5th Edition
FRAUD, ASSET TRACING AND RECOVERY
ASIA

Your expert guidance for successful recovery of assets in high-value, international civil fraud cases

Join global and regional thought leaders to share novel legal tools and cutting-edge asset tracing strategies to maximise the rate of recovery for your clients:

• Is litigation privilege likely to get eroded further? Recent significant court decisions and implications for fraud investigations
• Law enforcement cooperation in asset recovery cases across challenging jurisdictions
• Spotlight on Malaysia: Current state of play in recovery of losses and damages arising from mismanaged government linked companies
• Spotlight on contentious trusts and private client disputes
• UWOs and civil recovery. Norwich Pharmacal and related principles update
• The rise of cryptocurrencies and the scam that followed...
• Resolving director and shareholder disputes involving Asian parties
• In focus: Off-shore fiduciary liability
• Obtaining evidence for use in international legal proceedings involving fraud and asset tracing

BOOST YOUR NETWORK – HEAR FROM THE LEADERS – WIN NEW BUSINESS

Executive Sponsors: CAREY OLSEN LITTLETON
Networking Lunch Sponsor: serie court
Refreshment Breaks Sponsor: SCHELLENBERG WITTMER

Register Now | C5-Online.com/FraudAsia | +44 (0) 20 7878 6888
The Premier Conference Covering Complex Fraud, Asset Tracing and Recovery Cases with an Asian Jurisdiction

With billions in illicit funds flowing out of Asian jurisdictions, the region is no doubt the next major frontier for commercial litigators and practitioners pursuing and recovering misappropriated assets, providing investigative support and enforcing court orders. However, highly obscure and multi-jurisdictional nature of such cases calls for close collaboration between solicitors from various jurisdictions.

Featuring a great mix of jurisdictions and topics, the agenda for C5’s international Fraud, Asset Tracing & Recovery Asia conference held at the luxury Conrad Hotel in Hong Kong is designed to provide you with specialised knowledge and most effective case strategies helping you to maximise the rate of recovery with the greatest speed and efficiency.

Register today to gain advantage by getting the latest thinking from the best in the business; visit C5-Online.com/FraudAsia.

I look forward to seeing you at the conference.

Anita Arthur
C5 Communications LTD
+44 20 7878 6925 | A.Arthur@C5-Online.com

KEYNOTE INTERVIEW WITH:

The Honourable Mr Justice Kevin Paul Zervos
Justice of Appeal of the Court of Appeal of the High Court of Hong Kong

2019 CONFERENCE ADVISORY BOARD

As part of C5’s commitment to deliver another outstanding conference to the international community of fraud litigation and asset recovery professionals, C5 is proud to introduce the 2019 Conference Advisory Board. Comprising of opinion leaders in the field, the Board will lend its industry expertise to ensure top quality content and outstanding networking opportunities.

Jeff Lane
Partner
Tanner De Witt (Hong Kong)

Wendy Lin
Partner
Wong Partnership (Singapore)

Danny Ong
Partner
Rajah & Tann (Singapore)

Lim Chee Wee
Partner
Skrine (Malaysia)

Nigel K. Meeson QC
Partner
Conyers (Hong Kong)

Dorothy Siron
Partner
Zhong Lun Law (Hong Kong)

Ian Mann
Partner
Harneys (Hong Kong)

Richard Wilson QC
Barrister
Serle Court (UK)

Since the 1st Edition in 2015 C5’s "Fraud, Asset Tracing and Recovery Asia" Edition Was Attended by:

- 250+ ATTENDEES
- 110+ ORGANISATIONS
- 90+ SPEAKERS
- 30+ JURISDICTIONS REPRESENTED

"...excellent in all respects – speakers, networking and venue. It offered an opportunity to properly get to know colleagues and build much closer relationships." - James McWilliams, Barrister
Littleton Chambers (UK)

"Very focused. Fantastic opportunity to meet very recent, former President of the Supreme Court of England and Wales. Such opportunities and innovative presentations are what distinguish C5." - Barry Hoy, Partner
Robertsons (Hong Kong)

