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

[2026] SGHC 49

Originating Claim No 381 of 2023

Between

(1) Tan Hai Peng Micheal
(2) Tan Hai Seng Benjamin

(as the executors of the Estate of Tan Thuan Teck, deceased)

… *Claimants*

And

(1) Tan Cheong Joo
(2) Tan Seong Kok

… *Defendants*

Originating Claim No 382 of 2023

Between

(1) Tan Hai Peng Micheal
(2) Tan Hai Seng Benjamin

(as the executors of the Estate of Tan Thuan Teck, deceased)

… *Claimants*

And

Tan Seong Kok

… *Defendant*

Originating Claim No 201 of 2024

Between

(1) Tan Hai Peng Micheal
(2) Tan Hai Seng Benjamin

(as the executors of the Estate of Tan Thuan Teck, deceased)

… *Claimants*

And

(1) Tan Cheong Joo
(2) Tan Seong Kok
(3) Tan Siong Tiew
(4) Tan Siong Lim
(5) Fong Tat Holding Co Pte Ltd

… *Defendants*

JUDGMENT

[Civil Procedure — Costs]
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[2026] SGHC 49

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S Mohan J
10, 18 September, 18 November, 3, 9, 15 December 2025

6 March 2026 Judgment reserved.

S Mohan J:

1 Generative artificial intelligence ("GenAI") is reshaping the legal profession in a manner that can fairly be described as nothing less than a sea change. While the technological advances that GenAI has engendered is not in itself unwelcome, its integration into legal practice demands a commensurate evolution in professional responsibility. The very standards and ethical foundations of the profession depend on it. The responsibility that lies on the shoulders of every advocate and solicitor utilising GenAI has been repeatedly underscored in both the professional guidelines governing legal practice, and in judicial authorities. It is again re-emphasised in this judgment.

2 This case brought into sharp focus the timely issue of the use (or rather, misuse) of artificial intelligence ("AI") tools in the conduct of court

proceedings, and this judgment is the sequel to my earlier decision in *Tan Hai Peng Micheal v Tan Cheong Joo* [2025] SGHC 217 (the "First Judgment"). In this judgment, I will continue to adopt the same abbreviations I used in the First Judgment, particularly those in the section where I had discussed the issue concerning the citation of fictitious authorities.

Background Facts

Facts in the First Judgment

3 The background facts to this case are fully set out in the First Judgment. I do not propose to rehearse them here, but in brief, the main facts are as follows. The claim arose from several loans made by the late Tan Thuan Teck ("TTT") to the defendants. The defendants are (a) four brothers: Tan Cheong Joo, Tan Seong Kok, Tan Siong Tiew, and Tan Siong Lim (collectively, the "Defendants"); and (b) Fong Tat Holding Co Pte Ltd, a company in which the brothers are directors and/or shareholders.

4 TTT's sons, who are also the co-executors of his estate (the "Claimants"), commenced actions to recover sums they allege remain outstanding under the loans. There were three actions brought, namely HC/OC 381/2023, HC/OC 382/2023, and HC/OC 201/2024 (the "Suits"). The Suits were informally consolidated and I heard the trial last year.

5 In the First Judgment, I found that the Defendants failed to establish any of their defences and that the claim was made out. Accordingly, I granted the Claimants judgment in the Suits.

Facts material to the present judgment

6 Of central relevance to the present judgment is the fact that, in the Defendants' closing submissions, Mr Goh Peck San ("Mr Goh"), counsel for the Defendants, cited two fictitious authorities at paragraphs 67 and 68, abbreviated in the First Judgment as the "Relevant Paragraphs" (the "Fictitious Authorities Issue") – see the First Judgment at [95].[1] The Relevant Paragraphs cited two "cases", which I shall refer to as "Case A" and "Case B" respectively (collectively, the "Fictitious Authorities"). The fact of the Fictitious Authorities being cited was discovered by the Claimants' counsel, and highlighted by them in the Claimants' reply submissions.[2] As I noted in the First Judgment at [100], there were reasonable grounds to suspect that the citations were likely to have been generated by an AI tool.

7 I had initially intended to address the Fictitious Authorities Issue together with my decision on the merits of the Claimants' claim in the First Judgment. However, I considered it necessary to first obtain full and forthright responses from the parties on this issue, including from Mr Goh, and Mr Amarjit Singh Sidhu ("Mr Sidhu"), whom Mr Goh had engaged to assist with the preparation of the Defendants' closing submissions (see the First Judgment at [101]). As I had stated in the First Judgment at [102], I would consider the Fictitious Authorities Issue, together with all issues pertaining to costs, in greater detail in a separate judgment. This judgment deals with the question of the costs of the Suits as well as what consequences flow from the Defendants' counsel's citation of the Fictitious Authorities.

