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PAUL CAROLAN

Admissions

1997	Barrister, Hong Kong
1989	Solicitor, New South Wales, Australia
1985	Solicitor, Hong Kong
1984	Solicitor, England & Wales

Academic

1981	BA (Hons 1 st Class), University of Sussex, England
1982	Solicitors Finals, The College of Law, Guildford, England

Chambers

Paul is head of Prince's Chambers. The set began in Prince's Building in 2000 as a group of 4 and there are now 15 full time members of Chambers.

Practice profile

As an advocate, Paul has a broad civil and commercial practice, (appearing mainly in High Court trials, interlocutory hearings, appeals and injunction matters involving over 190 written judgments) including in general commercial litigation, corporate law, insolvency, arbitration, banking, intellectual property, employment, securities regulatory work, professional disciplinary matters, defamation and professional negligence.

After qualifying as a solicitor in London with a City firm Paul joined Deacons in Hong Kong and was then an associate with Baker & McKenzie in Hong Kong and Sydney from July 1986 to April 1991 and a partner in the Hong Kong office thereafter until January 1997.

Rankings

Entry for 2020 Edition of Chambers & Partners Leading Law Professionals Guide ASIA-PACIFIC/Global

Selected reported cases

- *Albatronics Far East (in liq)* [2001] 3 HKC 223 (scheme of arrangement)
- *Linfield v Taoho Design* [2002] 2 HKC 204 (concurrent proceedings in court and by arbitration)
- *Chan King Sheen v KC Tsang* [2002] 3 HKC 209 (interpleader relief)
- *Husky Injection Molding v Lau Kwong Fat* [2002] 3 HKC 223 (employee confidentiality / restrictive covenants)
- *Li Heung Sang v Compuware Asia Pacific* [2004] 2 HKLRD 732 (wrongful/summary dismissal)
- *Trustee in bankruptcy of Lo Siu Fai v Toohey* [2005] 4 HKC 51 (adjudication of proofs of debt)

- *Richemont v Da Vinci* [2006] 3 HKC 403 (trade mark infringement)
- *Kong Wah Holdings (No 2)* [2006] 3 HKC 337 (Court of Appeal) (s.221 Companies Ordinance (Cap. 32))
- *Ocean Time Development Ltd* [2008] 2 HKLRD 393 (misfeasance / insolvency expert evidence)
- *Victor Chandler v Zhou Chu Jian He* [2008] 4 HKC 232 (Court of Appeal) (Basic Law / preservation of common law)
- *Fujian Group Ltd* [2003] 1 HKC 659 (scheme of arrangement)
- *Mina Labib Shehata v Cognis Chemicals (HK) Ltd* [2008] 4 HKLRD 92 (employment bonus)
- *Bill Chao Keh Lung v Don Xia* [2004] 3 HKLRD 353; (2004) 7 HKCFAR 260 (leave to appeal)
- *Nishimatsu-Costain-China Harbour Joint Venture v Ip Kwan & Co (a firm)* [2001] 1 HKLRD 84 (Court of Appeal) (conflicts of interest)
- *Abdul Razzak Yaqoob & Ors v Asia Times online Ltd & Anor* [2008] 4 HKLRD 911 (defamation / Reynolds privilege)
- *A Solicitor v The Law society of Hong Kong* [2006] 2 HKLRD 116; (2006) 9 HKCFAR 175 (professional conduct)
- *The Law Society of Hong Kong v A Solicitor* [2006] 1 HKLRD 49 (professional conduct)
- *A Solicitor & Anor v The Law Society of Hong Kong* [2005] 3 HKLRD 622 (professional conduct)
- *Bill Chao Keh Lung v Don Xia* [2004] 2 HKLRD 11 (Court of Appeal) (repudiatory breach)
- *Re UDL Holdings Ltd* [2001] 1 HKLRD 156 (Court of Appeal) (scheme of arrangement)
- *Samuel Lee Tak Yee v Chen Park Kuen & Ors* [2001] 1 HKLRD 401
- *The Hongkong and Shanghai Banking Corporation Ltd v Norman John Martel* [2003] 1 HKLRD 497 (Court of Appeal) (guarantor liability)
- *Zucchini Finance Co Ltd v Cheung Ka Fat* [2002] 2 HKLRD 756 (money lending)
- *Cooperatieve Centrale Raiffeisen-Boerenleenbank BA v Bank of China* [2004] 3 HKLRD 477 (letters of credit)
- *Hanjin Shipping Co Ltd v Grand King Shipping Ltd* [1998] 1 HKLRD 706 (arbitration and Mareva)
- *Re Zhu Kuan (Hong Kong) Co Ltd (in liquidation)* [2007] 4 HKLRD 1 (liquidator's fees)
- *Re King Pacific International Holdings Ltd* [2002] 3 HKLRD 474 (stay of winding up)
- *Re Universal Dockyard Ltd* [2006] 3 HKLRD 84 (scheme of arrangement and trust assets)
- *Re Finbo Engineering Co Ltd* [1998] 2 HKLRD 695 (law of set-off in Hong Kong)

