

OUR PEOPLE

Anson Cheung

CALL 2019



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Anson Cheung has a broad commercial practice in Chambers' core areas of work, with a particular focus on civil fraud, commercial litigation, international arbitration, construction and engineering disputes and professional liability. She has particular experience with litigation in the GCC region, and has rights of audience before the DIFC and the ADGM Courts.

As of 2024, she is ranked as a 'Rising Star' in commercial disputes by the Legal 500 EMEA Guide. She is fluent in both Mandarin and Cantonese, and is able to take instructions in both languages.

Current and recent highlights of Anson's practice include:

- *Union Properties P.J.S.C. v. Trinkler & Partners Ltd & Ors*: Instructed on behalf of a UAE property developer in a successful interim application for worldwide freezing injunctions and ancillary relief against its former directors and former Swiss asset managers amid allegations of fraud worth approximately USD 70 million in the ADGM Courts (Led by Patrick Dillon-Malone SC).
- *Mimo Connect Limited v Buley & Ors*: Appeared in the Court of Appeal on behalf of a telecommunications company against its former and current directors and successfully obtaining injunctions enforcing restrictive covenants in a shareholders' agreement, confidentiality and imaging orders (Led by Mohinderpal Sethi KC).
- *Qatar Reinsurance Company Limited v Orient Insurance & Ors*: Instructed on behalf of two UAE insurers defending claims of misrepresentation and non-disclosure by the reinsurer in the DIFC Courts, as well as bringing the additional claim for breach of fiduciary agency and DFSA regulations against the insurance brokers in claims worth approx. USD 10 million.
- (ADCCAC): Acting for the Abu Dhabi main contractor in a suite of arbitral disputes concerning delay, prolongation and payment obligations exceeding USD \$100 million surrounding a large greenfield project (Led by Stephen Doherty).

Further details of Anson's practice in specific areas can be found under the headings below.

Prior to joining Chambers, Anson attended the University of Oxford on a full-ride merit-based scholarship, and graduated with a first class degree in Jurisprudence. She then achieved a Distinction on the BCL at Oxford. She previously represented the University of Oxford twice in international moots, and worked in the Legal Office of the UN World Food Programme in Rome.

Expertise

Civil Fraud

Anson has considerable experience acting in high-value and complex litigation involving allegations of conspiracy, deceit, dishonest assistance and related breaches of fiduciary duty. She also has experience in obtaining injunctive and ancillary relief, including imaging orders, orders for delivery up and disclosure.

Anson has experience in defending contempt proceedings and takes a keen interest in contempt of court cases. This overlaps with Anson's considerable experience in seeking injunctions and other associated orders which often give rise to contempt proceedings.

Featured Civil Fraud cases

- *Union Properties P.J.S.C. v. Trinkler & Partners Ltd & Ors* Instructed on behalf of a UAE property developer in a successful interim application for worldwide freezing injunctions and ancillary relief against its former directors and former Swiss asset managers amid allegations of fraud worth approximately US\$ 70 million in the ADGM Courts (Led by Patrick Dillon-Malone SC).
- *Barclays Bank v Dylan & Ors*: instructed in the defence of the alleged contemnors in an application for committal proceedings by Barclays Banks for breaches of a worldwide freezing order. The underlying claim concerned an alleged fraud on Barclays of £13 million (led by John McKendrick KC).
- Advised in a fraud claim worth approx. US\$ 21 million regarding the failed establishment of an investment fund and breaches of NDAs and/or confidentiality obligations in respect of potential Qatari investors (assisting Justina Stewart).
- Advised a Norwegian media holding company on claims worth c. £5 million regarding various unauthorised loans and payments by its US-based CEO to connected parties in light of whistleblowing allegations (as part of a Mishcon team).
- Advised in a £7m claim regarding the acquisition of a wholesale business in which the seller allegedly fraudulently misrepresented inventory, sales and diverted sums to himself in breach of directors' duties (assisting Justina Stewart).
- Advised a French businessman in a claim for undue influence and breach of fiduciary duty against his former lawyer regarding the loss of his controlling shareholding of £1 million in a successful defence company.

Commercial Dispute Resolution

Anson has a thriving commercial litigation practice, often with multi-jurisdictional elements and with a particular focus in the Middle East region. She has spent time on secondment to Clyde & Co LLP (Dubai office) and Mishcon de Reya.

