





DGK: CELEBRATING OVER 20 YEARS OF LEGAL EXCELLENCE

When David Gurupatnam & Koay was formed in 2002, we worked out of a modest office with a handful of staff. Little did we know that our humble practice would grow to nearly a hundred strong with branch offices in Johor Bahru and China.

Guided by our founding principles of diligence, virtue and excellence, and bestowed with the responsibility and honour to serve you over the past two decades, we have driven ourselves to become one of the leading homegrown law firms in Malaysia.

Along the way, we have garnered notable accolades including “West Malaysia Law Firm of the Year” by Asian Legal Business Awards 2017, “Top Panel Lawyer” for Consumer Financial Services from 2013 to 2015 by OCBC and “Belt & Road

Operation Centre” for the Malaysian Region 2016 to 2019 by LD (International) Legal Alliance, not to mention being a Lifetime Member of the Branding Association of Malaysia.

Above all else, DGK wouldn't be where we are today without your trust and patronage, you have been an integral part of our journey and that's why we are reaching out to you again. Through this digital newsletter, we hope to keep you abreast on the latest happenings at DGK, particularly our award-winning legal services, our expanding team of associates, but more importantly, how we can serve you better in the future.

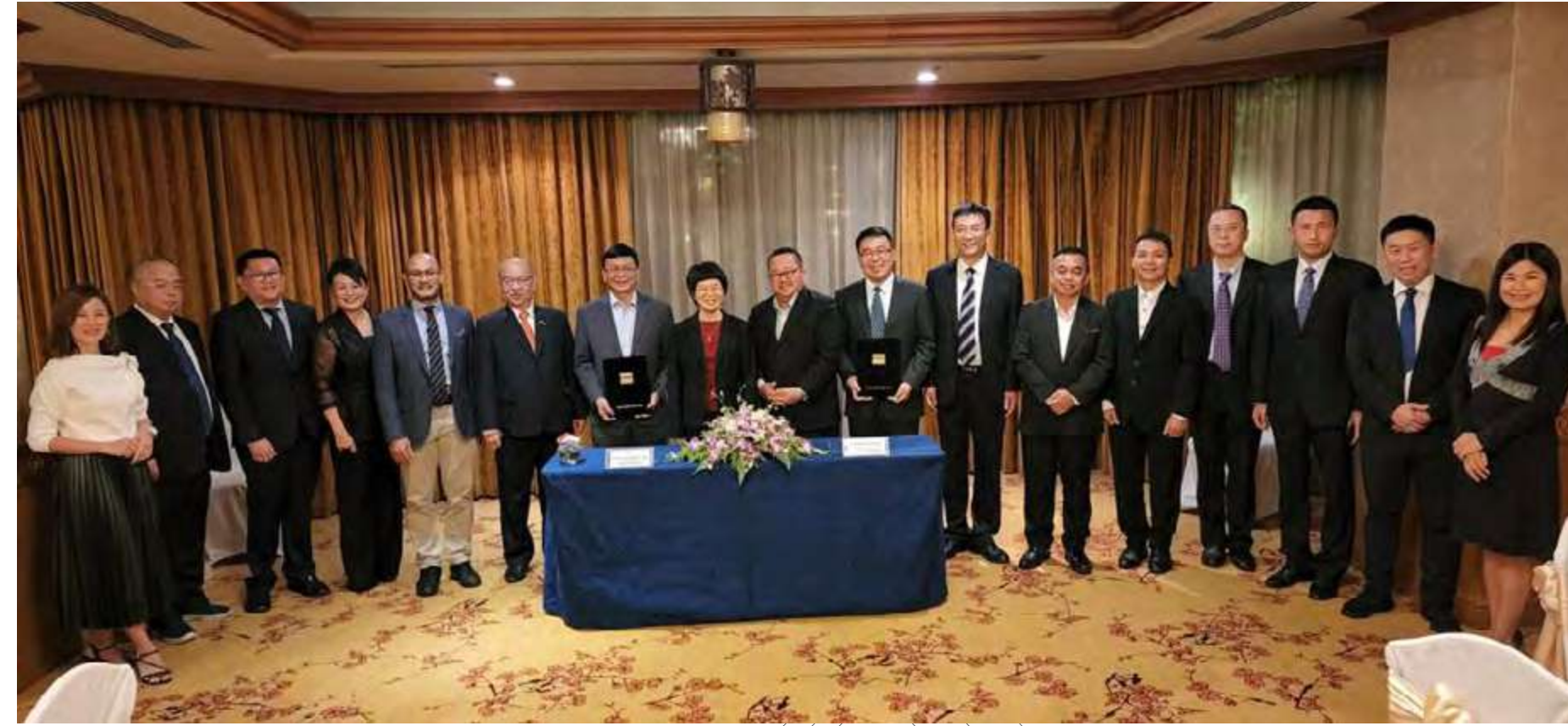
Sincerely yours,
Dato' David Gurupatnam & Koay Eng Hooi
Founding Partners

