



Oberon Kwok

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“Oberon is always meticulously prepared. He is articulate and persuasive.”

The Legal 500

Oberon is ranked as a Leading Junior in Insolvency and is described as *“always meticulously prepared. He is articulate and persuasive”* in the latest edition of the Legal 500 (London Bar).

His core insolvency practice spans the full range of corporate and personal insolvency and restructuring, in both domestic and cross-border contexts. He also has extensive experience in property law, company law and general commercial disputes.

Some of Oberon’s recent high-profile work includes:

- Advising on the recovery of a large, English-law governed investment made by a U.A.E. company into the failed development of a hydroelectric power plant in the Republic of Georgia.
- Successfully appearing in a winding-up dispute involving novel issues over the definitions of ‘premises’ and ‘occupier’ under the Electricity Act 1989 in *Odeon Arcade Ltd v Smartestenergy Business Ltd* [2025] EWHC 571 (Ch).
- Successfully appearing for depositors in the Vision Manchester tower block administration in reclaiming lost deposits paid to an insolvent developer, resulting in acceptance by the officeholders of the depositors’ claims of equitable purchaser’s liens in *Re Vision Manchester Ltd* (2025).

- Acting for the Government in its director's disqualification proceedings against Lex Greensill in *The Secretary of State for Business and Trade v Alexander David Greensill* (with David Mohyuddin KC).
- Acting for the officeholders in the Signature Living hotel group administration.
- Appearing in the Court of Appeal in *Ortiz-Patino v MGI Golf & Leisure Opportunities Fund Ltd* [2024] EWCA Civ 862 concerning a profit-sharing dispute over the famous Valderrama golf course in Spain (with Gary Blaker KC).

Oberon has been appointed to the Attorney General's London B Panel of Counsel as of September 2024.

Insolvency

Insolvency is a major area of Oberon's expertise. He is frequently instructed on corporate and personal insolvency matters both in London and nationally. He also has extensive experience of cross-border insolvency including matters under the Cross-Border Insolvency Regulations 2006.

Oberon's recent cases include:

- Advising on the recovery of a large, English-law governed investment made by a U.A.E. company into the failed development of a hydroelectric power plant in the Republic of Georgia.
- *Odeon Arcade Ltd v Smartestenergy Business Ltd* [2025] EWHC 571 (Ch) – Successfully appearing in a winding-up dispute involving novel issues over the definitions of 'premises' and 'occupier' under the Electricity Act 1989.
- *Re Vision Manchester Ltd* (2025) – Successfully appearing for depositors in the Vision Manchester tower block administration in reclaiming lost deposits paid to an insolvent developer, resulting in acceptance by the officeholders of the depositors' claims of equitable purchaser's liens.
- *Aldermore Bank plc v Lynch* [2022] EWHC 3050 (Ch); [2023] B.P.I.R. 597 – Appeal in relation to a trustee in bankruptcy's decision involving the alleged forgery of a bankrupt's personal guarantee (with William McCormick KC).
- *Watts v The Commissioners for Her Majesty's Revenue and Customs* [2021] EWCA Civ 1124; [2022] B.P.I.R. 324 – Successfully resisting an appeal seeking an extension of time to challenge a bankruptcy order on the basis of the effect of Covid-19 restrictions.

- *Lau v Cowley* [2020] EWHC 2429 (Ch); [2021] B.P.I.R. 312 – Appealing against a recognition order of foreign trustees in bankruptcy under the Cross-Border Insolvency Regulations 2006 on the basis of defective service (with Ian Clarke KC).
- *Ardawa v Uppal* [2019] EWHC 456 (Ch); [2019] Bus. L.R. 1075 – Successfully resisting an appeal on a bankruptcy annulment application, concerning the court’s jurisdiction to make retrospective substituted service orders.
- *Ardawa v Uppal* [2019] EWHC 1663 (Ch); [2019] Bus. L.R. 1943 – Successfully seeking costs on behalf of a petitioning creditor in protracted proceedings on an annulment application and appeal.

