



Partner | Advocate & Solicitor (Singapore)

Mato Kotwani

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KEY PRACTICES

Corporate, Commercial & Civil Litigation

Criminal Law

Employment

Restructuring & Insolvency

Mato Kotwani is a partner at PDLegal LLC. His areas of practice include complex commercial litigation, white-collar crime, employment law, and corporate advisory in the fields of company law, data protection and other regulatory advice.

With over seven years of experience, Mato represents individual clients as well as organisations ranging from SMEs to multinational corporations. Mato is known for handling high-stakes cases before the State Courts, High Court, and Court of Appeal.

QUALIFICATIONS

University of Tasmania, LL.B.

Recognised as one of Singapore's Rising Stars in 2024 by the Asian Legal Business, Mato's work reflects a deep understanding of commercial disputes, criminal law, employment law and regulations, in the local and regional contexts.

MEMBERSHIPS

Member, Law Society of Singapore

Member, Singapore Academy of Law

CLAS Merits Test Panel, Law Society Pro Bono Services

Mato represents a diverse client base, ranging from individual clients to small and medium-sized enterprises (SMEs) and multinational corporations. His clients rely on his expertise for strategic advice and representation in complex litigation, regulatory compliance, and corporate disputes. Mato's ability to build trust with his clients is evidenced by his continued retention for sensitive and high-profile cases across various industries.

ADVISORY AND VOLUNTEER WORK

Advisor, Singapore Talent, Artistes & Resources Association (STAR)

Volunteer, Criminal Legal Aid Scheme (CLAS)

Mato's practice is divided into the following key areas:

- **Complex Commercial Litigation**

Mato has represented clients in significant disputes involving complex contractual arrangements with cross-border elements.

- **Criminal Defence**

Mato is known for his role as lead counsel in white-collar and general crime cases, handling matters from financial fraud and cheating, corruption, forgery, criminal breach of trust, money-

laundering offences, as well as other violent crime and serious sexual offences.

- **Employment Law**

Mato provides advisory services and represents clients in disputes related to employment law, including wrongful dismissal, sexual harassment, and unfair termination claims. His extensive knowledge of the Employment Act allows him to navigate the complexities of Singapore's regulatory environment. Mato was appointed as an expert contributor by the World Bank for the 2024 and 2025 Business Ready Report on employment law in Singapore, focusing on recent regulatory updates and best practices for businesses in the region. He also publishes articles and regularly gives talks on employment law matters in Singapore.

- **Advisory**

Mato's advisory practice covers a range of areas including company law, data protection, and corporate governance. He advises clients on regulatory compliance, drafts employment policies, and provides guidance on M&A transactions and corporate restructuring.

WORK HIGHLIGHTS

CORPORATE, COMMERCIAL & CIVIL LITIGATION

- Acted for a company involved in disputes with numerous other financial institutions who were claiming against the company for aggregate sums in excess of US\$30 million. This dispute involved elements of fraud by a listed company and cross-border issues involving multiple other parties.
- Acted for directors of a private equity fund, who were sued by the judicial managers of the fund for, *inter alia*, breach of directors' duties and unlawful means of conspiracy, for an aggregate sum of US\$40 million.
- Represented a distressed company in an application for a moratorium under the former section 211B of the Companies Act. The company was involved in telecommunications systems engineering and operated in Asia Pacific and the Middle East. Due to the COVID-19 pandemic, they faced a significant cash-flow crunch, which resulted in multiple claims by both trade and institutional creditors. We successfully obtained a moratorium which prevented creditors from commencing or continuing legal proceedings against the company during the moratorium period.
- Acted for a Plaintiff in a High Court suit involving fraud, misrepresentation and unlawful means conspiracy. The Defendants had through various misrepresentations and fraud induced the Plaintiff to invest monies into a financial product. The Plaintiff's case was that the Defendants then used the investments

to pay themselves exorbitant salaries and eventually depleted all funds invested.

- Acted for a Plaintiff (tenant) in a High Court suit involving a claim in misrepresentation against the landlord and property agent of a commercial property. The defendants had misrepresented that the commercial property was approved by URA for use as a restaurant.
- Represented a client who had contributed more than 95% of the purchase price of a HDB property. The second owner had contributed less than 5% of the purchase price and several years later tried to claim an almost equal share of the flat. Successfully obtained orders from the High Court for a sale of the flat with the sale proceeds to be divided in the proportion of 95% in favour of our client.
- Advised foreign clients on cross border issues such as enforcing of foreign judgments in Singapore as well as the taking of evidence in Singapore to assist in foreign proceedings.

