

# Timothy Lau

*“He is the ideal junior: responsive, bright and hard-working.”*

– CHAMBERS & PARTNERS, 2024

Year of call: **2017**  
Degree: **BComm, LLB (First Class) (Melb), BCL (Dist) (Oxon)**  
Languages: **Cantonese (working knowledge), Chinese (Mandarin) (working knowledge)**



Tim's practice is focused on heavyweight commercial litigation and international arbitration. He is regularly instructed in complex, multi-jurisdictional and high value commercial disputes, which often involves allegations of fraudulent wrongdoing, raises issues of private international law or requires applications for urgent injunctive relief. Tim has particular experience of, and interest in, acting for or against sovereign states and their various emanations. He has been involved in cases before the courts of the Cayman Islands, the British Virgin Islands, Bermuda, Hong Kong, Singapore and Australia (among others). His arbitration experience includes proceedings under the LCIA, ICC, DIFC, HKIAC and SIAC Rules.

Tim has been instructed in one or more of the cases featured in The Lawyer's Top 20 Cases for each of 2017-2023. He is ranked in Legal 500 and in Chambers & Partners as "Up and Coming" and a leading junior in Civil Fraud. Tim's recent instructions include:

- Republic of Mozambique fraud proceedings. These are substantial multiple consolidated proceedings in the Commercial Court involving allegations of fraudulent wrongdoing against former government officials of the Republic of Mozambique, Credit Suisse, VTB and Prinvest (among others) and concerns liability under US\$2billion worth of sovereign guarantees allegedly procured by corruption. Tim acts for three secondary market purchasers in these claims (led by Michael Bloch KC and James Macdonald KC).
- Re [several investment fund companies]. These are proceedings issued in the Cayman Islands, BVI, English Commercial Court and LCIA arbitration involving a dispute between shareholders of an investment fund. It is alleged that serious misconduct (including conspiracy, breach of directors' duties and misrepresentation) has occurred in connection to US\$500 million investments (led by Andrew Hunter KC, Tom Weisselberg KC and Victoria Windle KC).

Before coming to the Bar, Tim was Associate to the Hon. Justice Susan Kiefel AC, then Chief Justice of the High Court of Australia.

## EXPERIENCE

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### Commercial

Tim acts in a broad range of commercial disputes both in the civil courts and by way of arbitration. He is currently instructed on several high-value multi-jurisdictional commercial disputes involving allegations of fraudulent wrongdoing and unlawful means conspiracy. His work involves acting for multinational clients and sovereign states across different industry sectors.

### Cases

#### **Republic of Mozambique fraud dispute**

Commercial Court, ongoing

Substantial fraud proceedings involving allegations of fraudulent wrongdoing against former officials of the Republic of Mozambique. Acting for two secondary market purchasers in multiple claims against Credit Suisse International and the Republic of Mozambique arising out of the US\$2 billion so called "tuna bonds" scandal (led by Michael Bloch QC).

#### **Re [several investment funds] dispute**

These are proceedings issued in the Cayman Islands, BVI, English Commercial Court and LCIA arbitration involving a dispute between shareholders of an investment fund. It is alleged that serious misconduct (including conspiracy, breach of directors' duties and misrepresentation) has occurred in connection to US\$500 million investments (led by Andrew Hunter KC, Tom Weisselberg KC and Victoria Windle KC).

#### **Crane Bank Limited v DFCU Bank Limited**

Commercial Court, ongoing

Unlawful means conspiracy claim brought by the shareholders of a Ugandan bank accusing a rival bank, its executives and shareholders of conspiring with allegedly corrupt officials from the Bank of Uganda to take over and sell its assets for a significant undervalue (led by Robert Howe QC).

#### **Bourlakova v Bourlakov**

Chancery Division, ongoing

Claim for unlawful means conspiracy and deceit arising under English, Monegasque, Swiss and Panamanian law. Damages claimed in the sum of £700m (led by Robert Weekes).

#### **Malawi Tobacco Litigation**

Queen's Bench Division, ongoing

Group action claim brought by 7000 Malawian tobacco farmers against multinational tobacco companies for unjust enrichment and tort under English law and Malawi law (led by Shaheed Fatima QC and Andrew Scott).

### **AXA v Santander plc**

Commercial Court, ongoing

Dispute relating to allocation of liability over historic mis-selling of PPI claims. Damages claimed in the sum of £630m (led by Andrew Green QC and Fraser Campbell).

### **ArcelorMittal USA v Ruia**

Commercial Court, 2020-2022

Dispute in relation to a foreign arbitral award worth US\$1.5 billion over a joint venture agreement relating to global steel production. Involves applications for worldwide freezing and information orders in England and various foreign jurisdictions including the Cayman Islands, Mauritius, the USA and India (led by Lord Falconer, Harish Salve QC, and Peter Head).

### **Sportradar AG v Football DataCo Ltd**

2020-2022

Dispute in relation to the collection and dissemination of live league match data for football betting. Claim raises issues of competition law, unlawful means conspiracy and breach of confidence (led by Ian Mill QC, Tom de la Mare QC and Tristan Jones).

### **Re Compound Photonics Ltd**

Chancery Division, 2020

Unfair prejudice petition in respect of a projector company invested in by Russian oligarchs. Four-week remote trial involving cross-examination of witnesses in multiple jurisdictions (led by Andreas Gledhill QC and Donald Lilly).

### **Shapoorji Pallonji v Yumn Ltd**

Commercial Court / ICC Arbitration, 2021

Urgent injunctive proceedings in the Commercial Court and before an ICC Emergency Arbitrator in relation to the calling of a performance bond issued in respect of the largest infrastructure project in Rwanda (led by Thomas Sprange QC).

