

**JOHN PAUL BEUKEMA ON THE ATTACK:
GORDON OLDHAM AND KEVIN NIE KIN KWOK
SUED FOR BACK SALARIES**

A solicitor of the Hongkong Special Administrative Region (HKSAR) of the People's Republic of China (PRC), formerly working in the solicitors' firm of Oldham Li and Nie, has sued Mr Gordon Oldham and Mr Kevin Nie Kin Kwok, both partners of Oldham Li and Nei, for back salaries and commissions – going back nearly 6 years.

Mr John Paul Beukema, now working in the solicitors' firm of Littlewoods, is the Plaintiff in District Court Writ Number 1550, which names Mr Gordon Oldham as the First Defendant, being an existing Partner of Oldham Li and Nei, and Mr Kevin Nie Kin Kwok, being the Second Defendant and a former Partner of the solicitors' firm of Oldham Li and Nei.

The Statement of Claim, attached to the Writ of Summons, is almost self-explanatory, and alleges that, Mr John Paul Beukema *'was employed pursuant to a contract which provided for the payment of a fixed salary and a handling fee equal to 40% of billings for legal services collected from clients introduced to OLN (Oldham Li and Nei) by the Plaintiff.'* (Paragraph 3 of the Statement of Claim)

Paragraph 4 states that Mr John Paul Beukema *'introduced numerous clients to OLN and collected billings for legal services from them but received only partial payment of the commissions due ...'.*

The unpaid amount of the commissions was said to be \$HK120,887.20.

Mr John Paul Beukema alleges that he was paid a monthly salary of \$HK30,000, but the salary for April 1998 and holiday pay in the amount of \$HK10,000 was not paid. (Paragraph 5)

Then, from Paragraph 6:

- '6. On 26th June 1998, the Plaintiff signed a settlement agreement with OLN (the "Settlement Agreement") in which the 1st Defendant acknowledged on behalf of OLN, owning (sic) the Plaintiff \$160,887.20 for back salaries and handling fees.*
- '7. The Settlement Agreement provided for the discontinuance of High Court Action No. HCMP 2603 against OLN with no order as to costs, the withdrawal of complaints against OLN made to the Hong Kong Law Society by the Plaintiff, the assignment of certain outstanding billings to the Plaintiff, and that OLN would not make any claim against the Plaintiff with respect to the solicitation of certain clients.*
- '8. The Settlement Agreement also provided that the Plaintiff would allow a setoff of \$91,099.64 resulting in a balance due of \$67,307.86, payable \$10,000.00 in cash to the Plaintiff and \$35,562.00 to Inland Revenue on behalf of the Plaintiff on signature, \$17,400.00 on 1st August and \$6,746.00 on 15th September 1998 to the Plaintiff.*

9. *The amount of the setoff was calculated based on certain estimated future collections from Legal Aid and other clients. In actual fact only \$52,334.28 was eventually collected by the Plaintiff on behalf of OLN of which \$17,145.00 was subject to a handling fee. ... [CLICK TO ORDER FULL ARTICLE](#)*

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