CRIMINAL LAW (WHITE COLLAR CRIME)

- Acted for and advised numerous accused persons involved in prosecutions under the Prevention of Corruption Act (PCA). These charges involved offences relating to the corrupt solicitation or receipt of gratification, abetment of offences under the PCA as well as cases involving the making of false statements under the PCA.
- Acted for individuals charged under the Customs Act and the Good and Services Act for tax evasion.
- Acted for and advised individuals and companies charged under the Income Tax Act for numerous offences including making false statements relating to PIC claims and failure to file annual returns.
- Represented accused persons charged with various types of financial crime (theft, criminal breach of trust, money-laundering related offences under the Corruption, Drug Trafficking and other Serious Crimes (Confiscation of Benefits) Act (CDSA)).

CRIMINAL LAW (GENERAL CRIME)

- Acted for individuals charged with violence related offences.
- Acted for the accused person in *PP v Shawalludin bin Sa'adon*. The accused person was initially charged with murder. Charges were successfully reduced to voluntarily causing grievous hurt and secured a sentence of 5 ½ years imprisonment for the offender. [Link](#)
- Acted for an individual charged with causing hurt using a dangerous weapon. Through negotiations with the prosecution, obtained a reduction in the charge to voluntarily causing hurt. Successfully secured a lower sentence in Court as the victim had provoked our client.

- Acted for accused persons charged with various sexual offences including outrage of modesty, voyeurism and other sexual offences. Also acted for an accused person who was a nurse at the Institute of Mental Health and had committed a series of sexual offences against patients and ex-colleagues. [Link](#)
- Acted for individuals charged for various traffic related offences including dangerous driving, negligent driving causing death and driving whilst under disqualification.

ADVISORY

- Regularly advise both employees and employers on employment-related matters. This includes drafting and advising clients on employment contracts, acting for and advising clients in employment related disputes including wrongful termination and/or unfair dismissal and dismissal on grounds of serious misconduct. Also advises clients including employees at middle management and C-suite management on enforceability of restrictive covenants including non-compete/non-solicitation clauses.
- Advise businesses on data protection obligations. This includes reviewing the company's current PDPA policies and structuring appropriate defensive policies to ensure compliance during the employee or vendor's period of employment but also to ensure that employees and vendors continue to protect core interests post-service.

CAREER HIGHLIGHTS

- **Landplus Property Network v Y.H.H. Marine Engineering Pte Ltd [2024] SGDC 280** - Successfully defended a claim for commissions from a S\$9.5 million property sale, addressing complex issues in contract and agency law.
- **PP v CPS [2024] SGCA 59** - Acted as lead counsel in a novel case before the High Court and Court of Appeal, addressing reformative training for young offenders charged with serious sexual crimes, with significant implications for sentencing in sexual offence cases.
- **Bybit Fintech Ltd v Ho Kai Xin & Ors [2023] 5 SLR 1748** - Acted as part of a team for the Claimant in this seminal decision resulting in the High Court finding for the first time that crypto assets met the definition of 'property' and was capable of being held on trust.
- **Taking of Evidence in Aid of Foreign Proceedings** - Lead counsel in an application for evidence under the Evidence (Civil Proceedings in Other Jurisdictions) Act, dealing with complex cross-border issues related to shipping standards and quality control.

- **Public Prosecutor v Dinesh s/o Rajantheran [2023] SGDC 39-** Achieved a full acquittal for a client charged with bribery of judicial witnesses, challenging the credibility of key prosecution evidence.
- **Oleo Chem Far East Pte Ltd** - Represented a distressed company in defending against claims exceeding US\$30 million.
- **Large Scale Excise Duty Evasion** - Lead counsel defending a co-accused in a large-scale excise duty evasion case, resulting in a favorable sentence amidst complex regulatory issues. (<https://www.straitstimes.com/singapore/courts-crime/29-million-fine-for-supplier-who-was-part-of-largest-syndicate-involving-duty-unpaid-alcohol>)
- **CPIB Prosecution** - Acted as assisting counsel in a CPIB prosecution, successfully challenging the admissibility of confessions obtained under oppressive conditions.
- **World Bank Expert Contributor on Employment Law** - Appointed as one of four expert contributors on employment law in Singapore for the 2024 Business Ready Report, focusing on regulatory updates and best practices for businesses operating in the region.

OTHER REPORTED DECISIONS

- 3N Investments Group Ltd and another v Lim Boon Chye Victor and others [2023] SGHC 76
- Sng Jing Xiang Benjamin t/a Blink! Events & Entertainment v Xie Shun Heng and others and another suit - [2021] SGDC 248
- Public Prosecutor v Wong Poon Kay - [2023] SGDC 187
- Public Prosecutor v Allswell Marketing Pte Ltd - [2018] SGMC 48
- Ravindran s/o Kumarasamy v Public Prosecutor - [2023] 3 SLR 1343
- Jason Grendus v Stephen David Lynch and others - [2021] SGHC 191
- Wong Poon Kay v Public Prosecutor - [2024] 4 SLR 453