



## Sreenivasan Narayanan S.C.

### Managing Director

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### OVERVIEW

Sreenivasan Narayanan has practiced extensively over 38 years, across various fields that include commercial litigation, civil litigation, international arbitration, restructuring and reorganization, criminal and regulatory matters. He is a versatile litigator with a diversified track record in dispute resolution. He is admitted as an advocate and solicitor of the Supreme Court of Singapore and was appointed as Senior Counsel by the Chief Justice in 2013. He is a fellow of both the Chartered Institute of Arbitrators of the UK and the Singapore Institute of Arbitrators. Sreeni has been actively involved in advocacy training since 1993, with The Law Society of Singapore and the International Advocacy Training Council, and has taught advocates and trainers in Singapore, Malaysia, Brunei, Australia and South Africa.

Over the years, Sreeni and his team have received numerous commendations from publications such as Chambers and Partners as well as *The Legal 500 Asia Pacific*, including the following:

*“Sreenivasan Narayanan S.C. is well respected in the market. A client highlights him for his understanding of complex issues and for “giving on-the-spot advice on the best approach to have and things to watch out for.”*

*“N Sreenivasan regularly acts for private clients as defendants in cases involving financial, accounting, and fraud angles. He also undertakes arbitration, trial, and appellate advocacy work.”*

*“K&L Gates Straits Law LLC has a tremendous standing in Singapore dispute resolution, thanks to the presence of Singapore managing partner N Sreenivasan SC, a recognised leader in cross-examination, and his team that joined as part of the merger with Straits Law Practice LLC in January 2019. With an outstanding record in Singapore court proceedings, including banking disputes involving Indian banks, it is also making an impact in investigations. It is also rated for contentious insolvency matters, white-collar crime and financial regulatory disputes.”*

*“Sreenivasan N, the practice leader, hard worker and highly knowledgeable.”*

*“Very smart lawyer N Sreenivasan SC has a fine record handling civil and criminal cases, and is frequently instructed as counsel by other law firms.”*

## PROFESSIONAL BACKGROUND

Sreeni was awarded a Public Service Commission scholarship to read law at the National University of Singapore. Upon graduation, he commenced his legal career as a legal service officer in the Singapore Legal Service in 1985. In 1990, he entered into private practice. In 2013, he was appointed Senior Counsel.

## ACHIEVEMENTS

- Recognized by *Chambers Global* for Dispute Resolution: Litigation in Singapore, 2024
- Recognized by *Chambers Asia-Pacific* for Dispute Resolution: Litigation in Singapore, 2022-2024
- Recognized by *The Legal 500 Asia Pacific*
  - Leading Individual for Dispute resolution: local firms in Singapore, 2020-2024
  - Recommended Lawyer for International Arbitration in Singapore, 2021-2022, 2024
  - Recommended Lawyer for White Collar Crime - Foreign Firms in Singapore, 2021-2022
  - Recommended Lawyer for Foreign Firms in Malaysia, 2022, 2024
- Appointed Senior Counsel by the Chief Justice of Singapore
- Recognized as a Distinguished Practitioner by *asialaw* for Dispute Resolution in Singapore, 2022
- ALB SE Asia Law Awards, 2020
  - Winner: Aviation Law Firm of the Year
  - Finalist: Singapore Litigation Law Firm of the Year
  - Finalist: Energy and Resources Law Firm of the Year
- Named to The A-List: Top 100 lawyers in Singapore by *Asia Business Law Journal*

## PROFESSIONAL / CIVIC ACTIVITIES

- Awarded Public Service Medal by the President of Singapore in 2014
- Fellow of the Chartered Institute of Arbitrators (UK)
- Fellow of the Singapore Institute of Arbitrators

### Law Society of Singapore

- Treasurer, Ex-Co and Council Member (1998 to 2001)
- Chairman Continuing Legal Education Committee, Chairman Law Awareness Committee, Chairman Advocacy Committee (Various periods from 1993 to 2014)

- Current - Member of the Board of Law Society ProBono Services (an autonomous charity set up by the Law Society to run its pro bono activities)
- Law Society Pro Bono Ambassador 2010

### **Singapore Business Federation Foundation**

- Current – Board Member and Chairman, Programme Committee

### **Singapore Red Cross**

- Member, Council of the Singapore Red Cross (2011-2014)
- Awarded Singapore Red Cross Outstanding Service Award in 2014

### **Ministry of Home Affairs**

- Member Criminal Law Advisory Committee (1995-2014)
- Member Home Detention Advisory Committee (2015 to date)
- Fellow of the Chartered Institute of Arbitrators (UK)
- Fellow of the Singapore Institute of Arbitrators

## **ADDITIONAL BACKGROUND**

### **Advocacy training**

Sreeni has been an advocacy trainer since 1993. He has taught basic, advanced, and teacher training courses in Singapore, Malaysia, Australia, and South Africa and is a senior moderator and teacher trainer with the Advocacy Committee of the Law Society of Singapore.

