



Pariyapol Kamolsilp

Partner

Co-head of Dispute Resolution and Litigation Practice

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Languages

- Thai
- English

Education

- LL.M, Ohio State University, USA
- LL.B, Thammasat University, Thailand

Professional Qualifications

- Member, the Lawyers Council of Thailand

www.kudunandpartners.com

Kudun and Partners
23rd Floor, Unit C and F,
Gaysorn Tower
127 Ratchadamri Road,
Lumpini, Pathumwan
Bangkok, 10330, Thailand

Profile

Pariyapol joined Kudun and Partners in 2016 as a senior associate and was promoted to be a senior litigation partner in 2017. He has over 14 years of experience in dispute resolution, domestic and international arbitration extending to insolvency and bankruptcy. He started his legal career in 2007 grounded with an M&A focus and has become extremely adept at dealing with SEC issues. He has leveraged this experience to support Kudun and Partners's core specialties; Capital Markets and M&A.

Pariyapol has spearheaded difficult cases representing hundreds of creditors objecting to rehabilitation cases for large debt-ridden public-listed industrial companies, representing a leading telecommunications provider in a class action case, representing a Fortune 500 oil and gas company in foreign arbitration enforcement in Thailand as well as major breaches of real estate and major infrastructure construction contract dispute cases. His experience crosses a wide range of industries including engineering & construction, steel, mining, energy & power generation and telecommunications industries.

Areas of Expertise

- Dispute resolution and litigation
- Alternative Dispute Resolution including domestic and international arbitration
- Administrative and commercial disputes
- Restructuring and Insolvency

Professional Experience

- Senior Associate, Weerawong, Chinnavat & Partners
- Associate, Siam City Law Offices

Recent Awards and Recognitions

- Band 4 lawyer in Dispute Resolution by Chambers Asia Pacific, 2021
- Recognized as an outstanding lawyer by ALB Asia's 40 Under 40, 2020
- Recommended Lawyer in Dispute Resolution by Legal 500 AP, 2020-2021
- Notable Practitioner in Dispute Resolution by Asialaw, 2022 -2023

- Notable Practitioner by IFLR1000, 2019 – 2023
- Future Star in Commercial and Transactions by Benchmark Litigation, 2022
- Litigation Future Leader by Who's Who Legal, 2019
- Future Leader in Commercial Litigation, Global Guide by Who's Who Legal, 2022
- Recommended as National Leader in Commercial Litigation in Southeast Asia by Who's Who Legal, 2022

Practice Focus

A selection of matters in which Pariyapol has been involved include:

Commercial Disputes

- Representing LG Electronics (Thailand) Co., Ltd. on a dispute with its major authorized dealer with a total disputed amount of THB 130 million (USD 4.1 million).
- Representing one of the leading telecommunications providers and its subsidiary in Thailand in successfully defending the case, which includes a challenge on a request by the plaintiffs to apply class action procedure to this case concerning more than 41 million users in the amount totalling approximately THB 19 billion (USD 577.6 million).
- Representing a leading telecommunications company as a defendant against CAT Telecom Public Company on disputes regarding Thailand's telecommunication laws and regulations in a major case with a value of approximately THB 17 billion.
- Representing one of the largest national petroleum companies in connection with its investigation and litigation concerning its palm-oil business valued at THB 22.5 billion (USD 727 million).
- Representing a joint venture of leading international engineering and construction companies from Japan and Thailand in defending a dispute arising from an EPC Contract and in setting aside the arbitral award.
- Representing a China (PRC) registered solar panel manufacturer company and its five directors as defendants in the Central Intellectual Property and International Trade Court (IPIT Court) on a patent dispute between another company.
- Representing a leading residential property developer company in defending a condominium dispute case.
- Representing a leading securities brokerage company in defending a block-trade transaction dispute.
- Representing a leading securities brokerage company in challenging an order of the Securities and Exchange Commission with the Appeal Commission and the Central Administrative Court.
- Representing a leading sugar production company in a dispute arising under the Bagasse Fired Boiler contract with a Chinese company

through assisting the client to settle the claim on favorable terms at mediation.

- Representing a leading property and retail management company concerning a rental dispute.
- Representing a leading real estate developer company in defending a land dispute.
- Representing Ananda Development Public Co., Ltd. as well as Raimon Land Public Co., Ltd. and their subsidiaries concerning consumer protection claims.
- Representing Advanced Info Service Public Company Limited concerning a tax assessment case in the Central Tax Court.

Alternative Dispute Resolution including Arbitration

- Representing an integrated Engineering, Procurement and Construction (Integrated EPC) company in Thailand concerning arbitration dispute under construction contracts totaling THB 1.5 billion (USD 48.5 million).
- Representing an integrated Engineering, Procurement and Construction (Integrated EPC) company in Thailand concerning a breach of agreement in the International Chamber of Commerce (ICC) Arbitration.
- Representing Posco Plantec (Thailand) Company Limited concerning a breach of construction contract in the Thai Arbitration Institute (TAI).
- Representing Triple T Broadband Public Company Limited concerning breach of agreements, totalling THB 3.47 billion (USD 112.1 million).
- Representing a leading telecommunications company in defending an arbitration case for the claim of compensation arising from a concession agreement of over THB 20 billion (USD 646 million) filed by a state-owned company.
- Representing a leading financial technology service provider company in an international arbitration case (SIAC) to claim compensation arising from the material breach of acquisition agreements of approximately THB 742 million (USD 24.1 million).
- Representing a franchisee in a dispute regarding a Franchise Agreement in the Thai Arbitration Institute (TAI).

