

Representative Legal Matters

Paralee Techajongjintana

Administration

- Represented one of the world's largest chemical producers in a landmark administrative dispute regarding quality of the environment, natural resources, and public health. After the Supreme Administrative Court affirmed an injunctive order suspending the client's projects from further construction or development, we successfully represented the client in requesting alteration of the order to allow the client's projects to continue with construction, installation of machinery and equipment, and to proceed with the test run.
- Acted as lead counsel for one of the leading groups of power companies in Thailand in several administrative disputes relating to the client's power plant projects, regarding the revocation of power plant licenses due to various allegations involving environmental assessment reports, and law and regulations on town plans. Our representation included successfully challenging the injunction application, enabling the client to continue the construction of the power plant until the judgment is rendered.
- Acted as co-lead counsel for one of the Asia Pacific region's largest manufacturers of mixed C4, synthetic rubber, and synthetic latex products in a crisis situation following an explosion at the client's factory. The work involved close co-ordination with the Industrial Estate of Thailand (IEAT), the Office of Natural Resources and Environmental Policy (ONEP) and other government entities under the accident investigation and environmental assessment.
- Acted as lead counsel for one of Thailand's largest petrochemical companies in an administrative dispute regarding the establishment of an industrial estate. The work included defending the client against an emergency injunction made by an NGO to suspend the project.
- Acted as lead counsel for an electricity generating company in administrative proceedings regarding an NGO's request, pursuant to the Official Information Act, for access to information about our client's proposed power plant. The work included filing an appeal to the Office of the Official Information Commission's (OIC) original order, filing a case against the OIC's order which would result in the client's information being disclosed to the NGO, and eventually obtaining an emergency injunction preventing the government entity from disclosing information during the trial.
- Acted as lead counsel for one of the world's leading M&E contractors in an administrative dispute against the State Railway Authority of Thailand in one of Thailand's multi-billion infrastructure projects.
- Acted as lead counsel for one of Thailand's largest port operators in an administrative contract dispute against the Port Authority of Thailand to recover an incorrect surcharge and fine levied against the client.

- Represented a group of Thailand's largest infrastructure and real estate development corporations in relation to the projects of the Eastern Economic Corridor (EEC), whose objective is to transform Thailand into an ASEAN aviation hub.
- Represented one of the largest power plant operators in Thailand to enable their colossal biomass power project with its aim to provide an environmentally sustainable solution by successfully confronting an interim injunction petition until the Administrative Court's dismissal.
- Represented a real estate investor and developer in an administrative case involving Thai authorities and a district office over a dispute on road construction. The revolutionary aspect of the matter is that despite the enactment of the Act for the Establishment of Administrative Court to consider all administrative matters since 2001, there are no precedent cases regarding the power and required procedures for construction of a U-turn on public roads available.
- Represented the official receiver of a major commercial bank in bankruptcy to trace and recover assets of over USD 150 million from its former executives, in order to satisfy judgment debts following several successful convictions for embezzlement. The funds have been relocated across various jurisdictions around the world to avoid repayment, and to date the matter has involved multinational tracing, bankruptcy and recovery proceedings in Thailand, Switzerland and the UK.

