



Karen Tan Wee Sean
Senior Associate

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Karen is a dispute resolution lawyer in the Firm’s Litigation and Arbitration practice. Her work focuses on banking and finance litigation, corporate insolvency, restructuring of debts and corporate rescue mechanism, commercial contractual disputes, professional indemnity insurance litigation, and shareholder disputes.

Karen frequently assists and advises clients on a range of banking, corporate and commercial matters. She regularly appears both as counsel and co-counsel in the Courts at all levels.

Karen graduated from the University of Malaya in 2017 and was awarded the Chief Justice Award. She joined the Firm as a pupil in chambers in 2017 and was admitted to the Malaysian Bar in 2018.

Key Practice Areas

Banking and Finance Litigation
Restructuring and Insolvency
Commercial Litigation and Arbitration

Selected Experience

Banking & Finance Litigation

- ❖ Acted for various banks in loan recovery actions against London Biscuits Berhad, a public listed company involved in manufacturing of various confectionery. The case received wide coverage in local news articles.
- ❖ Acted for various banks in restructuring of debts and corporate rescue mechanisms (i.e. schemes of arrangements and judicial management) involving the Serba Dinamik Group entities. The case received wide coverage in news articles.
- ❖ Acted for a bank in loan recovery actions and various court proceedings at High Court, Court of Appeal and Federal Court against Khee San Berhad and Khee San Food Industries Sdn Bhd. The case received wide coverage in news articles.
- ❖ Advised foreign creditors on scheme of arrangement

proceedings involving Sapura Energy Berhad and its subsidiaries. The case received wide coverage in news articles.

- ❖ Acted for a creditor in scheme of proceedings against Boustead Naval Shipyard Sdn Bhd, a subsidiary of Boustead Holdings Bhd controlled by the Lembaga Tabung Angkatan Tentera who is the shipbuilder for Malaysia's Littoral Combat Ship (LCS) programme. The case received wide coverage in news articles.
- ❖ Acted for foreign and local banks in respect of a debt restructuring scheme with liabilities exceeding RM260 million.

Commercial Litigation and Arbitration

- ❖ Acted successfully as co-counsel in the Federal Court case of Bayangan Sepadu Sdn Bhd v Jabatan Pengairan dan Saliran Negeri Selangor & Ors [2022] 1 MLJ 701.
- ❖ Acted successfully as co-counsel in the Federal Court case of Ong Leong Chiou & Anor v Keller (M) Sdn Bhd & Ors [2021] 3 MLJ 622
- ❖ Acted for Al-Jazeera in respect of the widely publicised police investigation for its current affairs program, "Locked Up in Malaysia's Lockdown". The case received wide coverage in local news articles.
- ❖ Acted for a developer of the highly controversial 29 storey condominium project in Batu Caves. The project was widely protested by the Sri Maha Mariamman Batu Caves Temple Committee, politicians and public who alleged that the construction would pose danger to Batu Caves structures, including the 42.7m statue of Lord Murugan. The case received wide coverage in local news articles.
- ❖ Acted successfully as co-counsel in the High Court case of Dato' Ks Sivananthan v. Pendaftar Pertubuhan Malaysia, Perak & Ors [2019] 1 LNS 430.
- ❖ Advised the United Kingdom Government in respect of Malaysian civil proceedings involving a private Iranian bank on issues concerning the UK Human Rights Act 1998.
- ❖ Acted as co-counsel in an AIAC arbitration for one of Thailand's biggest mall developer and family conglomerate in

an arbitration involving multiple foreign jurisdictions such as Bangkok, Labuan, British Virgin Island, Singapore and Switzerland.

- ❖ Acted for private companies and obtained injunction orders to restrain, among others, removal of assets and dissipation of monies.
- ❖ Advised executors of a Malaysian estate in several suits filed in the Indian Courts involving, among others, the State Bank of India.
- ❖ Acted for insurers to defend various negligence suits against lawyers.

Company Law and Shareholders' Disputes

- ❖ Acted for the directors of a public listed company in boardroom disputes between the board of directors and shareholders of the company.
- ❖ Acted for a shareholder in a dispute to wind up an engineering consultancy firm based on, among others, just and equitable ground.
- ❖ Advised University Malaya and its board of directors on issues under the Companies Act 2016 and directors' duties.

Election Petitions

- ❖ Acted as counsel for Suruhanjaya Pilihan Raya Malaysia in various election petitions which were reported in *G Manivannan a/l Gowindasamy v Khairuddin bin Tarmizi & Ors* [2018] MLJU 1425; *Zulkarnine Hashim v Dr Jurij bin Jalaluddin & Ors* [2018] MLJU 1421; and *Faizul Ismail v Mohd Azhar bin Jamaluddin & Ors* [2018] MLJU 1418

Qualifications

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Advocate and Solicitor, High Court of Malaya (2018)
LL.B (Hons), University of Malaya (2017)

Publications

Publications

- Author, "Can A Buyer and Chargee Bank Get A Good Title If The Sales Were By A Solicitor Who Purported To Act for The Owners", Lexology (2020)
- Author, "Federal Court Decides On Whether A Successful Bidder At An Auction Sale Under The National Land Code 1965 Must Recognise The Interest Of A Person Not Registered

Against The Title To The Land”, Lexology (2021)

- Author, “Federal Court Clarifies Liability Of Two Or More Judgment Debtors Where The Words “Joint And Several” Are Not Stated In The Judgment”, Lexology (2021)
- Author, “Federal Court Examines The Latest Position In UK And In Malaysia In Relation To Whether A Person Can Hide Behind A Corporate Body Utilised For Fraudulent Or Unlawful Purposes” , Lexology (2021)