### **[Ad hoc arbitration]**

2021

Claim by a sovereign state shareholder in relation to a US\$1.5bn rights issue for a global oil company alleging breach of Shareholders' Agreement and shareholder oppression (led by Andreas Gledhill QC).

### **Philips v Xiaomi Technologies**

Chancery Division, 2021

Jurisdiction challenge in relation to a claim for global FRAND damages for alleged breaches of patents (led by Michael Bloch QC).

### **[Dispute over Share Purchase Agreement]**

LCIA Arbitration, 2020/2021

Dispute relating to breaches of various provisions of a SPA relating to the sale of a global security company worth \$330m (led by Andrew Green QC).

### **[Private equity dispute]**

ICC Arbitration, 2019-2020

A private equity dispute worth \$1billion involving telecommunication assets in the United States. Related proceedings in Hong Kong and the Cayman Islands seeking worldwide injunctive and Norwich Pharmacal relief (led by Michael Bloch QC and Peter Head).

### **Shulman v Ivanyushchenko**

Commercial Court, 2020

Substantial claim concerning various alleged agreements between Ukrainian oligarchs relating to a large scale logistics development project in Ukraine. Involving a jurisdiction challenge (led by Brian Kennelly QC and Shane Sibbel).

### **Shanghai Hongtou Network Technology Co Ltd v Platinum Fortune LP**

Chancery Division, 2020

Dispute in relation to the sale of an English video games company for US\$530 million. Involves applications for injunctive relief, fortification and jurisdictional challenges, as well as claims under foreign law and for dishonest assistance (led by Robert Howe QC).

### **Vale SA v Steinmetz**

Commercial Court, 2020

Dispute in relation to a foreign arbitral award worth US\$1.25 billion over a joint venture agreement relating to a diamond mine in the Republic of Guinea. Claims for unlawful means conspiracy, fraudulent misrepresentation and proprietary claims, and application for a worldwide freezing injunction and related orders (led by Robert Weekes).

### **Pipia v Bank of Georgia**

Commercial Court, 2019 - 2020

Acting for the claimant Georgian businessman in a case with quantum in excess of \$290 million relating to the sale by the Bank of Georgia of assets by auction following a default on a loan facility (led by Barbara Dohmann QC and Andrew George QC).

### **IPCom GmbH v Lenovo Technology UK Ltd**

Chancery Division, 2019

Resisting an application for an anti-anti suit injunction in the English court following an application for an anti-suit injunction in the United States court in relation to a worldwide technology patent dispute (led by Michael Bloch QC).

**[Speedy arbitration]**

2019

Partnership dispute relating to a global leading business restructuring provider (led by Robert Howe QC and Christopher Newman).

**[Sports arbitration]**

2019

Arbitration relating to a Champions League football club (led by Paul Goulding QC and Tom Mountford).

**Reignwood Group v Ni**

Commercial Court, 2018-2019

Acting for the Reignwood Group in a complex, high value joint venture dispute governed (in part) by Chinese law and with related proceedings in Luxembourg and the US (led by Anthony Peto QC and Peter Head).

**Glaxo Group Ltd v Glenmark Pharmaceuticals Ltd**

High Court, 2018

Multi-jurisdictional litigation concerning the fourth most successful pharmaceutical product in the world (led by Simon Malynicz QC and Tom Hickman QC).

## Arbitration

Tim acts in a broad range of international arbitrations under the LCIA, ICC, SIAC or HKIAC rules. He has also been involved in advising on the enforcement of arbitral awards and anti-suit injunctions in aid of arbitral proceedings.

## Cases

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**[Ad hoc arbitration]**

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### **Shapoorji Pallonji v Yumn Ltd**

Commercial Court / ICC Arbitration, 2021

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### **[LCIA arbitration involving global car manufacturers]**

2020

Claim for breach of distribution agreement for the sale of motor vehicles in Asia (led by Andrew Green QC).

### **[Private equity dispute]**

ICC Arbitration, 2019-2020

A private equity dispute worth \$1billion involving telecommunication assets in the United States. Related proceedings in Hong Kong and the Cayman Islands seeking worldwide injunctive and Norwich Pharmacal relief (led by Michael Bloch QC and Peter Head).

### **[Speedy arbitration]**

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## **Offshore**

Tim is developing a strong offshore practice in the Cayman Islands, the BVI and Bermuda. Such disputes often involve parallel foreign proceedings in the English courts or in arbitration.

## Cases

### **Credit Suisse London Nominees Ltd v Principal Investing Fund I Ltd & ors**

Cayman & BVI, 2022-23

Acting for management shareholders in parallel proceedings in the Cayman Islands and BVI resisting winding up petitions brought on just and equitable grounds against three investment fund companies. The petitioners contend that serious misconduct (including misuse of assets, fraud and charging of unlawful fees) occurred in relation to four funds in which in excess of \$500 million have been invested. The case has also involved various interlocutory applications including pending heavy applications for the discharge of provisional liquidators and Court-appointed receivers over shares in the funds. The litigation involves parallel proceedings in England and LCIA arbitration.

## ACHIEVEMENTS

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### Education

Bachelor of Commerce (University of Melbourne), Bachelor of Laws (First Class Honours) (University of Melbourne), Bachelor of Civil Law (Distinction) (Magdalen College, University of Oxford)

### Scholarships and Prizes

- Allan Myers Oxford Law Faculty Scholarship (for studying the BCL)
- Rae and Edith Bennett Travelling Scholarship (for studying the BCL)
- University of Melbourne National Scholarship (for undergraduate studies)
- Trinity College National Scholarship
- Melbourne Law School Valedictorian Prize
- Lord Florey Australian Student Prize

VAT registration number: 302350656

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