"The network, although more circumscribed, actually works better than those at unwieldy large conferences." - Marina Chin, Joint Managing Partner
Tan Kok Quan Partnership (Singapore)

Join the Conversation
@C5Live #C5Fraud | Financial Crime Experts Networking Group
An Advanced, Must Attend Programme Designed For:

- Private practice lawyers and barristers involved in complex, high-value fraud; corruption and insolvency investigations and litigation
- Investigators specialising in tracing and recovering misappropriated assets
- Prosecutors pursuing civil claims for fraud
- Private practice lawyers and consultants counselling clients in fraud prevention and crisis fraud response
- Forensic accountants, e-discovery and fraud technology professionals

The 2019 Conference Will Offer You:

- Global Perspectives and Region-Specific Updates from top level speakers
- Access to global opinion leaders in the field of complex civil fraud and asset recovery
- Dos and Don’ts of investigating multi-jurisdictional, multi-party cases with an Asian jurisdiction
- Tips and Traps of managing an asset tracing and recovery process in challenging jurisdictions
- In-Depth Coverage of the most Recent Case law developments impacting the region

EXPERT LINE UP OF SPEAKERS INCLUDING:

- Andy Liao, Partner, Han Kun Law Offices (PRC)
- Abraham Vergis, Managing Director, Providence Law Asia (Singapore)
- Lim Chee Wee, Partner, Skrine (Malaysia)
- Benjamin Borsodi, Managing Partner, Schellenberg Wittmer (Switzerland)
- Robert Hunter, Founder and Trustee, City Disabilities (UK)
- Andrew Chiew Ean Vooi, Partner, Lee Hishammuddin Allen & Gledhill (Malaysia)
- David Reade QC, Barrister, Littleton Chambers (UK)
- Dorothy Siron, Partner, Zhong Lun Law Firm (Hong Kong)
- Andy Y. Kadir, Partner, Hadiputranto, Hadinoto & Partners (Indonesia)
- Lim Wei Lee, Partner, WongPartnership (Singapore)
- Jonathan Tickner, Head of Commercial Litigation and Civil Fraud, Peters and Peters (UK)
- Dakis Hagen QC, Barrister, Serle Court (UK)
- Andrew Moran QC, Barrister, Serle Court (UK)
- Xianyue (Simon) Bai, Partner, Grandall Law (PRC)

- Heidi Chui, Partner, Stevenson, Wong & Co. (Hong Kong)
- Danny Ong, Partner, Rajah & Tann (Singapore)
- Joanna Caen, Partner, Herbert Smith Freehills (Hong Kong)
- Brigaeta Richdale, Partner, Cassels Brock & Blackwell (Canada)
- Simon Bushell, Partner, Signature Litigation (UK)
- Pedro Serrano Espelta, Partner, Marval, O’Farrell & Mairal (Argentina)
- Gene M. Burd, Partner, Arnall Golden Gregory (USA)
- Simon Powell, Investment Advisory Panel Member, Woodsford Litigation Funding (Hong Kong)
- Kurgangazov Talzhanov, Co-Managing Partner, Integrites (Kazakhstan)
- Sunil Abraham, Partner, Cecil Abraham & Partners (Malaysia)
- Matthew Christensen, Senior Foreign Attorney, Bae, Kim & Lee (Korea)
- Michael Makridakis, Partner, Carey Olsen (Hong Kong)
- Alexandra Simotta, Head of Legal – Austria and Slovenia, SIX Payment Services AG (Austria)

"... you did a fantastic job putting on this conference. It ran incredibly smoothly, there were great speakers, the hotel was superb and all in all an excellent event."

