

IN THE GENERAL DIVISION OF
THE HIGH COURT OF THE REPUBLIC OF SINGAPORE

[2024] SGHC 142

Suit No 635 of 2010 (Summonses Nos 1924 and 1925 of 2023)

Between

Shieh Liang H

... *Claimant*

And

Google Singapore Pte Ltd and 395 others

... *Defendants*

JUDGMENT

[Civil Procedure — Writ of summons — Extension of validity of writ of summons]

[Civil procedure — Amendments — Amendment of writ of summons and statement of claim]

[Civil Procedure — Service — Service out of jurisdiction]

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Shieh Liang H
v
Google Singapore Pte Ltd and others

[2024] SGHC 142

General Division of the High Court — Suit No 635 of 2010 (Summonses Nos 1924 and 1925 of 2023)

Lee Siu Kin SJ

5 September 2023, 12 January, 24 May 2024

30 May 2024

Judgment reserved.

Lee Siu Kin SJ:

1 The two applications by the plaintiff, Mr Shieh Liang H, before me are as follows:

(a) HC/SUM 1924/2023 (“SUM 1924”), in which the substantive prayer is for leave to serve the Writ of Summons (the “Writ”) as well as all other documents in HC/S 635/2010 (this “Suit”) “upon (i) all Singapore Defendants (SD) who/which have only one single address in [Singapore], and (ii) SD who/which also have foreign addresses”; and

(b) HC/SUM 1925/2023 (“SUM 1925”), in which the substantive application is for leave to extend the validity of the Writ, and to file an amended Writ of Summons and an amended Statement of Claim.

2 The hearings for both summonses were conducted on 5 September 2023 and 12 January 2024. At the end of the second hearing, the plaintiff requested permission to file a further affidavit as well as an amended Writ of Summons and an amended Statement of Claim by 1 March 2024. The plaintiff stated that there was no need for further submissions as the documents to be filed (*ie*, the further affidavit, the amended Writ of Summons and the amended Statement of Claim) were for formal compliance. I granted his request and adjourned the hearing to await the receipt of those documents before considering the matter.

3 On 29 February and 1 March 2024, the plaintiff submitted some of the abovementioned documents and also sought an extension of time to 18 March 2024 to submit his documents.¹ I granted this request. On 14 March 2024, the plaintiff submitted more documents along with a further request for an extension of time to 23 March 2024.² I once again granted this request. This sequence of events repeated once more a week later: on 21 March 2024, the plaintiff submitted more documents along with a further request for an extension of time to 31 March 2024. I granted this request and indicated that this would be the *final* extension. The extensions of time were granted due to the exceptional circumstances of the present case which is not likely to be replicated.

4 Notwithstanding the final extension of 31 March 2024, the plaintiff continued submitting further documents across the period of March–May 2024.

¹ Letter to Court dated 1 March 2024 at para 4.

² E-mail to Supreme Court Registry dated 14 March 2024.

5 Having considered the plaintiff's submissions along with all the affidavits and documents that he had submitted prior to 12 January 2024, as well as the new documents that he submitted in February–May 2024, this is my decision on his applications in SUM 1924 and SUM 1925.

Procedural history

6 As this suit has a long history and was dealt with by four other judges³ over its 13-year odyssey, it would be useful to set out the significant events in this litigation.

The Writ of Summons

7 On 11 August 2010, the plaintiff filed the Writ in this Suit. He is the sole plaintiff, and he named a total of 149 defendants. The first six defendants are corporate entities based in Singapore and they are as follows:

- (a) first defendant: Google Singapore Pte Ltd;
- (b) second defendant: Yahoo! Southeast Asia Pte Ltd;
- (c) third defendant: Baker & Mackenzie Wong & Leow;
- (d) fourth defendant: PricewaterhouseCoopers CM Services Pte Ltd;
- (e) fifth defendant: PricewaterhouseCoopers Management Services Pte Ltd;
- (f) sixth defendant: Jones Day (Singapore).

³ The other four judges are Philip Pillai, Steven Chong, Tay Yong Kwang and Lai Siu Chiu JJ (as they then were).

The remaining defendants are corporations, partnerships and individuals which/who appear to be based in Taiwan.

