

## Gan Boon Eng, Justin (Yan Wenrong) 颜文荣

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Corporate

#### Career

Stephenson Harwood LLP, Partner

- 2015-present: Stephenson Harwood (Hong Kong) / Stephenson Harwood LLP (Singapore)
- 2014-2015: Watson Farley & Williams (Hong Kong) team move to Stephenson Harwood
- 2011-2014: Rajah & Tann LLP (Singapore), Admiralty & Shipping

#### Qualifications

- · 2017: Solicitor, England & Wales
- · 2015: Solicitor, Hong Kong
- · 2011: Advocate & Solicitor, Singapore

### Languages

- · Native in English, written and spoken
- · Business fluent in Mandarin, written and spoken

# Selected memberships & activities

- 2022-present: Fellow, Chartered Institute of Arbitrators
- 2016-present: Supporting Member, London Maritime Arbitrators Association
- 2011-present: Member, Singapore Institute of Arbitrators
- 2011-2020: Contributor, David Martin-Clark's CaseNotes (www.onlinedmc.co.uk)

# **Education**

LLB (Hon), 2<sup>nd</sup> Class Upper, National University of Singapore, 2010

### Work experience

Strong focus on marine and international trade sector, contentious and non-contentious Large, multi-jurisdictional commercial disputes

Significant portion of work includes a Chinese-language element; experience in Greater China Clients primarily in the shipping, offshore, trade, and cryptocurrency sectors

#### Marine

- · Dry work, for example charterparty claims, carriage of goods, and marine insurance disputes
- · Wet work, for example collisions and berth contact incidents
- Insolvency / financing related enforcement
- · Drafting & negotiating financing structures, COAs, long-term charters, shipbuilding contracts, etc

International trade & commercial disputes

- For example, cargo quality, demurrage, and letter of credit-related issues
- Additionally, experience with commercial disputes in these sectors:
  - Construction / projects
  - Shareholder / JV
  - Cryptocurrency

#### Arbitration

International arbitrations under UNCITRAL (1976), SIAC, HKIAC, LMAA, CIETAC, KLRCA (now AIAC) and other rules, both institutional and *ad hoc*, seated in various jurisdictions and under various laws. Usually as 2<sup>nd</sup> chair or lead solicitor along with Counsel / foreign Counsel.

Highlights, in addition to arbitrations arising from charterparties or contracts of carriage:

- Acting for the Claimant in a SEA-seated arbitration arising from design and construction flaws
  and resulting explosions at an oil storage and blending / port facility. Following the full merits
  hearing with substantial expert evidence on both liability (design, cause of ignition) and
  quantum, the Claimant was ultimately awarded damages for product loss and business
  interruption, in excess of US\$100 million.
- Acting for the Respondent in a staggered series of 6 Hong Kong-seated arbitrations against operators of hydroelectric power stations, arising out of contracts for the creation, sale, and purchase of "carbon credits". The arbitrations were highly contentious and featured contested interlocutory applications, and also ancillary foreign Court proceedings. Following merits hearings in a number of the arbitrations, with substantial expert evidence on the operation of the "carbon credit" mechanism and Chinese law and the Respondent's uniform success in the results of those hearings the disputes were settled globally on favourable terms.
- Acting for the Respondent, alongside Chinese counsel, in a Beijing-seated arbitration arising
  out of contracts for the sale and purchase of soft commodities. Following the merits hearing
  and publication of the Award, the disputes were settled on favourable terms.

### Litigation

Experience as advocate before the Singapore Courts, solicitor before the Hong Kong Courts, and instructing solicitor in actions before foreign Courts (e.g. China, UK).

# Highlights:

- Acting for successful Plaintiffs in highly contentious litigations arising out of contracts for the sale and purchase of coal and of agricultural products. These cases involved allegations of fraud and conspiracy.
- Acting for Plaintiff lessors in an aviation dispute with a Thai airline, and successfully obtaining
  and maintaining interim Court relief. This was coordinated with US arbitration proceedings and
  Thai Court action, as a collective result of which successful asset recovery was achieved.
- Defending Owners in a significant misdelivery claim, involving disputes on matters related to agency, letters of credit, and foreign port procedure, and ultimately led to judgments clarifying aspects of appeal procedure. The claim was closed effectively at a substantial discount.

### Marine non-contentious, examples

Financing of 8 bulkers involving a third party operating and guaranteeing financing return Sale and leaseback of 4 containerships