Administrative Disputes

- Representing a consortium, consisting of well-known Thai and foreign companies, in challenging the unlawful order dismissing its bidding proposal for Laem Chabang Port Phase 3 Project of the Port Authority of Thailand which had an initial value of approximately THB 155.834 billion (USD 5 billion).
- Representing Akara Mining Company Limited, in connection with the concessionaire cases concerning a gold mine concession.

- Representing Advanced Info Services Public Company Limited in challenging an order of the Office of National Broadcasting and Telecommunications Commission.
- Representing Nu Custol in one of the largest environmental impact claims in the southern region of Thailand and in protecting the client's oil and gas exploration development and production concessions.
- Representing a leading online payment solution in the region on its dispute with the Bank of Thailand (BOT) related to BOT jumping on the gateway solution business during its soft launch before the client obtained the license to operate.
- Representing Advanced Info Services Public Company Limited in challenging a petition to set aside an arbitral award.
- Representing National Power Supply Public Company Limited in a claim filed by the Stop Global Warming Association Thailand and 650 villagers with the Central Administrative Court regarding environmental issues.
- Representing CEC International Limited (Thailand Branch) in a claim filed by local fishermen with the Songkhla Administrative Court regarding environmental issues.

Bankruptcy and Rehabilitation

- Representing several key investors in objecting to a rehabilitation request against one of the largest automobile parts companies, YMPPD Amatanakorn Cholburi Company Limited.
- Representing approximately 400 debenture holders with a total defaulted debt of not less than THB 1 billion, which totals up as a major creditor group and played an important role in objection to the rehabilitation petition of Rich Asia Corporation Public Company Limited, a manufacturer and distributor of structural steel products, on the ground of suspicious financial status of the company.
- Representing approximately 39 debenture holders of UOB KayHian Securities (Thailand) Public Company Limited on behalf of 400 debenture holders for land and buildings foreclosure of Rich Asia Industry Company Limited as of a subsidiary of Rich Asia Corporation Public Company Limited under a total defaulted debt of not less than THB 1,000,000,000.
- Representing several key shareholders in a rehabilitation case and bill of exchange damages claim totaling THB 250 million (USD 8.1 million).
- Representing a Hong-Kong company, one of the largest investor-owned power businesses in Asia concerning the repayment of debts in a rehabilitation case.
- Representing Saha Farms Company Limited and its subsidiaries in a rehabilitation process.
- Representing Datamat Public Company Limited in a restructuring of its debt obligations with its creditors in the Central Bankruptcy Court.

Construction Disputes

- Representing a China (PRC) registered solar panel manufacturer company in successfully claiming outstanding engineering, procurement and construction (EPC) service fees on three solar energy projects with a value of approximately THB 700 million (USD 22.6 million).
- Representing a China (PRC) registered construction company in claiming outstanding fees on construction work with a value of roughly THB 300 million (USD 9.7 million).
- Representing Jiangxi Water and Hydropower Construction (Thailand) Co., Ltd. on an Engineering, Procurement and Construction (EPC) litigation case.
- Representing a construction company in claiming outstanding fees on the construction work from the project owner.

Criminal Cases

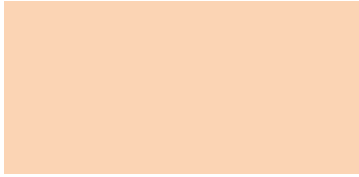
- Representing one of the largest national petroleum exploration and production company in Thailand concerning several criminal allegations made by its previous management.
- Representing a large group of investors in claiming against fraudulent companies and managements.
- Representing Mr. Atichart Chumnanont, a famous Thai actor, in a defamation claim against a modeling agency.

Publications and Presentations

- Co-author of Kudun and Partners' Business Rehabilitation Spotlight Series
- Panelist for "Comparative Perspectives on International Arbitration in Thailand and Singapore" in SIAC-THAC Bangkok Conference 2019 by Singapore International Arbitration Center.
- Leading a workshop on "Director's Liability Risks and Mitigation Plans" for the Asia-Mena Counsel's June 2019 In-House Congress held in Bangkok.
- Panelist for "Red alert: how to manage fraud the first few hours after it is discovered" in Asset Recovery Asia 2019 conference held in Singapore
- Panelist for "Getting your money back. Direct enforcement against assets or an insolvency process?" in Asset Recovery Asia 2018 conference held in Singapore

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- Recognized as an outstanding lawyer by ALB Asia's 40 Under 40, 2020
- Recommended Lawyer in Dispute Resolution by Legal 500 Asia Pacific, 2020
- Notable Practitioner by IFLR1000, 2019 – 2021



- Litigation Future Leader by Who's Who Legal, 2019
- "Pariyapol Kamolsilp is a well-recognized figure in the Thai market where he boasts a strong reputation as an excellent litigator." - Who's Who Legal, 2019