### **Cross-professional activities**

Sreeni has served on the Inquiry Committee and Disciplinary Committee of the Singapore Medical Council and the Singapore Dental Council.

## **EDUCATION**

- LL.B., National University of Singapore, 1985 (*Hons*)

## **ADMISSIONS**

- Advocate and Solicitor, Singapore

## **LANGUAGES**

- Bahasa (Indonesian)
- English

- Tamil (India)

## THOUGHT LEADERSHIP POWERED BY HUB

- 7 June 2022, International Arbitration and the Singapore International Arbitration Centre
- 3 April 2020, COVID-19: Singapore's COVID-19 (Temporary Measures) Bill: What is it? How does it impact you?
- 25 July 2019, The Singapore Convention on Mediation: A Primer

## OTHER PUBLICATIONS

- “The rise of hospitality disputes”, *The Asia-Pacific Arbitration Review 2023, Global Arbitration Review*, 27 May 2022
- Chapter on Criminal Advocacy in *Modern Advocacy – More Perspectives from Singapore* (to be published by the Singapore Academy of Law in 2019)
- “Singapore: International Arbitration,” *The In-House Lawyer*, 4th edition, Autumn 2019
- Chapter on Presentation of Factual Evidence at Trial – *Law and Practice of Commercial Litigation in Singapore* (Sweet & Maxwell) 2015
- Business Crime Q&A's, Singapore - *Financial & Business Crime Global Guide 2018/2019*

## NEWS & EVENTS

- 15 February 2024, *Chambers Global 2024 Guide Ranks K&L Gates Lawyers, Practices*
- 17 January 2024, The Legal 500 Recognises K&L Gates in 2024 Asia Pacific Edition
- 14 December 2023, Chambers Asia-Pacific 2024 Guide Recognises K&L Gates
- 5 October 2023, K&L Gates Names Tokyo Office Leader as Firm's New Managing Partner for Asia
- 16 February 2023, K&L Gates Recognized in 2023 *Chambers Global Guide*
- 16 January 2023, The Legal 500 Recognizes K&L Gates in 2023 Asia Pacific Edition
- 17 February 2022, K&L Gates Recognized in 2022 Chambers Global Guide
- 13 January 2022, Legal 500 Recognizes K&L Gates in 2022 Asia Pacific Guide
- 16 December 2021, Chambers Asia-Pacific 2022 Guide Recognises K&L Gates
- 24 February 2021, K&L Gates Recognized in 2021 Chambers Global Guide
- 3 February 2021, K&L Gates Bolsters Corporate Practice with New Partner and Counsel Hires in Singapore

- 16 December 2020, K&L Gates Recognized in Chambers 2021 Asia Pacific and FinTech Guides
- 1 January 2019, K&L Gates, Singapore's Straits Law Practice January 1 Combination Strengthens Firm's Global, Local Offerings

## AREAS OF FOCUS

- Commercial Disputes
- Anti-Bribery and Anti-Corruption
- Anti-Money Laundering (AML)
- Appellate Litigation
- Financial Institutions and Services Litigation
- International Arbitration
- Professional Liability
- Securities Enforcement / Financial Regulatory Enforcement
- White Collar Defense and Investigations

## REPRESENTATIVE EXPERIENCE

### Commercial and Civil Litigation

- Acting for the judicial managers of Ocean Tankers, the chartering arm of oil trading group Hin Leong Pte Ltd in respect to the insolvency of Hin Leong, in particular, the recovery of sums transferred to directors, contested disclaimer applications and various other contentious restructuring and insolvency matters.
- Advising a financial institution in relation to litigation proceedings in an elaborate fraud involving multiple individuals and entities across various jurisdictions that spanning over a decade.
- Acted in the first case involving recognition in Singapore of Chapter 11 and Chapter 7 proceedings in the United States under the new transnational insolvency regime.
- Acted in *The Oriental Insurance Co Ltd v Reliance National Re Pte Ltd* [2008] 3 SLR (R) 121 which was an appeal where conflicting House of Lords and Australian High Court decisions were considered in relation to a scheme of arrangement and the powers of the court.
- Acted in *Als Memasa & anor v UBS AG* [2012] 4 SLR 992 where circumstances were argued where a claim against a bank could proceed despite various clauses in the bank-customer agreement in relation to causes of action involving misrepresentation
- Acted in *Dorsey James Michael v World Sport Group Pte Ltd* [2014] 2 SLR 208 where the Court of Appeal circumscribed the extent of pre-action discovery and interrogatories in relation to a defamation claim.

