arbitration and ADR Forum (ICC YAF) – Member
- International Chamber of Commerce, Singapore Arbitration Group - Member