The various interlocutory applications before the present applications

8 On 8 October 2010, the plaintiff filed HC/SUM 4752/2010 to apply for leave to serve the Writ outside of Singapore in respect of the seventh to 149th defendants, who were ostensibly based overseas. This was heard on 27 October 2010 by Assistant Registrar (“AR”) Nathaniel Khng, who dismissed the application on the ground that the case was not a proper one for service out of jurisdiction. The plaintiff’s appeal against this decision in HC/RA 442/2010 came before me on 17 August 2011. During that hearing, the plaintiff notified me that he was withdrawing the appeal. The result of this is that the decision of AR Nathaniel Khng on 27 October 2010 denying the plaintiff leave to serve the Writ on the seventh to 149th defendants out of jurisdiction is final.

9 On 8 March 2011, the plaintiff applied in HC/SUM 1013/2011 for an order that service on the seventh to 149th defendants may be effected by way of service on the first to sixth defendants. At the first hearing of this application on 19 January 2012, the plaintiff sought leave mid-way through his oral submissions to adjourn the matter in order to instruct a lawyer to act for him. In view of the fact that he was self-represented, I granted his application and adjourned the hearing to a date to be fixed. The plaintiff then applied for the validity of the Writ to be extended and I granted an extension until 10 August 2012.

10 At the adjourned hearing for this application on 31 July 2012, the plaintiff informed the court that he was unable to instruct a lawyer and would proceed with the application in person. He then applied for leave to withdraw

the application in respect of the 106th and 107th defendants on the ground that they are the same as the sixth defendant, as well as 123rd and 124th defendants on the ground that they are the same as the first and second defendants. He proceeded to make his submission in respect of the seventh to 149th defendants (excluding the 106th, 107th, 123rd and 124th defendants). After hearing his submissions, I dismissed the application on the ground that he had not shown any basis to order that service on the first to sixth defendants would constitute good service on the seventh to 149th defendants (excluding the 106th, 107th, 123rd and 124th defendants). After I had delivered by decision, the plaintiff sought to withdraw his application in respect of the seventh, eighth, ninth, 11th, 12th, 13th, 14th, 104th and 105th defendants. I granted him leave to do so and clarified that the plaintiff's application which I had dismissed related to the tenth and 15th to 149th defendants (excluding the 104th, 105th, 106th, 107th, 123rd and 124th defendants).

11 On 23 March 2011, four of the defendants applied to strike out this Suit, namely: the first defendant (in HC/SUM 1287/2011); the second defendant (in HC/SUM 1283/2011); the third defendant (in HC/SUM 1285/2011); and the sixth defendant (in HC/SUM 1284/2011). However, before these applications could be heard, on 6 April 2011, in HC/SUM 1504/2011, the same four defendants, *ie*, the first, second, third and sixth defendants, made a joint application for an order for the plaintiff to provide security for costs on the ground that he was not ordinarily resident in Singapore. This application was heard by AR Leong Weng Tat on 20 April 2011 and 4 May 2011. AR Leong Weng Tat granted the application and ordered the plaintiff to provide security for costs in the sum of \$32,000 within 14 days from 4 May 2011, failing which the plaintiff's claims against the first, second, third and sixth defendants would be dismissed without further order. The plaintiff appealed against this order in

HC/RA 147/2011. This was heard on 27 June and 22 August 2011 by Steven Chong J (as he then was) and he dismissed the plaintiff's appeal on 24 August 2011. The plaintiff then applied in HC/SUM 4271/2011 for leave to appeal to the Court of Appeal against the decision of Chong J. This was heard by Phillip Pillai J ("Pillai J"), who dismissed the application on 30 July 2012. Meanwhile, the fourth and fifth defendants also applied for security for costs in HC/SUM 3920/2011. AR Shaun Leong granted this application on 5 October 2011 and the plaintiff was ordered to furnish security in the sum of \$20,000 by no later than 19 October 2011. The plaintiff's appeal against this order in HC/RA 320/2011 was also heard by Pillai J who dismissed it on 30 July 2012. The result of these decisions, along with the fact that the plaintiff did not provide the security ordered within the time provided (or at all), is that the plaintiff's claims against the first to sixth defendants have been dismissed, at the latest, by 15 August 2012, which is two weeks after 30 July 2012, the date of Pillai J's decisions.