Featured Commercial Dispute Resolution cases

- *Union Properties P.J.S.C & Anor. v. Trinkler & Partners Ltd & Ors*: Instructed on behalf of a UAE property developer in a successful interim application for worldwide freezing injunctions and ancillary relief against its former directors and former Swiss asset managers amid allegations of fraud worth approximately US\$ 70 million in the ADGM Courts (Led by Patrick Dillon-Malone SC).
- *Dwyer (UK Franchising) Ltd v Fredbar Ltd & Bartlett*: Instructed by the successful respondents in the Court of Appeal, which handed down significant and detailed consideration of the enforceability of post-termination restrictions in franchise agreements (Led by David Grant KC).
- A fraud claim worth approx. US\$ 21 million regarding the failed establishment of an investment fund and breaches of NDAs and/or confidentiality obligations in respect of potential Qatari investors (assisting Justina Stewart).
- Advised on the effects of an assignment clause in a US\$ 50 million dollar dispute concerning a tripartite agreement between three multinational oil companies.
- Instructed to advise a Kosovan bareboat charterer on claims of repudiatory breach of the charterparty worth £10 million

and relief from forfeiture against the Irish credit company/ shipowner.

- *Al Buhaira National Insurance Company & Ors v Al Buhaira International Shipping Inc*: Acted on behalf of insurers in an application in the DIFC Courts to restrain the insured shipping company from continuing parallel proceedings in the Sharjah Courts.
- Advised English insurers in contemplated US\$ 10m arbitral proceedings against Cayman entities on the proper arbitral institute where the DIFC-LCIA institution ceased to exist.
- *FiMbank PC v Bhatia Trading Co LLC & Ors*: instructed on behalf of a bank claiming under a US\$ 2m guarantee against Indian nationals in the DIFC Courts.
- Advised a French businessman in a claim for undue influence and breach of fiduciary duty against his former lawyer regarding the loss of his controlling shareholding of £1 million in a successful defence company.
- Instructed on behalf of trustees of a pension scheme in a £6m claim against asset managers for mismanagement of a liability-driven investment scheme (as part of a Farrer & Co team).
- *ISSEE Limited v Gannon*: Instructed on behalf of defence contractors in obtaining injunctive relief against its former director and senior employees for breach of confidence and unlawful means conspiracy arising from the misuse of confidential information (Led by Mohinderpal Sethi KC).
- Successfully appeared in the DIFC Courts on behalf of the petitioners in an application to wind up a DIFC consulting group due to unpaid debts.

International Arbitration

Anson has acted in relation to high value commercial arbitrations, with particular expertise in construction and shipping and commodities matters. Recent instructions include GAFTA, LMAA, LME and LCIA arbitrations.

Featured International Arbitration cases

- (ADCCAC): Acting for the Abu Dhabi main contractor in a suite of arbitral disputes concerning delay, prolongation and payment obligations exceeding USD \$100 million surrounding a large greenfield project (Led by Stephen Doherty)
- (DIFC-LCIA) Advised English insurers in contemplated US\$ 10m arbitral proceedings against Cayman entities on the proper arbitral institute where the DIFC-LCIA institution ceased to exist.
- (LCIA) Instructed for a UAE dry dock facility in security for costs and security for claim applications, as well as underlying claims and counterclaims of approx. USD 2 million in relation to improper application of anti-foul coating and the alleged wrongful encashment of a guarantee (as part of a Clyde & Co team).
- (LMAA): Instructed for a Swiss commodities supplier defending cargo claims of approx. €800,000 alleging unsatisfactory quality of fertiliser.
- (LMAA): Acting for Korean charterers in a claim of hire payments surrounding refusal of orders to proceed through the Red Sea against the Swiss owners of the ship .

Construction, Energy & Natural Resources

Anson acts across the full range of construction disputes, from domestic litigation to significant high value claims in arbitration. She is familiar with the JCT, FIDIC, NEC3 standard form contracts, as well as bespoke construction contracts and turnkey agreements.

Featured Construction, Energy & Natural Resources cases

- (ADCCAC): Acting for the Abu Dhabi main contractor in a suite of arbitral disputes concerning delay, prolongation and payment obligations exceeding USD \$100 million surrounding a large greenfield project (Led by Stephen Doherty)
- Instructed on behalf of the architect/ supplier in a US\$ 28 million claim regarding the construction of a luxury resort in Saudi Arabia (as part of a Mishcon team).
- Advised on the effects of an assignment clause in a US\$ 50 million dollar dispute concerning a tripartite agreement between three multinational oil companies.

