



Dr Zhen Ye

Year of Call: 2016

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Overview

Dr Zhen Ye is a busy advisory and court practice specialising in commercial, insolvency, company, construction and property law.

Zhen regularly appears in the High Court and County Court, acting for a wide range of clients. She is gaining recognition for her compelling and efficient advocacy, consistently demonstrating meticulous preparation. Her clients comment that Zhen is a "skilled advocate", she is "diligent, intelligent and pragmatic as ever in difficult circumstances", "exceedingly thorough, and "excellent..... both in preparation and in court". Zhen is appraised for her "exemplary handling" of dispute and "meticulous preparation and command of the brief was masterful".

Zhen is fluent in English and Mandarin Chinese and proficient in Cantonese Chinese and is especially in demand by China and South East Asia clients who value her approachability and attention to details.

Outside her busy work diary, Zhen's interests are reading, especially Chinese literature, and hot yoga.

Publications

These include *Controlling insider dealing through criminal enforcement in China*, *Journal of Financial Crime and Regulation of Insider Trading in China*, *Research Handbook on International Financial Crime*.

Recommendations

"A heartfelt thank you for your exemplary handling of my dispute.
Your meticulous preparation and command of the brief was masterful"

Client

Academic qualifications

- BPTC, BPP Law School, London
- GDL, BPP Law School, London
- PhD, Financial and Securities Regulation, Cambridge
- MPhil Development Studies, Cambridge
- LLM Competition Law, University College London

- LLB, Jilin University, China

Professional bodies

- Chancery Bar Association
- Property Bar Association
- Technology and Construction Bar Association
- Society of Construction Law
- Inner Temple

Expertise

Commercial

Zhen Ye's busy commercial practice focuses on disputes arising from commercial contracts, insolvency proceedings and company law. A significant proportion of the matters in which she acts raise questions on the application of commercial and contract law to complex, multi-party arrangements.

Commercial litigation and contractual disputes

Zhen frequently acts in cases with an international element, and is instructed as both sole and junior counsel. She has a particular interest in cross-border commercial disputes and international arbitration, having studied competition law and financial regulations in a comparative context, and being involved in several international arbitration cases.

Recent and ongoing cases

Acting for the franchisor: in a multi-jurisdiction franchise dispute involving allegations of fee violations and breaches of contract. Led by David Parratt KC.

A T I & E C Ltd: Advising the client on challenging an LMAA's award under section 67 of the English Arbitration Act 1996.... Led by David Parratt KC.

GLAS SAS (London Branch) v. European Topsoho SARL and Ors: Commercial court claim by a trustee against the issuer of €250m Secured Exchangeable Bonds, claiming breach of a failure to pay on the maturity date. The underlying dispute concerns a battle for the control of a high-brand fashion company listed on Paris Euronext. Led by Francis Tregear KC.

GLAS SAS (London Branch) v. European Topsoho SARL and Ors: in an Application for Norwich Pharmacal Order. Led by Seb Oram

Phones 4U Limited v. EE Limited & Ors: Zhen as instructed by Mischoon de Reya acting for Telefonica to assist in a junior capacity assisting in relation to proceedings brought by Phones 4U Limited (In administration) alleging conspiracy between EE, Vodafone, Telefonica and their parent companies (at the relevant time).

Toucan Energy Holdings Limited Toucan Gen Co Limited v Wirsol Energy Limited [2021] EWHC 895 (Comm); [2021] 4 WLUK 35: Zhen as instructed by Enyo Law to assist in a junior capacity in relation to the litigation of a dispute worth £7,000,000 within the context of the telecoms industry.

Company Law

Zhen regularly acts in complex corporate disputes, representing clients in contentious matters such as shareholder disputes, directorial breaches, and corporate governance challenges.

Recent and ongoing cases

SX-v- [M]QM (1); and CTMH Ltd (2) & Ors: Defending a complex unfair prejudice petition which sought changes to the company management arising from allegations of corporate misconduct. Led by David Berkley KC.

Partnership Dispute: advising in a partnership dispute over cross-border joint ventures.

Unfair Prejudice Petition: Successfully acting as sole counsel for the petitioner in an Unfair Prejudice Petition in the High Court.

Insolvency and restructuring

Zhen accepts instructions in a range of corporate and personal insolvency matters, with experience of acting for insolvency practitioners, directors, creditors, debtor companies, and trustees in bankruptcy.

Recent and ongoing cases

Injunctions: Successfully acting as sole counsel for the applicant in an Application for injunctions to restraint presentation and advertisement of winding up petition

Assets realisation: Successfully acting for the joint trustees in bankruptcy in proceedings to realise assets in the bankruptcy estate

Statutory demand: Successfully acting as sole counsel for a debtor in an Application to set aside statutory demand

IVAs: Advising debtors in relation to potential IVAs

Construction and engineering

Zhen Ye has a busy construction practice and is regularly instructed by individuals, commercial clients, and insurers to represent them in court, adjudication and arbitration, and advise them on a wide variety of construction and engineering disputes.

Recent cases include:

- Acting for the developer in an arbitration in a defects claim
- Successfully acting for the homeowner in a "smash & grab" adjudication
- Acting for the employer in an arbitration in respect of their termination of the contract
- Successfully acting for the contractor defendant in relation to allegations of defective works carried out at a dwelling
- Successfully acting for the contractor claimant in relation to unpaid invoices and defending the defendant's counterclaim of the alleged defective works
- Successfully acting for the contractor defendant in an application for security for costs
- Successfully acting for the homeowner claimant in a restitution claim
- Advising on recovery where unknown to the parties
- Advising on the enforcement of adjudication decision

Property and Estates

Zhen Ye acts for landlords and tenants in both residential and commercial property disputes. She also has significant experience in residential possession proceedings for rent arrears, anti-social behaviour, and claims involving defences of disrepair.

Zhen also appears frequently in the County Court and First-tier Tribunal on behalf of the landlords and tenants in claims concerning residential and commercial service charges, breaches of covenant and forfeiture proceedings.

Recent work:

- Successfully acting for a landlord in a claim against the former tenants for rent arrears and defending the former tenants' counterclaim for disrepair
- Successfully defending a tenant in the First-tier Tribunal for alleged breaches of restrictive covenants
- Successfully acting for a leasee in an enfranchisement claim
- Successfully acting for the landlord respondent to oppose the tenants' application for permission to appeal of a possession order
- Advising a leasee in respect of the landlord's restrictive covenants
- Acting for a tenant in forfeiture proceedings
- Advising a leasee on its ground and ability to terminate the lease and how to protect itself against any excessive dilapidation charges.

Articles

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