Charles Samek Q.C., Barrister, Littleton Chambers (UK)
08.15 | Registration and Networking

09.00

Opening Remarks from the Chair

Abraham Vergis
Managing Director
Providence Law Asia (Singapore)

09.15

THE VIEW FROM THE BENCH:

The Honourable Mr Justice Kevin Paul Zervos
Justice of Appeal of the Court of Appeal of the
High Court of Hong Kong

Interviewed by:

Benjamin Borsodi
Managing Partner
Schellenberg Wittmer (Switzerland)

09.45

Fraud and Corruption Asset Forfeiture Globally and Across
Key Asia-Pacific Jurisdictions. Enforcing Court Orders

Lim Chee Wee –
Discussion Leader
Partner
Skrine (Malaysia)

Andy Liao
Partner
Han Kun Law Offices (China)

Heidi Chui
Partner
Stevenson, Wong & Co. (Hong Kong)

- Your global strategy in face of heightened jurisdictional risks, increased
 international collaboration and accelerated coordinated proceedings. Measures on setting international standards
- High profile cases and the latest initiatives arising out of the region
- Enforcing court orders and recovering assets in challenging
 jurisdictions: What issues should a party seeking enforcement need
 to be aware of?
- The effectiveness of arbitration and other dispute resolution centres as a medium for deciding cases involving fraud

11.00 | Refreshments and Networking

11.30

Corporate Fraud Investigations: Is Litigation Privilege Likely
To Get Eroded Further?

Jonathan Tickner –
Discussion Leader
Head of Commercial Litigation and Civil Fraud
Peters and Peters (UK)

Robert Hunter
Founder and Trustee
City Disabilites (UK)

Andrew Chiew
Ean Vooi
Partner
Lee Hishammuddin Allen & Gledhill (Malaysia)

- Protective scope of legal privilege and disclosure
- Recent significant case law developments in litigation privilege in fraud
 actions and investigations
- An update on privilege laws in key jurisdictions. Far reaching impact
 of recent UK court decisions
- How to challenge a claim to privilege

12.45

Off-Shore Fiduciary Liability

Dakis Hagen QC
Barrister
Serle Court (UK)

Andrew Moran QC
Barrister
Serle Court

- When does a director cease to owe fiduciary duties to the company
 of which he/she/it is an officer and when does a trustee cease to owe
 fiduciary duties to the beneficiaries, focussing on off-shore corporate
 service providers, such as company formation and administration
 agents, and non-executives and nominees
- A director’s liability for breach of the duties owed to a company:
taking advantage of opportunities
- The circumstances in which a director of a company may be made
 liable to a third party for assisting the company of which he/she/it is a
director or any other breach of fiduciary duty
- The potential liability of off-shore financial service providers for
assisting a breach of fiduciary duty: company formation and
administration agents, bankers, solicitors, directors of private trust
companies and real estate agents

13.30 | Networking Luncheon

14.30

Spotlight on Trust Litigation and Private Client Disputes

Joanna Caen
Partner
Herbert Smith Freehills (Hong Kong)

Dorothy Siron
Partner
Zhong Lun Law Firm (Hong Kong)

Brigeeta Richdale
Partner
Cassels Brock & Blackwell (Canada)

Alexandra Simotta
Head of Legal – Austria and Slovenia
SIX Payment Services AG (Austria)

- Breaking trusts open: privacy and confidentiality in the context of
contentious trust litigation
- Developments in the law of breach of trust
- Attacking and defending complex offshore and domestic trust structures
- Enforcement of judgements and extracting assets from trusts

15.00

Cryptofraud and New Generation Fraudsters

The Use of Third Party Funding in Commercial Litigation

Simon Powell
Investment Advisory Panel Member
Woodsford Litigation Funding (Hong Kong)

- Embezzlement of cryptocurrency: Qualifying crimes; rules and
 regulations for asset recovery
- Evidentiary and other issues related to cryptocurrency crimes
- Cryptocurrency in the court. Enforcement issues
- Looking at popular destination for funds from cyber-fraud

16.00 | Refreshments and Networking

16.30

The Use of Third Party Funding in Commercial Litigation

Simon Powell
Investment Advisory Panel Member
Woodsford Litigation Funding (Hong Kong)

- Recent developments in Hong Kong and Singapore
- Information disclosure to the funder: issues of privilege and
confidentiality
- Disclosure of the existence of funding and conflicts
- What are funders looking for?

