

MOHANADASS PARTNERSHIP  
*Advocates & Solicitors* ■■■■■

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A Solution for  
every Challenge

# KEVIN PRAKASH

Partner

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Kevin has an active practice in dispute resolution and has been involved in complex disputes in various forms since being called to the Malaysian Bar in 1998.

He is regularly engaged in trial and appellate advocacy at the High Court or the superior Courts in Malaysia and as counsel in arbitration. He has wide experience in diverse types of disputes including corporate and commercial disputes, contractual, civil and shipping disputes.

His principal practice is in engineering and construction disputes and has represented a diverse set of clients including employers, main contractors and sub-contractors in court litigation and arbitration.

## Career to Date

- 2016** Admitted to the Panel of Adjudicators, KLRCA
- 2015** President, Malaysian Institute of Arbitrators
- 2013** Member, Chartered Institute of Arbitrators
- 2012** Vice President, Malaysian Institute of Arbitrators
- 2010** Partner, Mohanadass Partnership, Kuala Lumpur  
Honorary Secretary, Malaysian Institute of Arbitrators
- 2009** Partner, Shook Lin & Bok, Kuala Lumpur
- 2001** Legal Assistant, Shook Lin & Bok, Kuala Lumpur
- 2000** Associate Consultant, PricewaterhouseCoopers, Kuala Lumpur
- 1998** Called to the Malaysian Bar
- 1996** Tax Assistant, Ernst & Young, Kuala Lumpur

## Practice Areas

Arbitration, Banking and Finance // Commercial Litigation //  
Corporate Litigation // Construction and Engineering //  
Telecommunication and Technology

## Qualifications

- 2002** LL.M (Hons) University of Malaya
- 1998** Admitted to the Malaysian Bar
- 1995** LL.B. (Hons) University of London

# Experience

## *Dispute Resolution*

- Represented a Ruler of a Malaysian state in the first ever trial before the Special Court established under Article 182 of the Federal Constitution pertaining to the call and drawdown on a standby Letter of Credit under the UCP500.
- Represented financial institutions in various matters including defending claims against a financial institution as well as in loan recovery actions in respect of conventional, retail and corporate credit facilities, trade facilities, performance guarantees, share margin facilities, leasing and enforcement/realisation of security including land and shares charges.
- Represented an owner of a large chemical storage facility in Malaysia in a claim for damages by vessel owners arising from a rupture of a cargo tank on a chemical tanker during nitrogen blanketing.
- Represented sub-contractors in an ICC Arbitration The ICC Arbitration in respect of disputes arising out of an EPC contract for the installation and commissioning of a export gas compressor on an offshore platform.
- Acted for the Claimant in an ICC Arbitration with a Malaysian seat in respect of a claim for damages arising from a breach of a coal supply agreement where the coal was required for a power plant in Malaysia.
- Acted for the Claimant in an UNCITRAL arbitration with a Malaysian seat in a claim for damages arising from early termination of a Topside Major Maintenance contract.
- Acted for the Claimant in a PAM arbitration in Kuala Lumpur in respect of various disputes arising from the construction of a Lecture Theatre and a Sports Complex for a private college in Kuala Lumpur.
- Acted for the main contractor in Ad Hoc arbitration in respect of disputes arising from insulation work during the construction/revamp of an ammonia plant in Sarawak.
- Ad Hoc arbitration in respect of the design and construction of a fire water loop system for the Kuala Lumpur International Airport (KLIA).
- Ad Hoc arbitration in respect of disputes arising from a hotel management agreement.
- Represented a Developer in a claim for damages arising from earth settlement on neighboring land said to be caused by a deflecting diaphragm wall.
- Arrest of a vessel, defence of a vessel owner in respect of a vessel collision in the Straits of Melaka; collision between a vessel and an offshore platform, and claims arising from damage to bulk cargo.

# Experience

## *Transactional*

- Represented a purchaser in the purchase of various parcels of land comprising 141 acres for a University project in Malaysia.
- Represented a Developer in negotiating and settling the terms of a building contract for the engineering, procurement, construction and commissioning of a University campus.
- Represented a client and collaborated with solicitors appointed by the Project financiers in the negotiations and drafting the EPC Main Contract for the design, engineering, procurement, construction of infrastructure and superstructure packages for the University project.
- Represented and advised the target company in respect of a voluntary conditional cash offer for the part purchase of the target company by vehicle of a private equity group.
- Advised a large Malaysian technology services company in respect of several contracts including drafting, reviewing, advising on and preparing all documents and agreements in respect of various tender exercises. This included advising the client, when necessary, on tender procedures and risk exposure in its tender exercise.
- Represented the Vendors in a transaction involving the sale of a private medical center to a medical services group in Malaysia. This included advising on the Share Sale Agreement and the Shareholders Agreement.

# Experience

## *Other*

- Member of a team of Monitoring Accountants of a large telecommunication company in Malaysia which underwent a restructuring exercise between 1998 and 2000 (PwC).
- Member of a team supporting the Receivers and Managers who assumed management of a large furniture manufacturing group of companies in Johor (PwC).
- Tax consultant at a leading tax consultancy (E&Y)

## Contact Us

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