



Counsel | Advocate & Solicitor (Singapore)

## Yzabel Dumaguing

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### KEY PRACTICE(S)

Corporate, Commercial & Civil Litigation

Maritime & Shipping

Corporate & Commercial Advisory

International Trade

Maritime & Shipping

Restructuring & Insolvency

Yzabel's experience in the Firm's civil and commercial litigation, international arbitration, and corporate departments began in 2017 when she joined the Firm as a Legal Manager while concurrently reading law. By the time she was called to the Singapore Bar in August 2022, she had already amassed five years of experience in what are now her main areas of practice – disputes, shipping, international arbitration & trade including anti-dumping, energy & natural resources, offshore, and corporate matters.

Yzabel has also acted as counsel in SIAC, LMAA, and SCMA arbitral proceedings.

### ADMISSION(S)

Singapore Bar (August 2022)

Yzabel serves global clients, ranging from shipowners to charterers, corporations engaged in offshoring, commodities, oil & gas, and natural resources based in Asia, Australia, Europe, Africa, and the Americas.

### QUALIFICATIONS

Singapore University of Social Sciences, LL.B.

Outside of practice, Yzabel serves as Touch Singapore's Judiciary Director.

### MEMBERSHIPS

Member, Law Society of Singapore

Member, Singapore Academy of Law

Member, Young Singapore International Arbitration Centre

### WORK HIGHLIGHTS

#### CIVIL AND COMMERCIAL DISPUTES

*(including shipping litigation, arbitration, and restructuring & insolvency)*

- Acting for a defendant in an admiralty case concerning conflicting bills of lading for cargoes of approximately 506.15 MT of nickel in the form of briquettes, with a nickel content of 99.80% quality as per London Metal Exchange specifications. The case is ongoing.
- Acting for a UAE offshoring company in two LMAA arbitrations concerning breaches of charterparties with losses amounting to more than USD 6 million. The case is ongoing.
- Acted for the successful Plaintiff in ***Pun Kwan Lum (David) v AboutU Pte Ltd and another [2023] SGDC 265*** in a case

## APPOINTMENTS

Judiciary Director, Touch  
Singapore (2023 – )

Deputy Judiciary Director, Touch  
Singapore (2020-2022)

## PUBLICATIONS

- Authored a Practice Note titled “Trade Remedies: Overview (Singapore)” and a Comparison Chart titled “International Trade (Imports) – Trade Remedies” for the Commercial Global Practice Area of Practical Law (by Thomson Reuters) (2023)

pertaining to an initial coin offering. The case centred on whether monies paid for future digital tokens – on a blockchain network that had yet to, and did not eventually, launch – are refundable. This case appears to be the first reported decision in Singapore that discusses simple agreements for future tokens.

- Acted for the Respondent that successfully resisted the appeal against the High Court’s decision in *Sizer Metals Pte Ltd and Chubb Insurance Singapore Limited [2022] SGHC 51* (see ***Chubb Insurance Singapore Ltd v Sizer Metals Pte Ltd [2023] SGHC(A) 17***). This case concerned a marine cargo insurance claim by a metals trading company (who was the respondent in the appeal) against an insurance company in a dispute relating to shipments of tin ore cargo which were the subject of theft enroute from Kigali to Penang via Dar es Salaam. Judgment was obtained for the full claim sum.
- Assisted as second chair for the 2nd Defendant in a USD 3 million dispute brought by a US company against a Singapore company and its director over the provision of face masks during the COVID-19 pandemic. Allegations of fraud, intermingling of funds and conspiracy were brought against the director personally to pierce the corporate veil. The Plaintiffs also mounted a claim against the 2nd Defendant for tort of inducement to breach contract. The 2nd Defendant successfully defended the claims against him (see ***Dialectic PR LLC and Dialectic Distribution LLC v Brilliant Resources International Pte Limited and another [2023] SGHC 39***).
- Acted for a former director accused of breaching fiduciary duties, dishonest assistance, and conspiracy in respect of a development in Batam, Indonesia that was set to be the world’s largest eco theme park. The case was commenced by the company’s liquidator in both his capacity as liquidator and in his personal capacity, against former directors, marketing agents, the Indonesian company that owns the land for the development, and its directors, with a claim sum of more than SGD 75 million.
- Assisted in a defamation claim commenced by three former council members against the former chairman of a condominium management council regarding the alleged mismanagement of the estate. The claim was successfully defended (see ***Fang Yiqiang and anor v Goh Siong Heng Benson [2023] SGDC 11***).
- Assisted in a case commenced by a private investor against a director of a filmmaking company for breach of contract, misrepresentation, and unjust enrichment. The investor’s claims were allowed (see ***Simran Bedi v Mark A Montgomery [2022] SGHC 67***).
- Assisted in an application to introduce new evidence on foreign law to set aside an arbitral award on the basis that: (a) the arbitral award contained decisions on matters beyond the scope of submission to arbitration; (b) there was a breach of the rules of

natural justice in the making of the award; and (c) the award was contrary to Singapore public policy (see ***Gokul Patnaik v Nine Rivers Capital Ltd [2021] 3 SLR 22***).

- Assisted in a successful application for an interim injunction to restrain defendants from disposing any shares in a company listed on the Catalist of the Singapore Exchange (see ***Chen Mingxing and others v Zhang Jian and others [2021] SGHC 3***).
- Assisted in a representative action with 154 Claimants. The Claimants mounted a claim for approximately SGD 47 million in a scam that spanned several jurisdictions (Dubai, Switzerland, India, Malaysia, and Singapore). The scam involved the setting up of multiple sham and façade companies used to induce investors to invest with promises of guaranteed exorbitant interest returns of around 70% to 120% on invested sums. A worldwide Mareva injunction order was obtained against 18 out of 19 defendants in the suit.
- Assisted the successful Plaintiff in a dispute against a Timor-Leste insurance company over gasoil cargo valued at approximately USD 1.5 million. The cargo was to be shipped from Singapore to Karabela Port, Timor-Leste. During the course of the voyage, the vessel carrying the cargo was hijacked by pirates in the waters off the coast of Tanjung Berakit, Indonesia. The action involved allegations of conspiracy and that the piracy act was staged, failure to comply with the Marine Insurance Act and lack of insurable interest. The Plaintiff successfully obtained judgment for the full claim amount. Post-judgment, an application for pre-action discovery was interestingly made by the Plaintiff against the Defendant's reinsurers' brokers.
- Acted for a BVI company in an action commenced by another BVI company that was a substantial shareholder of a Canadian corporate entity publicly listed on the Nasdaq Global Select Market and the Toronto Stock Exchange regarding a financing agreement. The company faced allegations of misrepresentation, repudiatory breach / wrongful termination of an agreement, and unlawful means conspiracy. The company has since been placed on liquidation.
- Assisted in a conspiracy claim by one of the largest logistics and petrochemical service providers in South-East Asia against several ex-employees. This action included an application for a prohibitory injunction against the said ex-employees. The matter was settled.
- Assisted in an action involving a US-listed company, its representatives, and its shareholders, arising from a shareholder take-over and minority oppression, with causes of action including contractual and shareholding disputes, tort of deceit and misrepresentation.

## CORPORATE PRACTICE

- Facilitated corporate dealings such as joint ventures between local companies as well as local companies with foreign entities, and sale and purchase of shares and properties.
- Advised start-ups on: (a) incorporation matters including the preparation of shareholders' agreements, founders' agreements, company constitutions, and employment agreements; and (b) preparation of relevant documentation after obtaining funding.
- Assisted in corporate matters for two of the largest automotive manufacturers globally.