Oberon is regularly instructed in the following insolvency matters:

- Misfeasance, transactions at an undervalue, preferences, and other officeholder claims
- Injunctions to restrain presentation or advertisement of winding up petitions
- Applications to set aside statutory demands
- Administration applications
- Appeals against decisions made by officeholders
- Challenges to, and assessments of, officeholders’ remuneration and expenses
- Applications to annul a bankruptcy order or to rescind a winding-up order
- Income payments order applications
- Validation order applications
- Public and private examinations of bankrupts
- Possession and sale proceedings in respect of bankrupts’ properties
- Contested winding-up and bankruptcy petitions
- Cross-border proceedings, including under the Cross-Border Insolvency Regulations 2006
- Public interest winding-up petitions
- Directors’ disqualification proceedings

Real Property

Oberon is regularly instructed in property disputes, both large and small, in London and nationally.

His recent work involves acting in a multi-million Euro dispute in the Court of Appeal over the sale of the world-famous Valderrama golf course in *Ortiz-Patino v MGI Golf & Leisure Opportunities Fund Ltd* [2024] EWCA Civ 862, which followed a 7-day trial in the Business List of

the High Court in *Ortiz-Patino v MGI Golf & Leisure Opportunities Fund Ltd* [2023] EWHC 1203 (Ch).

He has a wide breadth of experience which includes the following:

- Injunctive proceedings
- Possession proceedings against tenants, mortgagors and trespassers
- Disputes over beneficial ownership, proprietary estoppel and TOLATA claims
- Equity of exoneration claims between mortgagees and joint mortgagors
- Claims of fraud, duress and/or undue influence against the enforcement of security by a mortgagee

Commercial

Oberon's work in general commercial litigation spans a variety of industries, including in construction, IT, energy, established and emergent technologies, and the supply of goods and services. He has an eye for detail and understands the commercial and practical interests of his clients.

His recent work involves acting in a multi-million Euro dispute in the Court of Appeal over the sale of the world-famous Valderrama golf course in *Ortiz-Patino v MGI Golf & Leisure Opportunities Fund Ltd* [2024] EWCA Civ 862, which followed a 7-day trial in the Business List of the High Court in *Ortiz-Patino v MGI Golf & Leisure Opportunities Fund Ltd* [2023] EWHC 1203 (Ch).

Oberon has considerable experience in dealing with interim remedies such as injunctions, security for costs, disclosure applications, and applications for strike out and summary determination.

Some of Oberon's recent instructions include:

- Economic tort claims for conspiracy to injure, unlawful means conspiracy, and inducing breaches of contract
- Frustration and force majeure claims arising out of the development of a new species of wind turbine and heating technology
- Rectification claim concerning the security provision of a lending facility
- Claims concerning the construction, interpretation and enforcement of large-scale facility agreements

Company and Partnership

Oberon has considerable experience in disputes involving alleged wrongdoing by company directors and in shareholder litigation. His recent cases include profit-sharing and unfair prejudice disputes, breaches of statutory and fiduciary duties, and shareholder redemption claims.

Oberon's knowledge in company matters is complemented by his in-depth experience of corporate insolvency.

Notable Cases

- *Ortiz-Patino v MGI Golf & Leisure Opportunities Fund Ltd* [2024] EWCA Civ 862; [2024] All ER (D) 123 (Jul) – appeal to the Court of Appeal concerning the interpretation of a profit-sharing agreement (with Gary Blaker KC).
- *Ortiz-Patino v MGI Golf and Leisure Opportunities Fund Ltd* [2023] EWHC 1203 (Ch) – Multi-million euro profit-sharing dispute over the sale of a famous golf course (with Gary Blaker KC).
- *Aldermore Bank plc v Lynch* [2022] EWHC 3050 (Ch); [2023] B.P.I.R. 597 – Appeal in relation to a trustee in bankruptcy's decision involving the alleged forgery of a bankrupt's personal guarantee (with William McCormick KC).
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