- Acted in *Marynai Sadeli v Arjun Permanand Samtani & Anor* and other appeals [2015] 1 SLR 496 which was the last the series of cases known as the Horizon Towers cases. The case involved complex issues of res judicata and abuse of process as well as equitable damages.
- Acted in a complex shareholder dispute between investors and the founder of a chain of aesthetic medicine clinics, including application for a Mareva injunction.
- Acting for an ultra high net worth individual against a very large bank in a private banking claim in excess of US\$500 million. In addition to issues of breach of trust and fraud, there are complex issues of conflict of laws and forum non conveniens.
- Represented a company in an appeal against the Competition and Consumer Commission of Singapore wherein the client was found to have engaged in anti-competitive agreements and/or concerted practices to not compete for one another's customers and to coordinate the quantum and timing of price movements in relation to the supply of fresh chicken products in Singapore.
- Represented directors in a claim against them for breach of fiduciary duties and for which loss and damage between \$18m to S\$39m were being sought. Novel legal arguments were raised as regards issues of burden of proof, causation and remoteness of damage in cases where directors are found to be in breach of their fiduciary duties.
- Advised court-appointed liquidators in a complex winding-up where various stakeholders had made allegations of wrongdoing against each other and the insolvent company's assets spanned multiple jurisdictions.
- Acted in several applications to the Singapore courts in aid of arbitration, including obtaining pre-arbitral injunctive reliefs.
- Represented the former Prime Minister of Georgia and his family in a claim against Credit Suisse AG and Credit Suisse Trust Limited in relation to breach of trust and other claims. The defendants sought to stay on the basis of forum non conveniens.

### **International Arbitration**

- Acted in an investment dispute between a Myanmar company and a Singapore-listed company in relation to the nature and effect of a change of control clause in a joint venture agreement. This was the first non-treaty international arbitration out of Myanmar and was successfully concluded. The subject matter involved was valued at US\$560 million.
- Advising a Korean oil & gas company in relation to a delayed delivery of propane under a term sales contract by the sellers and issues on payment due for one of the instalments of cargo. Arbitration in Singapore under SIAC Rules.
- Representation of a parent entity and operating company in the South Asian renewable energy sector in international commercial arbitration under the SIAC Rules with respect to a shareholder dispute with an amount in dispute of up to US\$20 million.

- Acted for a hotel management company in a transnational dispute with the owners of the property. The ICC arbitration involved issues of conflict of laws and domestic public policy in the country of operation, in addition to the usual contractual interpretation issues.
- Acted in an SIAC arbitration involving quality and quantity claims, demurrage claims and remoteness of damages in relation to a series of iron ore shipments from India to China.
- Acting as arbitrator appointed by the SIAC in relation to a dispute. Arbitration in Singapore under SIAC Rules.

### **Family and Trust Litigation**

- Acted in *Lian Hwee Choo Phebe v Tan Seng Ong* [2013] 3 SLR 1162 which was a case involved an alleged postnuptial agreement involving matrimonial assets in excess of SG\$100 million.

### **Criminal and Regulatory Matters**

- Acting in a case of alleged market manipulation case involving three main board listed counters which had, at peak, market capitalization in excess of SG\$8 billion. The hearing spanned over 200 hearing days - the longest criminal trial in Singapore.
- Acted for the deputy pastor of a mega church in a case involving criminal breach of trust and falsification of accounts. The matter ran for 140 days at trial and subsequently went before a specially constituted three-judge High Court bench and a specially constituted five-judge Court of Appeal bench, as it involved novel points of law.
- Acted in *Mustafa Ahunbay v PP* [2015] 2 SLR 903 which was a criminal reference to the Court of Appeal relating to a point of law of public interest. The subject matter was procedure for the continued seizure of assets. The case involved a sum in excess of SG\$30 million.

### **Tort**

- Acted in a landmark claim arising from the wrongful fertilisation of an egg with the sperm of a stranger during IVF. The case involved conflicting judicial precedents from England, Ireland, Australia, and the United States and has sparked off extensive academic writings on 'wrongful birth' and 'wrongful conception'. The Singapore Court of Appeal developed the entirely new concept of the right of genetic affinity. The case is reported as *Thomson Medical Pte Ltd & Ors v ACB* [2017] SGCA 20.
- Acted in *Uwe Klima v Singapore Medical Council* [2015] SGHC 97 where we successfully argued against the disciplinary finding of the Singapore Medical Council against a prominent cardio-thoracic surgeon.
- 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.