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DGK PLAYS SUPPORTING ROLE IN LANDMARK AGREEMENT BETWEEN POIC AND SHANGDONG PORT

Sabah is poised to become a logistic hub for the BIMF-EAGA (Brunei-Indonesia-Malaysia-Philippines East Asean Growth Area) region following the Friendship Port Agreement inked between respective parties in December, 2022.

Palm Oil Industrial Cluster (POIC) Sabah's Chairman Datuk Seri Yong Teck Lee said the tie-up will be a major contribution to Sabah's development and efforts to draw in foreign investments, noting that POIC Lahad Datu offers an industrial park with comprehensive port infrastructure, and that the sheer size and business reach of Shandong Port network will help channel foreign investment to Sabah.

Shandong Port Overseas Development Group has seven major municipal ports – Bingzhou, Dongying, Weifang, Qingdao, Rizhao, Yantai and Weihai which combined for 1.9-billion metric tons of cargo in 2021 and 30 million TEUs (container units). These ports are linked to a combined 313 shipping routes and 84 'Belt and Road' ports making Shandong Port is the largest port group in the world.

Shandong Port chairman Zhang Quan Cheng recognises POIC Lahad Datu as a key project to accelerate growth in East Asean and complements its logistics businesses in Southeast Asia, South Asia, the Middle East, Europe and West Africa.



CHARITY BEGINS AT DGK

At DGK, we believe in lending a hand to fellow Malaysians in need. Over the years and more recently during the multiple MCO lockdowns brought on by Covid-19 and also the seasonal floods which devastated communities, DGK has offered support in various forms stretching to the far corners of Malaysia, from Sungai Buloh to Bentong, to even East Malaysia, in the hope that we provided relief to those who needed assistance the most.



THE BENEFITS OF SETTING UP A PRIVATE COMPANY

The key benefit of setting up a private company is that the business becomes a separate legal entity, thus limiting the personal liability of the owners from business obligations incurred by the company. However, there are other advantages as well, particularly for a family business:

1. Survival of the business beyond the life of the founders
2. Option for estate planning
3. Clear separation of personal and business assets and money
4. Ability to attract quality staff to better operate and manage the business beyond family members
5. Ability to expand business beyond reliance on family members only, with the possibility of going public if circumstances permit
6. Option to distribute to members of family via dividend or salary
7. Option for alternative tax planning rather than just at personal tax level
8. Option for funding, through capital or gearing

Chee Suwen
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REPORTED CASE:

MUHAMMAD AMIN BIN ANUAR (BERAMAL SEBAGAI PEGUAM BELA & PEGUAM CARA DI FIRMA GUAMAN TETUAN AMIN CHAMBERS) V SEOW JING HUI & ORS

[2023] MLJU 1368

High Court (Shah Alam)

Jamhirah Ali JC

Guaman No BA-22ncvc-11-01/2021

23 June 2023

Muhammad Amin bin Anuar (Amin Chambers) for the plaintiff.

David Gurupatham (with Venothaniraja Gopal) (David Gurupatham & Koay) for the defendants.

Case summary:

- The plaintiff, an advocate and solicitor, and the defendants are his former employers.
- The plaintiff alleged the defendants of conspiracy, fraud, forgery, misconduct, and criminal offences in relation to the establishment and management of his law firm, Tetuan Amin Chambers, and the handling of various litigation and conveyancing files.
- The plaintiff applied for an interim Mareva injunction to restrain the defendants from using, disposing, or transferring his assets, identity, and documents that were allegedly misused by the defendants.
- The court dismissed the plaintiff's application and held that he failed to fulfil the requirements for a Mareva injunction, such as having a good arguable case, showing the existence and risk of dissipation of assets, and making full and frank disclosure of material facts.
- The court also held that the plaintiff's application was misguided and misconceived in law, as the reliefs sought were more akin to an interlocutory injunction than a Mareva injunction, and that the plaintiff did not provide sufficient evidence to support his allegations.

(For the full judgement and case analysis, [click here](#))



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