



Min Lim

Counsel and Associate Director of K&L Gates Straits Law LLC

Singapore
+65.6713.0240

min.lim@klgates.com

OVERVIEW

Min is a Counsel of the Litigation and Dispute Resolution practice group of K&L Gates Straits Law LLC. She is an experienced litigator and frequently represents clients before the High Court and the Court of Appeal, several of which have resulted in landmark decisions. Her main practice areas are medico-legal disputes as well as complex commercial disputes.

- Medical negligence – acting for plaintiffs in civil proceedings; and also for doctors in appeals from the Singapore Medical Council's Disciplinary Tribunal to the Court of Three Judges
- Betting and gaming – acting for a licensed casino in Singapore
- Debt recovery proceedings in Singapore which have been enforced in several other jurisdictions, including Malaysia, Hong Kong, Macau, Taiwan, Philippines, Australia, and the United States
- Sales of commodities such as coal, butane, propane, etc.
- Equity and trust disputes
- Banking disputes
- Corporate investigation work

Min is passionate about the Women in Profession group, and takes an active role in its initiatives in Singapore as well as other activities in the wider firm. She also values the importance of encouraging and contributing to the growth and development of younger lawyers, and gives back as a trainer in the Advocacy module of Part B of the Singapore Bar Course.

PROFESSIONAL BACKGROUND

Min Lim graduated from the University of Warwick in 2011 and was admitted to the Singapore Bar in 2013. She began practice as an Associate with Straits Law Practice LLC in 2013, which combined with K&L Gates LLP at the beginning of 2019. Min was promoted to Counsel in early 2022.

ACHIEVEMENTS

Min is part of the medical law practice that was awarded the Medical law Firm of the Year (2018) by Asian Legal Business at the South East Asia Law Awards.

PROFESSIONAL / CIVIC ACTIVITIES

- Member, Law Society of Singapore (2013)
- Member, Singapore Academy of Law (2013)

EDUCATION

- LL.B., University of Warwick, 2011 (*Hons*)

ADMISSIONS

- Advocate and Solicitor, Singapore

LANGUAGES

- Chinese (Mandarin)
- English
- Japanese

MEDIA MENTIONS

- "Blind widow, 84, recovers nearly \$1.37m after suing her two younger children," *The Straits Times*, 7 November 2022

AREAS OF FOCUS

- Commercial Disputes
- Appellate Litigation
- Financial Institutions and Services Litigation
- International Arbitration
- International Trade: CFIUS, Sanctions, and Export Controls

REPRESENTATIVE EXPERIENCE

Complex Commercial Disputes

- **Thamby Kannu Parvathi v S Geetha d/o Subramaniam (administratrix of the estate of Subramaniam Govindasamy, deceased) and S Mogan (administrator of the estate of Subarmaniam Govindasamy, deceased)** [2022] SGHC 273: Acted for a blind and elderly lady in a claim against two of her children who were the administrators of the estate of her late husband, seeking her 1/2 share of a property under the estate, i.e. a sum of approximately S\$1.36 million. The defendants produced a document allegedly signed by our client gifting her share to them. The High Court found that she had signed the gift document without appreciating that she was giving away her share of the estate, i.e. *not est factum*. The Court also found that even if she were aware of the contents of the gift document, the manner in which it was procured was unconscionable, as the defendants had exploited her blindness and advanced age. The gift document was declared invalid and set aside. The defendants appealed against the decision of the trial judge. The appeal was heard by the Appellate Division of the High Court in April 2023, and the appeal was dismissed.
- **VVB v VVA** [2022] SGHCF 1 and **VVA v VVB** [2021] SGFC 93: Acted for a plaintiff who sought to set aside a purported lasting power of attorney (“LPA”) by his parent (“P”) nominating the defendant as the donee, and also to be the Court appointed deputy for P. The matter involved a number of issues including whether the LPA was properly obtained and whether the defendant had acted in the best interests of P. The matter was vigorously contested by the defendant for six months before the defendant abruptly resigned from appointment as donee thus allowing the plaintiff to obtain an order in terms of his application. The Family Court also exercised its discretion to depart from the default position of ordering the plaintiff’s costs to be paid by P’s estate, and instead ordered that costs be paid by the defendant. Upon appeal, the High Court upheld the order for the defendant to pay the plaintiff’s costs, although it was directed that costs be fixed instead of taxed.
- **Seto Wei Meng & Anor v Foo Chee Boon Edward** [2021] SGHCR 5: Acted for a defendant who faced bankruptcy proceedings from the successful plaintiffs of a medical negligence claim. The defendant sought a stay pending an appeal against the decision of the trial judge. However, the Assistant Registrar who heard the matter exercised his direction not to allow a stay.
- **Debotosh Lodh v Boustead Services Pte Ltd and another** [2019] SGHC 52: Acted for a director seeking an injunction to prevent an extraordinary general meeting from being held to remove him from directorship on the basis that he had a right to be a director while he remained a shareholder of the company.
- **Bidzina Ivanishvili and others v Credit Suisse AG and another** [2019] SGHC 6: Represented the former Prime Minister of Georgia and his family in a multi-million claim against Credit Suisse AG and Credit Suisse Trust Limited in relation to breach of trust, breach of fiduciary duties, misrepresentation, and other claims. The defendants sought to stay on the basis of *forum non conveniens*. The applications also concerned technicalities of Swiss law. (On appeal before the Court of appeal, the Court found in favour of the plaintiffs).
- **Resorts World at Sentosa Pte Ltd v Lee Fook Kheun** [2018] SGHC 1 73: Successfully acted for the an integrated resort in a claim against its patron in relation to a credit facility provided to and drawn down by the