- Advised on limitation and claims of c. £10 million for professional negligence regarding defective design and workmanship at a residential development (JCT contract).
- Instructed as sole counsel in claims of c.£200,000 against a structural engineer and the builder for negligent design and defective workmanship in the design and construction of an extension to a residential home.
- Acting in a claim on behalf of a subcontractor against the main contractor involving the application of pay-when-paid clauses in the context of insolvency (settled before trial).
- Assisted in an application for pre-action disclosure in the context of a claim for professional negligence in the audits of an insolvent construction empire.

Insurance & Reinsurance

Anson has extensive experience of insurance disputes, having completed a 6-month secondment at Clyde & Co. Her instructions in other areas also often involve an insurance element.

Featured Insurance & Reinsurance cases

- *Qatar Reinsurance Company Limited v Orient Insurance PJSC and Orient YNB Takaful PJSC and Fenchurch Faris Limited DIFC CFI 009/2022*: Instructed on behalf of two UAE insurers defending claims of misrepresentation and non-disclosure by the reinsurer, as well as bringing the additional claim for breach of fiduciary agency and DFSA regulations against the insurance brokers in claims worth approx. USD 10 million.
- *Al Buhaira National Insurance Company & Ors v Al Buhaira International Shipping Inc*: Acted on behalf of insurers in an application in the DIFC Courts to restrain the insured shipping company from continuing parallel proceedings in the Sharjah Courts.
- (DIFC-LCIA) Advised English insurers in contemplated US\$ 10m arbitral proceedings against Cayman entities on the proper arbitral institute where the DIFC-LCIA institution ceased to exist.
- Instructed on behalf of insurance brokers concerned with a claim of approx. £800,000 regarding the supply of allegedly defective data recording devices.

Company & Insolvency

Anson has experience in a range of company law matters, including unfair prejudice petitions and defending directors in directors disqualification proceedings brought by the Secretary of State. She regularly appears in applications in the Insolvency and Companies List, including in applications to restrain winding up petitions, and extensions of administration.

Featured Company & Insolvency cases

- *Mimo Connect Limited v Buley & Ors*: Appeared in the Court of Appeal on behalf of a telecommunications company against its former and current directors and successfully defeated the cross-appeal that the majority shareholder should not have to fortify the injunction and the company had proper authority to bring the claim (Led by Mohinderpal Sethi KC).
- Advised a Norwegian media holding company on claims worth c. £5 million regarding various unauthorised loans and payments by its US-based CEO to connected parties in light of whistleblowing allegations (as part of a Mishcon team).
- Advised a UAE bank on the prospects of obtaining a charging order over the proceeds of sale on ADGM properties owned by an ADGM company, on the basis that the shareholder held a beneficial interest in the underlying ADGM properties.
- Instructed on behalf of an angel investor in an unfair prejudice petition in relation to the dilution of his shareholding in a technology start-up, worth approx. £300,000.
- Instructed on behalf of the defendant contractors as to the interaction of set-off in insolvency rules in the context of adjudication in multiple contracts.
- Successfully appeared in the DIFC Courts on behalf of the petitioners in an application to wind up a DIFC consulting group due to unpaid debts.

Professional Liability

Featured Professional Liability cases

- Instructed on behalf of trustees of a pension scheme in a £6m claim against asset managers for mismanagement of a liability-driven investment scheme (as part of a Farrer & Co team).
- Assisted in an application for pre-action disclosure in the context of a claim for professional negligence in the audits of an insolvent construction empire.
- *James Cropper Plc & Entrust Pension Limited v Aviva Life and Pensions UK Limited*: Acted on behalf of the employer & trustee in relation to a £3 million professional negligence claim in connection with the equalisation of the normal retirement dates in the employer's pension scheme (led by Richard Hitchcock KC).
- *Watson v NASUWT* (settled before trial): Acting as sole counsel on behalf of a teachers' union in relation to a professional negligence claim in consequence of allegedly negligent pensions advice.
- Advised on limitation and claims of c. £10 million for professional negligence regarding defective design and workmanship at a residential development (JCT contract).
- Advised on claims of professional negligence by solicitors in fraudulent property transactions of c. £400,000

Education

- BPTC: Very Competent
 - BCL (Oxon): Distinction
 - BA in Jurisprudence at the University of Oxford: First, Swire Scholar
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Awards

- Bedingfield Scholarship from Gray's Inn
 - Joint first prize in the Society of Construction Law Hudson Prize 2019
 - BPP Advocacy Award
 - The Swire Scholarship for University College from the Swire Educational Trust
 - Scholar of University College, Oxford (2015-2017)
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Memberships

- COMBAR
 - Association of Pension Lawyers
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