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1 Defendants' Closing Submissions filed 7 July 2025 ("DCS") at paras 67–68.

2 Claimants' Reply Submissions filed 4 August 2025 ("CRS") at para 58.

Chronology of Events

8 I first set out below the relevant background facts on the Fictitious Authorities Issue, following the court's investigations and compilation of the relevant information.

9 Counsel on record for the Defendants was Mr Goh. Mr Goh had at some point engaged another solicitor, Mr Sidhu,[3] to assist him in carrying out research for and in the drafting of the Defendants' closing submissions.

10 On 4 August 2025, the Claimants brought the Fictitious Authorities Issue to the court's attention in their reply submissions.[4] The Claimants highlighted that although the neutral citation and the name ascribed to Case A, *individually,* corresponded to real cases, the neutral citation belonged to an *entirely different case*[5] – thus, when put together, Case A with that name and that neutral citation did not exist. As regards Case B, *both* the name of the case and the neutral citation were entirely fictitious.[6] In addition, *neither* case (whether by neutral citation or by case name) supported the legal propositions that the Defendants claimed they established.[7]

11 Following these allegations, the court registry directed Mr Goh to respond and confirm if he agreed with the allegations raised by the Claimant. After a series of communications with the court,[8] on 10 September 2025, Mr

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3 Mr Goh Peck San's Letter to Court dated 17 September 2025.

4 CRS at para 58.

5 CRS at para 58.

6 CRS at para 58.

7 CRS at para 58.

8 Correspondence from Courts dated 26 August 2025; Correspondence from Courts dated 4 September 2025.

Goh eventually acknowledged and agreed with the Claimants' allegations, and explained that the Fictitious Authorities had been provided by a fellow solicitor whom he had engaged to assist with research – the fellow solicitor was not identified in Mr Goh's response.[9] He further stated that he was unaware of which AI tool had been used, expressed his regret, and sought the court's indulgence.[10]

12 As Mr Goh's response only raised more questions, the court deemed it necessary to seek further clarification. On 11 September 2025, the Defendants' counsel was directed (a) to identify the solicitor engaged to assist with the research for and in the drafting of the Defendants' closing submissions, including the law practice(s) in which the said solicitor practised; and (b) to confirm whether the research underpinning the Relevant Paragraphs was generated using an AI tool and, if so, which tool, and what steps, if any, were taken to verify the accuracy of the output.[11] Both Mr Goh and the solicitor he engaged were directed to provide their responses to the court and were reminded to provide full and forthright responses.

13 On 18 September 2025, Mr Goh informed the court that Mr Sidhu had been instructed by Mr Goh to assist in research and in drafting the submissions.[12] Mr Goh's response also enclosed a letter from Mr Sidhu dated 17 September 2025. In that letter, Mr Sidhu stated that the initial research and draft of the closing submissions were prepared by a paralegal (unnamed) who had since left the firm, that Mr Sidhu was unaware whether any AI tools had been used by the

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9 Mr Goh Peck San's Letter to Court dated 10 September 2025.

10 Mr Goh Peck San's Letter to Court dated 10 September 2025.

11 Correspondence from Courts dated 11 September 2025.

12 Mr Goh Peck San's Letter to Court dated 18 September 2025, containing Mr Amarjit Singh Sidhu's Letter to Court dated 17 September 2025.

paralegal, and that the draft submissions and cases were reviewed by Mr Sidhu and transmitted to Mr Goh.[13] Mr Sidhu conceded that he had overlooked the Fictitious Authorities. Although he later realised that the two cases he had sent to Mr Goh were not on point for the submissions made in the Relevant Paragraphs and informed Mr Goh that another case could not be located on LawNet and should be removed, he forgot to inform Mr Goh that the two cases he had sent were not on point. As far as the issues concerning Case A and Case B were concerned, he overlooked them.[14] Mr Sidhu further stated that despite Case A and Case B being fictitious, his firm maintains an internal database containing authorities that do support the legal principles set out at the Relevant Paragraphs.[15] Mr Sidhu also apologised to the court and to Mr Goh.

14 As these further responses were still incomplete and raised yet further questions, on 4 November 2025 (a day after the First Judgment was released), the court directed Mr Goh *and* Mr Sidhu (a) to provide details on the steps they had taken to verify the accuracy and existence of the Fictitious Authorities, (b) to indicate whether they had considered the need to include them in the Defendants' bundle of authorities,[16] and, in Mr Sidhu's case, (c) to confirm whether he had checked with the paralegal who assisted in drafting the submissions or verified whether AI tools had been used in the preparation of the draft closing submissions.[17] Both Mr Goh and Mr Sidhu were also asked to state

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13 Mr Goh Peck San's Letter to Court dated 18 September 2025, containing Mr Amarjit Singh Sidhu's Letter to Court dated 17 September 2025.

