

**CAN SOLICITOR LAM SIN WAH GET OUT OF THIS MESS ?****Hongkong Bank Sues For \$HK4.26 Billion**

Mr [Lam Sin Wah](#) (), a Partner of the solicitors' firm of Kwong and Lam (), which practises law in the Hongkong Special Administrative Region (HKSAR) of the People's Republic of China (PRC), appears to be in a great deal of trouble, trouble that could, unless ameliorated, lead to his professional demise.

The Hongkong and Shanghai Banking Corporation Ltd, a wholly owned subsidiary of HSBC Holdings plc (Code: 5, Main Board, The Stock Exchange of Hongkong Ltd), has recently lodged a Writ of Summons in the HKSAR High Court, seeking more than \$HK4.26 billion from the following Defendants:

Aucilla and Arracourt Partnership	First Defendant
Aucilla Ltd	Second Defendant
Arracourt Ltd	Third Defendant

The Second Defendant and the Third Defendant are the only partners of the First Defendant, Writ of Summons, Number 169 alleges.

According to the database of **TOLFIN** () (The Computerised Online Financial Intelligence Service and Web-Based, Credit-Checking Provider), however, the Writ of Summons could be in error, because **TOLFIN**'s records show that Aucilla Ltd joined the Aucilla and Arracourt Partnership in 1989 and resigned on October 7, 2003.

On the day that Aucilla Ltd resigned as a Partner of Aucilla and Arracourt Partnership, Mr Lam Sin Wah joined as a Partner of the Partnership.

That makes Mr Lam Sin Wah the sole Partner of Aucilla and Arracourt Partnership.

The Statement of Claim, attached to Writ of Summons Number 169, alleges all of the Defendants were customers of The Hongkong and Shanghai Banking Corporation Ltd and that, on July 3, 1989, the bank entered into a loan agreement with Aucilla and Arracourt Partnership.

The date of the purported loan agreement was a little less than 4 months after Arracourt Ltd, the Third Defendant, was founded with an Issued and Fully Paid-Up Share Capital of \$HK20, according to **TOLFIN**.

The purported loan agreement was for the sum of \$HK708,375,000, which was to be repaid to the bank in 120 months.

The interest factor on the loan was 11 percent per annum.

Paragraph 5 of the Statement of Claim alleges:

*'Pursuant to the Loan Agreement the Plaintiff provided and continued to provide the Loan to the Partnership, which as at 12 December 2005 amounted to the sum of*

*HK\$4,255,832,114.92*

**PARTICULARS**

<i>Principal</i>	<i>Accrued Interest</i>	<i>Maintenance Fee</i>	<i>Total</i>
<i>(HKD)</i>	<i>up to 12/12/05</i>	<i>up to 12/12/05</i>	<i>-</i>

708,375,000      3,542,877,114.92      4,580,000      4,255,832,114.92'

The Hongkong and Shanghai Banking Corporation Ltd alleges that it cannot get its money, despite having sent letters to the Defendants, from February 2001 up to December 2005.

The bank ... [CLICK TO ORDER FULL ARTICLE](#)

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