

**Baker  
McKenzie  
FenXun.**

**Our Cyber Fraud  
Recovery Capabilities**



# Our Team in Hong Kong and Mainland China



## Hong Kong and Mainland China are common destinations for embezzled funds.

In today's global marketplace, disputes are growing in number and complexity. Businesses are facing intense competition and must manage the risks and challenges in doing business locally and internationally. Higher accountability standards and tighter regulatory scrutiny increase exposure and vulnerability.

We regularly represent clients who have fallen victims to cross-border frauds in all aspects of preservation and recovery, from reporting to enforcement agencies, to securing funds through court action and recovery in litigation.

With an internationally renowned dispute resolution practice comprising more than 900 disputes lawyers worldwide, 36 of which are based in Hong Kong and mainland China, our ability to combat, respond to and advise on cross-border cyber frauds is second to none.



## We have an outstanding reputation and an excellent track record of success.

Our multi-jurisdictional network of advisors provides an unparalleled platform to assist clients in recovering funds across borders.

Seamlessly sharing precedents and know-how across our offices around the world, we can quickly assemble the right team with the required level of skills to implement effective strategies required for the decisive resolution of disputes.

## What other say...

“The team is particularly active in cross-border disputes, especially those involving breach of contract and fraud, as well as insolvency and restructuring.”  
Chambers Greater China Region 2022, Dispute Resolution: Litigation (China, International Firms)

“... solicitor advocate Gary Seib is a renowned commercial litigation expert. Clients are impressed by his many years of experience, saying that he has 'very solid and broad experience in Hong Kong dispute resolution – you can see this from his advice.’”  
Chambers Asia Pacific, Dispute Resolution - China

“Simon Hui has excellent communication skills and a no-nonsense personality, and provides advice that is always to the point.”  
Legal 500, Dispute Resolution - China

### Strength in numbers

60+  
Jurisdictions

900+  
Dispute Lawyers  
(with more than  
300 dispute partners)



# Our Services

We are highly experienced in obtaining and advising on:



Court injunctions



Police liaisons/Investigations



Work with enforcement authorities



Disclosure from financial institutions to enable tracing and recovery



Recovery actions against fraudsters and third party recipients



Ancillary orders in support of foreign proceedings



Negotiations/Dealing with third party recipients



Corporate investigations



Training and cybersecurity advice

## The Baker McKenzie Difference



### Track record

We have an outstanding reputation, built on a track record for achieving successful outcomes in the recovery of funds embezzled in well over 100 cyber fraud cases.



### Depth of experience and strategic ability

We get straight to the real issues and provide clear, realistic and commercial advice aimed at the swift recovery of funds.



### Unique local capabilities, global reach and efficiencies

Presence of our local lawyers around the globe enables us to take prompt action around the clock - including reaching banks, police and other law enforcement agencies and courts quickly and effectively.



### Unparalleled coverage

We have over 900 disputes lawyers in more than 60 jurisdictions around the world who are able to assist with reporting, recover and legal action in countries where the fraud may have been committed or monies have ended up.



### Representation in Chinese Courts

We are the first law firm in China with a Joint Operation with local law firm, FenXun Partners, which enables us to represent clients in PRC local courts across China.



### Linguistic fluency

With local language capability, we are able to review source documents quickly and efficiently, reporting, recover and legal action in countries where the fraud may have been committed or monies have ended up.

# How We Have Helped

Acting for a **Scandinavian company** in tracing more than EUR 20 million released to more than 110 bank accounts in mainland China and Hong Kong. This is a highly sophisticated cross-border fraud as a large amount of funds were first routed to bank accounts in mainland China before being transferred to Hong Kong banks. Have been working closely with the Hong Kong police, the Finnish police and PRC police in different provinces (e.g. Shanghai, Anhui, Zhejiang and Shandong) since August 2018. Our China team also successfully assisted the client in freezing funds in Anhui Bengbu and Zhejiang Yiwu. We successfully recovered substantial amounts through the efforts of both the China and Hong Kong team.

Advising a **German private equity fund** in the tracing of EUR 1.6 million released by its portfolio company into Zhejiang, China and successfully recovered the monies in full. The portfolio company was defrauded into transferring the funds by a fraudster posing as the CEO of the PE fund. We took immediate actions to alert the recipient bank, and the defrauded amount was recovered in full.

Acting for a major **Japanese automobile manufacturer** in an email fraud case by an imposter pretending to be its senior executives. We liaised with the Hong Kong Police in freezing the funds in the suspected fraudsters' accounts. We also obtained a Court Order which enabled us to obtain information from the banks about the accounts in issue. This facilitated our tracing of the funds, which thereby enabled us to commence court actions against the recipients of the stolen funds.

Acting for a reputable **Australia-based listed company** in a sophisticated email fraud in which our client was defrauded into effecting numerous wire transfers to an account in Hong Kong after receiving multiple emails from its supplier, whose internal email system had been hacked earlier. We commenced tracing actions immediately and successfully recovered a substantial part of the stolen funds for our client.

Acting for a **bank based in the Middle East** in relation to a fraud committed through hacking into the Bank's SWIFT system, causing more than EUR 25 million to be transferred to various accounts in Hong Kong and in mainland China. In Hong Kong, we obtained disclosure orders, enabling us to commence actions against and negotiations with more than 20 defendants/recipients. Further, our China team also successfully assisted the bank in freezing funds which had been transferred to accounts in China and initiated the criminal proceeding in China for recovery. We eventually recovered over EUR 20 million for the bank.

Advising a **Dutch software company** defrauded into transferring USD 2 million into a Chinese bank account and successfully recovered the monies in full. We took immediate action to alert the recipient bank and report the fraud to the local police. The bank eventually blocked the funds and the monies were recovered in full.

# What clients say...

“ the Hong Kong team was described as very professional but at the same time very approachable and very friendly.”

“ the team was very keen to provide us with information and also provide multiple options when multiple strategies were being considered and multiple options were put on the table with recommendations.”

“ very complex and very high quality work.”

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## Key Contacts

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## **Baker McKenzie helps clients overcome the challenges of competing in the global economy.**

We solve complex legal problems across borders and practice areas. Our unique culture, developed over 70 years, enables our 13,000 people to understand local markets and navigate multiple jurisdictions, working together as trusted colleagues and friends to instill confidence in our clients.

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