patron, as well as successfully defended the counterclaim made by the patron. The arguments made included intoxication, rescission, and unconscionability.

- **Alphire Group Pte Ltd v Law Chau Loon** [2017] SGHC 297: Defended a former director of a junket operation from a claim brought by his former company. The case raised issues relating to which party was to bear the burden of proof, and the defence was partially successful.
- Acted for the plaintiffs in appeals filed by various defendants attempting to strike out the plaintiffs' claims against them on a number of bases, in particular the extended doctrine of *res judicata*.
- Represented the defendant in a defamation claim brought by a fellow resident of a condominium. The plaintiff had alleged that the defendant had made defamatory statements against him on a number of occasions. The Court dismissed all the allegations except for one instance.
- Represented an administratrix of an estate in a claim brought by a beneficiary for a larger share of the sale of a property. The case involved issues of equity trust, including resulting trust, common-intention trust, and also proprietary estoppel.
- Acted for a contractor in a construction matter seeking to obtain an injunction against the employer's call on a performance bond. The contract between parties involved a clause preventing the contractor from restraining a call except where there was fraud. The Court of Appeal ruled that parties may contract to exclude the unconscionability exception.

Medico-Legal Matters

- **Sheng Ling Huo v Orthosports@Novena, David Paul Bell and Ang Kian Chuan** [2022] SGHC 163: Min was instructed as counsel by another law firm to act for two orthopaedic surgeons and a clinic in a medical negligence claim against them. The patient made a claim alleging that the doctors had carried out a knee replacement surgery on him in a negligent manner which caused one of the knee implants to fail, and also that informed consent was not obtained from him. He was unsuccessful at trial, and filed an appeal against the decision of the trial judge. The matter was heard before the Singapore High Court. Min was instructed to act as counsel for the purposes of the appeal, argued the case and successfully resisted the appeal.
- **Looi Kok Poh v Singapore Medical Council** [2019] SGHC 134: Acted for a hand surgeon who was convicted of two charges by the Singapore Medical Council. On appeal, the Court of Three Judges was persuaded that certain findings of the Disciplinary Committee of the Singapore Medical Council were unsafe, unreasonable and contrary to evidence, and the conviction and sentence were set aside.
- Acted for an obstetrician and gynaecologist in an appeal against the conviction and sentence by the Singapore Medical Council's Disciplinary Tribunal. The case involved issues of consent in doctor-patient relationships.
- **Hii Chii Kok v Ooi Peng Jin London Lucien and another** [2016] SGHC 21 and **Hii Chi Kok v Ooi Peng Jin London Lucien and another** [2017] SGCA 38: Represented a patient in a medical negligence claim against a hepatobiliary surgeon and a medical institution. The causes of action included non-delegable duty of care owed by the medical institution, and the plaintiff also argued for the imposition of the Montgomery test.

While the Court of Appeal did not consider the issue of non-delegable duty in its decision, a new 3-stage test for the determination of a duty to advise was imposed, the modified Montgomery test.

- Acted for a cardiothoracic surgeon in an appeal against the conviction and sentence by the Disciplinary Committee of the Singapore Medical Council on two charges. On appeal before the Court of Three Judges, the convictions were set aside.