12 Prior to the present applications, the plaintiff had made various other interlocutory applications, all of which were either unsuccessful or withdrawn. The following are the other applications not already mentioned and its respective outcomes:

(a) On 12 April 2013, I heard and dismissed the plaintiff's application in HC/SUM 4840/2011 for judgment in default of appearance against the seventh to 149th defendants.

(b) On 26 June 2013, the plaintiff's application in HC/SUM 5716/2012 was heard by Lai Siu Chiu J (as she then was), who held that the application was substantively an application to rehear HC/SUM 4271/2011, HC/RA 320/2011 and HC/RA 147/2011, all of

which had already concluded. Lai J dismissed the application on the ground that she had no jurisdiction to grant the orders prayed for.

(c) On 25 July 2018, the plaintiff applied *ex parte* before Lai Siu Chiu SJ for injunctions against various defendants. This was dismissed by the judge.

(d) On 17 April 2018, the plaintiff filed HC/SUM 1832/2018 in which it is not clear what orders he was seeking. At the first hearing before me on 8 October 2018, the plaintiff made an oral application that I order all the defendants to attend a mediation session with him before me. I informed the plaintiff that, although it is the policy of the court to encourage mediation, I had no power to order the parties to go for mediation. The plaintiff informed me that he would like to attempt to get the defendants to go for mediation and applied for an adjournment of the summons, which I granted. HC/SUM 1832/2018 was brought before me again on 8 February 2023 at which time the plaintiff informed me that he had decided not to go for mediation with the defendants. Proceeding with the application, the plaintiff informed me that he was applying for: (i) an order in relation to the filing of documents; (ii) extension of the validity of the Writ for 12 months; (iii) leave to file a second amended Writ of Summons to amend the names of the defendants and renumber them, and to add more defendants; and (iv) leave to serve the Writ out of jurisdiction in respect of the seventh to 396th defendants. However, after I informed the plaintiff of the difficulties regarding his application, he applied to withdraw HC/SUM 1832/2018. I granted him leave to do so.

13 On 27 June 2023, the plaintiff filed the applications now before me, SUM 1924 and SUM 1925.

The plaintiff's claims

14 In the plaintiff's Statement of Claim filed on 11 August 2010, the plaintiff seeks damages for the harm caused to his reputation and business resulting from the deprivation of his rights, privileges and opportunities by the defendants. He also seeks damages suffered by his clients, potential clients, relatives and friends arising from the acts of the defendants. The Statement of Claim also prays for quashing orders of resolutions passed by various Taiwanese bar associations and legal entities of which he was formerly a member. The plaintiff alleges that the members of a group known as the "Wen-Lien Group" run an organised crime operation which had caused him to be disbarred in Taiwan and procured his removal from various associations which he was a member of. Additionally, the plaintiff alleges that the defendants were engaged in various conspiracies against him. It is notable that, aside from the fact that the first to sixth defendants are Singaporean entities, the remaining defendants and events do not appear to have any connection with Singapore, although there is a bare allegation that those defendants have assets in Singapore.

15 In terms of quantum, the plaintiff is seeking damages in excess of US\$1 trillion,⁴ plus special, exemplary and aggravated damages of not less than US\$10bn.⁵

⁴ Statement of Claim filed 11 August 2010 ("SOC") at para 1(4)(e)(i).

⁵ SOC at para 140.

My decision

16 As related (see above at [11]), the plaintiff's claim against the first to sixth defendants has been struck out since, at the latest, 15 August 2012. It has been more than 13 years since the Writ was filed on 11 August 2010. Not only does the plaintiff's case have no substantial connection with Singapore, it has only the barest of connection in that the first six defendants are Singaporean entities. More importantly, the plaintiff had failed to obtain an order for service of the Writ outside of Singapore in these 13 years. Given the parlous nature of the plaintiff's claims and his failure to prosecute them with due expedition, there is no ground whatsoever to extend the validity of the Writ which had expired since 10 August 2012. Therefore, SUM 1925 is dismissed. It follows that SUM 1924 would also be dismissed.

Lee Seiu Kin
Senior Judge

The plaintiff in person;
The first to 396th defendants absent.