17.15

Chair’s Closing Remarks

17.30 | End of Day 1

Join the Conversation  @C5Live  #C5Fraud  Financial Crime Experts Networking Group
DAY 2: TUESDAY, JUNE 11, 2019

08.30 | Registration and Networking

09.00
**Opening Remarks from the Chair**

*Robert Hunter*
*Founder and Trustee*
*City Disabilities (UK)*

09.15
**Norwich Pharmacal: A Long and Winding Road**

*Simon Bushell*
*Partner*
*Signature Litigation (UK)*

- The evolution of Norwich Pharmacal and its recent expansion
- The essential ingredients
- The necessity requirement: How necessary does the relief sought need to be?
- Using material for proceedings overseas
- Extra-territorial reach: How can the Court’s expansive approach assist a victim of fraud looking for information abroad?
- Issuing claims against unknown defendants
- Norwich Pharmacal progeny: The Unknown Wealth Order
- Collective redress in fraud claims: is there a role for Norwich Pharmacal?

10.15
**Director and Shareholder Disputes involving Asian Parties**

*Pedro Serrano Espelta* – Discussion Leader
*Partner*
*Marval, O’Farrell & Mairal (Argentina)*

*Xianyue (Simon) Bai*
*Partner*
*Grandall Law (PRC)*

*Michael Makridakis*
*Partner*
*Carey Olsen (Hong Kong)*

- Disputes between the key stakeholders (partnership and shareholder agreements, breach of duties...)
- The duties of the Board of Directors and it’s role in mitigating and remediating fraud risks
- Arbitrability of corporate disputes in relation to international commercial arbitrations

11.15 | Refreshments and Networking

11.45
**Obtaining Evidence in The United States for Use in International Legal Proceedings involving Fraud and Asset Tracing**

*Gene M. Burd*
*Partner*
*Arnall Golden Gregory (USA)*

- Information from the correspondent bank accounts
- Email correspondence located on servers in the United States
- Documents from corporate service providers
- Information about real estate assets
- Information about investment and trading accounts, and in many other instances
- Information related to the inventions and intellectual property development

12.45 | Lunch and Networking

13.45
**Contentious Cross-Border Insolvency and Restructuring involving an Asian Party**

*Danny Ong*
*Partner*
*Rajah & Tann (Singapore)*

*Andi Y.Kadir*
*Partner*
*Hadiputra, Hadinoto & Partners (Indonesia)*

- An update on new cross-border insolvency and restructuring laws
- Funding complex, multi-party cross-border insolvency litigation claims
- Extraterritorial reach and disparities in insolvency law
- Time limitation issues

14.45
**How to Find the Right Partner in a Foreign Jurisdiction?**

*Abraham Vergis – Discussion Leader*
*Managing Director*
*Providence Law Asia (Singapore)*

*Kurmanzaz Talzhanov*
*Co-Managing Partner*
*Integrites (Kazakhstan)*

*Sunil Abraham*
*Partner*
*Cecil Abraham & Partners (Malaysia)*

*Matthew Christensen*
*Senior Foreign Attorney*
*Bae, Kim & Lee (Korea)*

This year following a big interest from the audience, we have put together a new session, where leading practitioners representing large and boutique firms will share their best practice on finding the right partner and maintaining a network of ‘best friends’ and ‘preferred firms’ to tackle litigation, enforcement and recovery efforts

- How the latest trends in the global market impact multi-party, multi-jurisdictional cases arising out of the region
- Sharing recent war stories on managing civil proceedings in two or more jurisdictions
- Cooperation of global and regional solicitors, barristers and asset recovery practitioners on cross-border fraud, insolvency and contentious trust cases

15.45
**Chair’s Closing Remarks**

16.00 | End of Conference

Register Now | C5-Online.com/FraudAsia | +44 (0) 20 7878 6888

**An excellent event combining eminent keynote speakers and the highest quality attendees in an intimate setting that enabled quality networking**

