

Nixon Peabody CWL secures worldwide freezing order (WFO) for client to preserve assets

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Hong Kong. The dispute resolution team of Nixon Peabody CWL has successfully, on behalf of Shenzhen Dashenghua Trading Company Limited (深圳市達勝華貿易有限公司), obtained a worldwide freezing injunction from the High Court of Hong Kong against one of the respondents preventing the disposal of her assets, pending enforcement of the arbitral award issued by the Beijing Arbitration Commission in favour of the client in Hong Kong.

The client is a PRC company and commenced the arbitration for recovery of a debt against another PRC company (as borrower of a loan) and its related personnel and companies (as guarantors of the loan), and later obtained the said award in terms of the settlement agreement reached by the parties.

Upon the respondents' breach of their repayment obligations under the said award, the client applied for enforcement in PRC and Hong Kong simultaneously. During the enforcement process, one of the respondents accelerated sale of her landed property in Hong Kong and attempted to delay by applying for setting aside of the Hong Kong order granting leave to enforce the award in the same manner as a Hong Kong court judgment. Nixon Peabody CWL's team then successfully applied for an *ex parte* domestic *Mareva* injunction on an urgent basis prohibiting any disposal of her Hong Kong assets up to the value of the property (USD 4.88 million), and further obtained the Court's variation of the injunction at the return date hearing by expanding its scope to a worldwide level and up to USD 31 million.

The worldwide freezing injunction order and ancillary disclosure order are vital for the ongoing enforcement proceedings and represent a significant legal victory on behalf of the client in preserving its rights and interests by, among other things, freezing the respondent's assets up to the value of approximately USD 31 million across multiple jurisdictions, ensuring they remain intact while the legal proceedings in Hong Kong continue.

“We are pleased with the court’s decisive action, which safeguards our client’s interests on a global scale,” said **Joanne Wu**, co-managing partner of Nixon Peabody CWL and head of its Hong Kong Dispute Resolution practice. “This ruling demonstrates our team’s commitment to providing exceptional legal representation and protecting our clients’ assets worldwide.”

The Nixon Peabody CWL team is led by Wu, supported by **Hong Kong** associate **Charles Sin** and trainee solicitor **Macy Chan**.