Debt Restructuring, Business Reorganization, & Insolvency

- Assisted the litigator and consultant for Effective Planners Limited in the hostile rehabilitation process for a petrochemical company and its group of companies. This was one of the largest rehabilitation proceedings in Thai history. Her role included providing legal advice on preparation of the rehabilitation plan, advising on the strategy for obtaining approval of the plan and its amendments from creditors and the Bankruptcy Court, and overseeing defensive and offensive actions in implementing the rehabilitation plan.
- Acted for a group of major banks in a hostile rehabilitation proceeding and insolvency petition involving a major regional steel mill with debts exceeding USD 1.1 billion. Representation also included proceedings to challenge the rehabilitation petition submitted by the debtor and obtain a Temporary Absolute Receivership Order before a declaration of bankruptcy.
- Represented the client acting as a trustee in the bankruptcy of a parent company and ultimate owner of one of the largest steel pipe manufacturers in the world in managing and realizing all assets, strategizing and implementing legal actions covering reorganization law, corporate law, and criminal law while simultaneously tending to commercial and practical aspects for the client to deal with issues in a hostile scenarios in acquiring corporate control involving creditors with varying interests.
- Represented two branches of a prominent bank against claims that the client misled and defrauded a gold mining company established in Bangkok under a loan agreement and export contract, and successfully leading the client in the dismissal of the civil claim; In addition to this, the work involved analyzing the risks of debt restructuring both in-court and out of court, negotiating debt restructuring schemes and conditions with the debtor under the

reorganization plan of the parent company and dismissing every objection raised by other creditors to the debt repayment application.

- Advised a major bank in a wide range of issues to determine the approach and monitor the proceedings to recover funds that executives of the debtor embezzled and kept in accounts based in the foreign jurisdiction of which USD 13 million was successfully collected, trace assets further complicated by the lack of reciprocal enforcement arrangements between the Thai and English courts, navigate through judgments containing civil and criminal components, and solve complex issues arising from the status of the assets themselves.
- Represented a leading financial institution in lodging a civil claim and a business reorganization petition in connection with the return of convertible debentures by the borrower, a digital finance company specializing in motorcycle and agricultural equipment leasing, after its auditor identified fraud within the company in relation to falsified financial statements, as well as analyzing various approaches in the return of debt under convertible bonds.
- Represented the debtor after an absolute receivership order was entered against it, in filing a petition to request the official receiver to acknowledge and approve cancellation of the debtor's obligations under an agreement between a joint venture (in which the debtor is a partner) and the Electricity Generating Authority of Thailand (EGAT), so that the agreement would continue in force and payment would be made by EGAT to the joint venture, thus benefiting the non-bankrupt joint venture partner, the debtor's creditors, and the EGAT.
- Represented the client as the major creditor in the plan implementation stage of the business reorganization of the debtor, a real estate developer of hotels, condominiums, and retail space, and advising the client on steps to induce the plan administrator to release funds and/or condominium units and retail space to the client as provided under the plan.
- Represented a major trade creditor against a debtor, one of the largest steel manufacturers in South East Asia, and assisting in finding a balance between the company's future structure and the client's interests where the work covered advising on business reorganization proceedings, filing the application for debt repayment, participating in the debt investigation in order to protect the client's benefits and monitoring the implementation of the reorganization plan.
- Acted for the client as the major creditor of its debtor and automotive parts supplier during its business reorganization process, requiring frequent advice to protect both its production and financial interest in the ongoing relationship with the debtor; while complexities arose out of hundreds of individual loans and hire-purchase agreements calling for consolidation of all the client's accumulated rights for security.
- Advised a major textile manufacturer in the acquisition of shares in an industrial textile manufacturing company. Work included providing restructuring and share acquisition agreements and advising on a debt restructuring and share acquisition scheme for creditors, the company, and a new investor.
- Represented a group of companies in filing a petition requesting rehabilitation, including acting as a legal advisor for the planner in preparing the rehabilitation plan.



- Advised an investment company and a group of investors in the debt restructuring and incourt business reorganization of Bangkok Mass Transit Systems Public Company Limited (BTS), the sole operator of the sky train mass transit transport system in the Bangkok Metropolitan area. The restructuring scheme included the issuance of convertible bonds, debt-to-equity conversion, and security structuring.
- Represented a former executive of a prominent poultry business in monitoring a non-contentious business reorganization of the debtor in cooperation with the debtor's primary financial institute lender.
- Represented a significant trade creditor of an automotive parts manufacturer that has entered into business reorganization involving over 100 separate agreements; this includes providing legal advice, delicate negotiation, and a comprehensive analysis of the agreements, under which the debt accumulated contains varying rights.