

# Jeremy Levy

## Consultant

jeremy.levy@robertsonshk.com

+852 2861 8403

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### OVERVIEW

***Reassurance, practicality and effectiveness are the key.***

Jeremy has been practicing as a solicitor in Hong Kong since 1985 and joined Robertsons nearly two decades years ago.

He has considerable Hong Kong based dispute resolution experience at the High Court at all levels and the Court of Final Appeal, and in international arbitrations. His diverse areas of practice have included the enforcement of Letters of Credit and Guarantees, complex jurisdictional disputes, Tax appeals to the Hong Kong Board of Review, Judicial Review Applications involving the resumption of land, shareholder and family disputes and breaches of trust and contract. He has substantial advocacy experience, including seeking and discharging Mareva injunctions, applying for injunctive relief to enforce injunctions obtained outside the jurisdiction, and applying for Norwich Pharmacal relief and gagging orders in relation to fraud cases. He has conducted a whole range of diverse applications in High Court Civil litigation and winding-up proceedings, and carried out detailed oral examinations of judgment debtors. In his extensive representation of parties in arbitrations, he has personally conducted a number of arbitrations.

Jeremy has a wide range of international and local clients and works extensively with lawyers in foreign jurisdiction including the U.S., Israel and Europe.

Besides his general commercial litigation and arbitration experience, Jeremy has acted in a number of prominent personal injuries and medical negligence cases, including a pioneering case in Hong Kong on the application of the principal of res ipsa loquitur (“the thing speaks for itself”), to an unconscious patient during surgery.

Jeremy is a senior adviser to Robertsons’ Insolvency Department and advises management in advance of an insolvency, creditors seeking to protect and maximize their interests, and liquidators and receivers on their rights, powers and strategies for the insolvency process. He is also part of Robertsons’ Personal Injuries team and, as such, represents parties in claiming damages for personal injuries, damages arising out of medical negligence, and damages arising from fatal accidents.

Jeremy sits as a Chairman of Building Appeal Tribunals. He has acted as an assessing Judge in legal moots conducted by students of Hong Kong University, and he has lectured on a number of different legal topics including the application of the “Bolam” principle in medical negligence litigation, bankruptcy law and practice, and civil appeals to the Court of Appeal in Hong Kong. Jeremy is an active member of the Israeli Chamber of Commerce in Hong Kong of which he is the Vice Chairman and Treasurer.

## PRACTICE AREAS

INSOLVENCY & RESTRUCTURING

INSURANCE

## LANGUAGES

English

## QUALIFICATIONS & EDUCATION

- Solicitor, England & Wales (1981)
- Solicitor, Hong Kong (1985)
- Bachelor of Social Science, University of Birmingham

## MEMBERSHIPS

- The Law Society of Hong Kong
- Law Society of England & Wales
- Associate of the Chartered Institute of Arbitrators (1997)
- Chairman of Building Appeal Tribunal Panel

## EXPERIENCE

### LITIGATION & DISPUTE RESOLUTION

- Acting for a Hong Kong publicly listed company in setting aside a liquidation commenced under Section 228A Companies Ordinance after compulsory winding up proceedings had been commenced on behalf of the company; the directors unilaterally appointed liquidators under Section 228 Companies Ordinance and that appointment was challenged on behalf of the company in an application to the Court of First Instance who took the view that the liquidation should proceed as a compulsory winding-up.

- Advising major shipping company in relation to action to take pending liquidation; obtaining the unfreezing of substantial monies of the company frozen by a major bank prior to the commencement of the liquidation.

- Successfully upholding liability in Court of Final Appeal against anaesthetist for failing to prevent radial nerve damage to patient during surgery. The case involved the invocation of the principle of res ipsa loquitur ("the thing speaks for itself") applied to a patient who suffered radial nerve damage whilst unconscious during surgery [FACV 11].

- Obtaining Arbitral Award for Permanent Total Disablement payment against an international insurance company. A number of technical defences put forward on behalf of the insurance company failed to prevent liability being awarded against it.

- Acting for high net worth individual against major international bank in relation to investment advice.

- Acting for fund specializing in the pharmaceutical industry in action against seller of shares claiming rescission for fraudulent misrepresentation and damages.

- Acting on behalf of overseas company in liquidation in multiple actions to recover monies siphoned from company in the course of a VAT fraud, including the obtaining of a judgment and successfully obtaining substantial recovery of assets in interpleader proceedings.

- Setting aside an injunction freezing assets on the ground of material non-disclosure by the Applicant for the Injunction.