
Hughes Hubbard & Reed

Singaporean Court Upholds Arbitration Victory for Casino Operator

News & Events

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January 29, 2020 - Hughes Hubbard prevailed on behalf of Global Gaming Asset Management (GGAM) when the Singapore High Court (SGHC) upheld a partial arbitration award on liability issued in 2016 to the Las Vegas-based casino operator in its long-running dispute with a premier gaming resort owner in the Philippines.

On Jan. 3, SGHC -- the lower tier of the city-state's Supreme Court -- rejected Bloomberry Resorts' application to set aside the arbitral award on the ground that it was filed too late.

Judge Belinda Ang Saw Ean also denied Bloomberry's motion to oppose the enforcement of the award, concluding that it had failed to provide "strong and cogent" proof that GGAM CEO William Weidner or Paul Hastings -- HHR's predecessor counsel in the arbitration -- had misled the arbitral tribunal by concealing evidence.

Bloomberry has until Feb. 3 to appeal the decision, which generated headlines in Global Arbitration Review and other news sources around the world.

In September 2011, GGAM entered into a 10-year management services agreement (MSA) to develop, construct and operate Bloomberry's new Solaire Resort & Casino, a five-star casino and hotel then under construction in Entertainment City, Manila, Philippines.

Bloomberry, however, terminated the deal in September 2013, claiming GGAM breached the terms of its contract by allegedly failing to perform a variety of services, including delivering an expected number of high-rollers to Solaire's VIP gambling rooms.

In September 2016, a Singapore-based arbitration tribunal issued a partial award on liability, declaring wrongful Bloomberry's termination of the management services contract with GGAM. It also affirmed GGAM's ownership of

and right to sell over 921 million shares it held in Bloomberry.

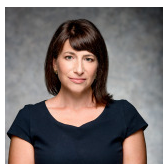
In September 2019, the tribunal issued a final award ordering Bloomberry to pay \$296 million to GGAM as compensation for the wrongful termination, including \$85.2 million for lost management fees, \$15 million in attorneys' fees and court costs, \$391,000 in pre-termination fees and expenses, plus post-award interest at an annual rate of 6 percent, which began 30 days after the award.

Dan Weiner, Hagit Elul and Meaghan Gragg represented GGAM in the arbitration. Drew & Napier and Allen & Gledhill co-represented GGAM before the Singapore High Court.

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