Partner, RPC (Hong Kong)
THANK YOU TO OUR SPONSORS:

Executive Sponsors:

CAREY OLSEN  Carey Olsen is a leading offshore law firm. We are a full service law firm advising on the laws of Bermuda, British Virgin Islands, Cayman Islands, Guernsey and Jersey across a global network of nine offices. Our fraud and asset tracing specialists operate at the forefront of this sector and draw on a wealth of experience from both onshore and offshore practice. We advise on the full range of offshore fraud and asset tracing-related work from self-contained local proceedings through to the largest and most complex cross-border disputes. For further information visit www.careyolsen.com

LITTLETON  Littleton is a leading employment and commercial chambers. Our highly regarded team of 52 barristers includes 10 silks, all of whom provide exceptional advice and advocacy to our clients. We are recognised as trusted advisers with an excellent reputation for providing an outstanding level of service.

Networking Lunch Sponsor:

Serle Court offer expertise across both chancery and commercial disciplines and cover the whole range of 'business' law. They are acknowledged by Chambers UK as 'one of the very best commercial chancery sets, and one of the few that genuinely competes in both traditional chancery and commercial litigation'.

Refreshment Breaks Sponsor:

SCHELLENBERG WITTMER  Schellenberg Wittmer Ltd is one of the leading business law firms in Switzerland. Our lawyers in Zurich and Geneva provide comprehensive legal services to domestic and international clients in all aspects of business law. www.swlegal.ch

Global Sponsorship Opportunities

With conferences in the United States, Europe, Asia Pacific, and Latin America, the C5 Group of Companies: American Conference Institute, The Canadian Institute, & C5 Group provides a diverse portfolio of conferences, events and roundtables devoted to providing business intelligence to senior decision makers responding to challenges around the world.

Don't miss the opportunity to maximise participation or showcase your organisation's services and talent. For more information please contact us at:

C5 Communications  SponsorshipInfo@C5-Online.com

Continuing Legal Education Credits

Accreditations will be sought in those jurisdictions requested by the registrants which have continuing education requirements. This course is identified as nontransitional for the purposes of CLE accreditation.

ACI certifies that the activity has been approved for CLE credit by the New York State Continuing Legal Education Board.

ACI certifies that this activity has been approved for CLE credit by the State Bar of California.

You are required to bring your state bar number to complete the appropriate state forms during the conference. CLE credits are processed in 4-8 weeks after a conference is held.

ACI has a dedicated team which processes requests for state approval. Please note that event accreditation varies by state and ACI will make every effort to process your request.

Questions about CLE credits for your state? Visit our online CLE Help Center at www.americanconference.com/CLE
Payment Policy
Payment must be received in full by the conference date to ensure admittance. All discounts will be applied to the Conference Only fee (excluding add-ons), cannot be combined with any other offer, and must be paid in full at time of order. Group discounts available to 2 or more individuals employed by the same organisation, when registering at the same time.

Delegate Substitutions and Cancellations
You must notify us by email at least 48 hrs in advance of the conference if you wish to send a substitute participant. If you are unable to find a substitute, please notify us in writing no later than 10 days prior to the conference date and a credit voucher will be issued to you for the full amount paid, redeemable against any other C5 conference in the next 12 months. Delegates may not “share” a pass between multiple attendees without prior authorization.

All cancelled conference registrations will be subject to a cancellation fee of £40 and applicable VAT. If the conference currency is EUR or USD a €50 and applicable VAT or $50 cancellation fee will apply. If you prefer, you may request a refund of fees paid less the applicable cancellation fee. No credits or refunds will be given for cancellations received within 10 days of the conference start date. No liability is assumed by C5 for changes in program dates, content, speakers or venue. C5 reserves the right to cancel any conference if deemed necessary and will, in such event, make a full refund of any registration fee, but will not be responsible for airfare, hotel or other costs incurred by registrants.

Terms and Conditions

© C5, 2019