

## The Wong Way .....

**Mr Wong is a practising solicitor in the Hongkong Special Administrative Region (HKSAR) of the People's Republic of China (PRC). Because he is a solicitor, he is very proud of his position in society. He wears only the latest fashionable clothes, which he purchases at a very fashionable departmental store, the same fashionable departmental store from where he purchased all of the furniture for his home. Solicitor Wong lives on The Peak, a very fashionable part of Hongkong. He lives in a house. He is married to a former teacher of the English language. He has a teenaged son who attends an international school. He is the proud owner of a white Rolls-Royce, which he purchased, second-hand, about 8 years ago.**

**The following are just some of the things that Solicitor Wong does; and, the reasoning (or lack of it) for his actions.**

Solicitor Wong believed, very much, in the rule of law – especially as it applied to other people. That was the reason that, when somebody parked a new Porsche at the rear of Solicitor Wong's garden on The Peak, this man of the law was not amused. One telephone call to his friend and the name of the interloper was made known. The owner of the new Porsche was a rather well-known, Hongkong architect, named Frederik Lo Long Song. The name of this architect did not sound to be that of a Chinese from southern China, Solicitor Wong mused, but perhaps that was the reason that the owner of the new Porsche had, in error, intruded into Solicitor Wong's space on The Peak. A letter would suffice, Solicitor Wong decided. And so Solicitor Wong had a fool for a client on the day that he sent off a letter to Architect Frederik Lo Long Song. 'Sir', the letter started, *'I have confirmed that you are the owner of Porsche, Licence Plate YOO 881. I would be obliged if you would remove the said offending vehicle from blocking my view since you seem to be in the habit of parking it on the driveway at the end of my garden without my express permission. I am a solicitor of the High Court of Hongkong and I am writing to you, today, in the hope that this matter can be settled amicably. Failing which, I would not hesitate to take swift and definitive action to remove your vehicle, forthwith.'* Solicitor Wong signed the letter, very formally, making careful mention of his firm's name in Central, Hongkong. Proud of his literary ability, he sent the letter by Registered Post.

However, within a few days after the letter had been sent to the architect's office, Solicitor Wong received a very terse note in the English language. The letter, in effect, stated: *'You go to Hell!'* So, the gloves were off, Solicitor Wong told his wife, Judy, on the evening that he received the letter from Architect Frederik Lo Long Song. Judy was busy, looking at a fashion magazine, so that all she

could say, solicitously, was: *'That is nice, dear.'* The next morning, Solicitor Wong donned the mantle of an Officer of the High Court of Hongkong and issued a Letter Before Action to Architect Frederik Lo Long Song. The Letter Before Action stated, in very clear terms, that unless the offending Porsche was removed from the rear of Solicitor Wong's garden on The Peak, action would be taken for its removal and the costs of such an action, plus damages, would be awarded to Solicitor Wong. On the same day, Architect Frederik Lo Long Song sent his reply, the contents of which were very similar to his first letter: *'You go to Hell!'*

Solicitor Wong was infuriated. How dare a layman treat an Officer of the High Court in this manner! What Solicitor Wong could not understand, however, was the reason that Architect Frederik Lo Long

Song was not afraid to do battle with an Officer, in good standing, of the Hongkong High Court. Before issuing a Writ of Summons, Solicitor Wong did some research and discovered, to his horror, that the driveway at the rear of his garden was owned by the management company of the complex, his home, being but one of the town houses within the complex. Solicitor Wong determined, therefore, that the correct Defendant should be the corporation, empowered by the management company, to manage the complex. Another letter was hurriedly written to the management company.

The following day, Solicitor Wong received a telephone call from an officer of the management company. This officer explained that Architect Frederik Lo Long Song had the legal right to park his new Porsche at the rear of Solicitor Wong's garden because the architect's home was facing Solicitor

Wong's garden and, in any event, the driveway did not belong to any homeowner but to the management company, itself. Solicitor Wong scanned the Deed of Mutual Covenant and came to the legal opinion that the officer of the management company was, essentially, correct – at least, at law.

Realising that Solicitor Wong would, undoubtedly, fail in any legal action, taken against Architect Frederik Lo Long Song, a new tack was needed. It seemed only too apparent that his chosen adversary knew something of the law so that intimidation would never win the day. Also, being polite did not result in getting the offending new Porsche out of his sight. What was worse was that every time that Architect Frederik Lo Long Song returned home, he would race his motor car's engine, while in the parked position, making quite a clatter. Sometimes, the architect would return home near midnight, too. Solicitor Wong had many unsavoury acquaintances whom he had had to defend, from time to time, in criminal cases that he handled. He thought of enlisting their aid, but, on talking to Judy, he thought better of it. The weeks went by. The Porsche was still there. Architect Frederik Lo Long Song was, emblematically, thumbing his nose at Solicitor Wong. Weeks turned into months. It was unbearable for Solicitor Wong, an Officer of the Hongkong High Court. Justice would never be done, he lamented to himself. The Porsche became a symbol of Solicitor Wong's personal nemesis.

One evening, Solicitor Wong sullenly informed Judy that the upkeep of The Peak home was very high. He suggested that there was another town house, not too far away, that might be more appropriate for their requirements. Since it was, also, on The Peak, Judy had no objection. She asked as to whether or not there was a garden, attached to the suggested new matrimonial home. Solicitor Wong threw an icy look at his wife and said: *'A small garden. But no rear driveway!'* And, then, by mistake, he uttered the word, *'Porsche'*. Judy, the lady that she was, realised the anguish of her husband and so, late that night, as Solicitor Wong, bathed in his own perspiration and panting from utter exhaustion, she said: *'Feeling better, dear? We shall move to our new home. It will make you happy. This one is too small, anyway, don't you agree?'*

Sometimes, an honourable retreat is preferable to an ignoble surrender, Solicitor Wong recalled from his reading of the attack on Russia by Napoleon Bonaparte in 1812 when the Emperor's Grande Armée was badly mauled, during the campaign, and never fully recovered. He consoled himself, recalling the proverb:

*'He who fights and runs away,*

*lives to fight another day.'*

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