

Seminar on

Litigation: Discovery and Interrogatories

11 Nov 2011 (Friday) | 2:30 pm to 4:30 pm

Bar Council Auditorium (1st Floor), No 15 Leboh Pasar Besar, 50050 Kuala Lumpur

Registration Fees

Members of the Bar RM150 | Pupils in Chambers and Law Students RM50 | Non-Members RM200

Discovery is a compulsory process in civil proceedings by which a party can obtain, from other parties, documents that are relevant to their case but not in their possession. Parties should take full advantage of the discovery process and be aware of the array of issues that can arise on this subject, such as the duty of the solicitor in ensuring proper discovery is made; the types of documents that are exempted from disclosure (whether by reason of legal professional privilege, public interest immunity or otherwise); how far a party can obtain discovery from non-parties; and the discovery of expert reports.

Interrogatories, on the other hand, is provided in the Rules of the High Court 1980. It is an under-utilised discovery of facts process in the courts of Peninsular Malaysia these days. When would one file an application for interrogatories? When would such an application become a fishing exercise?

This seminar will focus on issues related to discovery and how they can be dealt with in practice, in addition to examining the process of interrogatories and its strategic use.



Ira Biswas has extensive experience in a wide spectrum of commercial litigation cases. Identified as a "Leading Name" in the field of dispute resolution by the 2002/2003 edition of *Asia Pacific Legal 500*, the 2007/2008 edition has also listed her as experienced in shareholder disputes, commercial fraud and company law litigation. Her key areas of practice are insolvency law and commercial frauds, banking litigation and debt recovery.

Ira Biswas is familiar with an extensive variety of subject matters in civil litigation, having dealt with clientele in many different industries. She is an experienced trial lawyer and has frequently appeared before the appellate courts in West Malaysia. She has also acted as solicitor and co-counsel in one of the country's most prominent civil trials in decades.

In 2009, Ira Biswas was appointed by the Prime Minister's Department to the Malaysia Law Reform Committee, tasked with advising the Malaysian Government on specific areas of law reform.



Nahendran Navaratnam was called to the Malaysian Bar in 1988 and has experience in handling trial and appellate matters involving corporate, commercial and administrative law disputes.

Nahendran Navaratnam is listed, amongst others, by *Asia Pacific Legal 500* and *Chambers* as a leading individual for both litigation and dispute resolution work in Malaysia.

Nahendran Navaratnam's experience in arbitration and dispute resolution include joint ventures, power purchase agreements, construction and building issues, geotechnical and planning law, professional practices and insurance law.

He is the author of *Trial Lawyers' Companion – A Handbook for Trial Practice in Malaysia* and *The Litigation Practice Manual*.

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For more details or to register, kindly contact
Ambran Abu Bakar (03-2050 2094; ambran@malaysianbar.org.my) or
Matthew Winfred (03-2050 2097; matthew@malaysianbar.org.my)

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I/ We would like to register for the seminar:

Name : _____

Email Add : _____

Member Pupil/Law Student Non-Member (Tick where applicable)

Name : _____

Email Add : _____

Member Pupil/Law Student Non-Member (Tick where applicable)

Name : _____

Email Add : _____

Member Pupil/Law Student Non-Member (Tick where applicable)

Name of Firm/Organisation : _____

Address : _____

Telephone : _____ Fax : _____

Date : _____ Signature : _____

Payment can be made by direct deposit (bank in to **Hong Leong Bank Berhad, No 9 Jln Tun Cheng Lock, 50000 Kuala Lumpur; Acc No 0006-10-001810-1; SWIFT CODE NO: EOBBMYKL**), or by cheque or bank draft (made payable to "**Bar Council**"). Payment by cash can be made at the ground floor of the Bar Council Secretariat. Registration will be confirmed once full payment is received.

Please be informed that all bank charges are to be borne by applicants; further processing fees will otherwise be levied.

All payments must be made in advance of the event. There will be no refunds if cancellations are made after **9 Nov 2011 (Wednesday)** but substitutions are allowed. All cancellations have to be done by email or facsimile.

There are limited places available and registration is on a first-come, first-served basis. Completed forms are to be forwarded to:

Bar Council
No 15 Leboh Pasar Besar, 50050 Kuala Lumpur
Tel No: 03-2050 2050
Fax No: 03-2032 2043/2026 1313

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