- *Re Sinom (Hong Kong) Ltd* [2009] 5 HKLRD 487 (injunction to restrain winding up)
- *Re China Strategic Holdings Ltd* [2006] 4 HKLRD 273 (capital reduction in restructuring of listed company)
- *Winland v Wex* [2012] 2 HKLRD 757 (Court of Appeal) (service out of jurisdiction / lifting corporate veil)
- *Re Priscilla Hwang (Bankrupt)* [2012] 4 HKLRD 581 (examination of debtor)
- *Allen & Overy v Beijing Tong Gang* (2016) 19 HKCFAR 705 (leave to amend writ)
- *Chow v Wex* [2018] 3 HKLRD 163 (misrepresentation Court of Appeal)
- *Asia Pac v Shearman & Sterling* [2018] 1 HKLRD 113 (joint privilege)
- *Mclarens v Corey Poon, Charles Taylor & Ors* [2019] 3 HKLRD 403 (interlocutory injunctions/springboard relief)

Other notable cases

- *Pioneer Iron & Steel Group* (HCCW 322/2010, 6 March 2013) (jurisdiction to wind up foreign company)
- *Pioneer Iron & Steel v Chen Ningning & Ors* (HCMP 1827/2013, 31 July 2013) (Court of Appeal), (renewed ex parte application for appointment of interim receiver)
- *Re 3D Gold & Pricewaterhousecoopers* (HCCW 503/2008, 5 August 2011) (s.221 Companies Ordinance (Cap.32))
- *Re Railpartners, Inc* (HCCW 63/2010, 10 February 2010) (appointment of provisional liquidators)
- *Re Intel Asia Holding* (HCMP 2142/2013, 15 November 2013) (reduction of capital)
- *Kong Wah Holdings v The Grande Group & Ors* (FAMV 17/2006, 16 June 2006) (Court of Final Appeal) (stay pending application for leave to appeal)
- *Re Kong Wah Holdings* (HCCW 49/2000, 20 July 2007) (legal professional privilege)
- *Solicitor v Law Society* (FAMV 54/2007, 14 January 2008) (Court of Final Appeal) (variation of orders)
- *Paul Tse v Law Society of Hong Kong* (CACV 280/2003, 25 November 2004) (professional conduct)
- *Post v Nomura* (HCA 7259/1997, 29 May 2001) (employee bonus)
- *Subramaniam v Lincoln Financial* (HCA 3150/2002, 10 December 2002) (international Mareva, submission to jurisdiction)
- *Re Raymond & Priscilla Lee* (CACV 112-113/2014, 30 July 2014) (suspending discharge of bankruptcy)
- *Chow v Wex* (HCA 1035/2011, 7 March 2013) (non renewal of writ)
- *Chow v Wex* (HCMP 1516, 5 September 2013) (leave to appeal refused)
- *Chow v Wex* (HCA 537/2013, 18 September 2013) (limitation period)

- *WDA v MHS* (CACV 116/2014, 21 July 2015) (leave to amend claim after limitation period expired)
- *AsiaPac Infrastructure v Shearman Sterling* (HCA 806/2006, 19 November 2014) (leave to amend claim and security for costs)
- *Beijing Tong Gang v Allen & Overy* (CACV 34 & 124/2014, 22 May 2015) (Maintenance & Champerty/amendment of writ)
- *ANZ v Chen* (HCA 1674/2014, 3 October 2014) (interlocutory injunction for breach of confidence)
- *ANZ v Chen* (HCA 1674/2014, 12 May 2016) (summary judgement etc.)
- *Blue Gold Investment v Kwan* (HCA 149/2015, 4 March 2016) (stay of proceedings for arbitration)
- *Chow v Wex* (HCA 537/2013, 28 September 2016) (rulings at trial for amendment and strike out summons)
- *Chow v Wex* (HCA 537/2013, 28 September 2016) (discovery of documents relating to acting as witness)
- *Chow v Wex* (HCA 537/2013, 13 January 2017) (trial judgment for fraudulent misrepresentation)
- *Chow v Wex* (HCA 537/2013, 5 September 2017) (variation of nisi orders for award of interest and costs re sanctioned offer)
- *Chow v Wex* (HCA 537/2013, 26 May 2017) (stay pending appeal)
- *Asia Pac v Shearman & Sterling* (HCA 806/2006, 31 May 2019) (trial of a preliminary issue)

For a full list of cases in which Paul Carolan has appeared as Counsel please visit the Judiciary Website at <http://legalref.judiciary.gov>.

Commercial Dispute Resolution - China

“**Paul Carolan** of Princes Chambers maintains a varied civil and commercial practice, winning special praise for his handling of insolvency and employment-related matters. A commentator in the latter sphere calls him “fantastically well prepared and authoritative,” identifies him as the pre-eminent junior barrister in the Hong Kong employment space and emphasises in particular his expertise concerning business protection, confidentiality and restraint of trade issues. He acted for the corporate defendant in a Court of First Instance case concerning the defection en masse to a competitor of nine individual executives and their former employer’s subsequent allegations of breach of contract and usage of confidential information.”

Entries for 2018/19

“**Paul Carolan** heads Princes Chambers and is consistently identified by sources as a standout junior at the Hong Kong Bar for employment matters, his powerful advocacy receiving particular praise. He is also active on general commercial, intellectual property and insolvency-related cases.”

Publications and articles

New Law Journal (UK), Hong Kong Lawyer, Law Society Gazette and other ‘in house’ publications.