14 Mr Goh Peck San's Letter to Court dated 18 September 2025, containing Mr Amarjit Singh Sidhu's Letter to Court dated 17 September 2025.

15 Mr Goh Peck San's Letter to Court dated 18 September 2025, containing Mr Amarjit Singh Sidhu's Letter to Court dated 17 September 2025.

16 Correspondence from Courts dated 4 November 2025.

17 Correspondence from Courts dated 4 November 2025.

their respective positions on whether personal costs orders should be made against them, to provide reasons if they disagreed or, if they did agree to such an order being made, the proposed quantum thereof.[18]

15 Also on 4 November 2025, the court gave directions for the Claimants and Defendants to tender submissions on the appropriate orders to be made on the question of costs and disbursements in relation to the Suits.[19]

16 Pursuant to the directions given on 4 November 2025,[20] the Claimants filed their submissions on costs and disbursements on 18 November 2025,[21] and on 3 December 2025, Mr Goh furnished his submissions on the Fictitious Authorities Issue.[22] Mr Goh submitted that it had not occurred to him that Mr Sidhu might have used "non-traditional research tools", and Mr Goh was unaware that ChatGPT was a tool that could be used.[23] By reason of time pressures and his workload, he had not verified the existence of the Fictitious Authorities. He had communicated with Mr Sidhu via WhatsApp to state that he (Mr Goh) was unable to locate certain cited authorities online.[24] In response to these WhatsApp messages, Mr Sidhu acknowledged via email that he too was unable to locate those authorities and advised that Mr Goh refrain from relying

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18 Correspondence from Courts dated 4 November 2025.

19 Correspondence from Courts dated 4 November 2025.

20 Correspondence from Courts dated 4 November 2025.

21 David Lim & Partners' Letter to Court dated 18 November 2025.

22 Mr Goh Peck San's Letter to Court dated 3 December 2025.

23 Mr Goh Peck San's Letter to Court dated 3 December 2025.

24 Mr Goh Peck San's Letter to Court dated 3 December 2025.

upon those citations.[25] Mr Goh apologised and again sought the court's indulgence.[26]

17 In his submissions filed concurrently, Mr Sidhu admitted that he had provided the Fictitious Authorities citations to Mr Goh.[27] Mr Sidhu read the draft submissions about twice before sending them on to Mr Goh, and in doing so, made only minor grammatical and typographical edits.[28] He confessed that he had "honestly overlooked" the fictitious nature of the Fictitious Authorities.[29] He repeated his earlier explanation that the Fictitious Authorities had been provided by a former paralegal who had left the law firm in early July 2025 and was uncontactable.[30] Mr Sidhu enclosed copies of email correspondence and WhatsApp messages between himself and the paralegal requesting the paralegal's responses to the court's questions regarding the Fictitious Authorities Issue – Mr Sidhu did not receive any response from the paralegal.[31] Mr Sidhu also stated in his explanation that all staff in the law firm had previously been instructed by him not to use ChatGPT or any other AI tool for work.[32] Mr Sidhu apologised to the court and agreed that a personal costs order should be imposed. He proposed a sum of $1,500, and offered to bear Mr Goh's

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25 Mr Goh Peck San's Letter to Court dated 3 December 2025.

26 Mr Goh Peck San's Letter to Court dated 3 December 2025.

27 Mr Amarjit Singh Sidhu's Letter to Court dated 2 December 2025.

28 Mr Amarjit Singh Sidhu's Letter to Court dated 2 December 2025.

29 Mr Amarjit Singh Sidhu's Letter to Court dated 2 December 2025.

30 Mr Amarjit Singh Sidhu's Letter to Court dated 2 December 2025.

31 Mr Amarjit Singh Sidhu's Letter to Court dated 2 December 2025.

32 Mr Amarjit Singh Sidhu's Letter to Court dated 2 December 2025.

share of any costs so ordered.[33] Mr Sidhu further requested that the parties be allowed to deal with the matter privately.[34]

18 On 9 December 2025, counsel for the Claimants submitted that a personal costs order should be imposed jointly on Mr Goh and Mr Sidhu, and suggested a figure of $1,500–$1,600.[35] On 15 December 2025, Mr Goh, in his reply to the Claimants' submissions, acknowledged his non-delegable duty in preparing the Defendants' closing submissions.[36] Both Mr Goh and Mr Sidhu accepted that they should jointly bear costs personally on the Fictitious Authorities Issue, and agreed to pay $1,500. Mr Goh and Mr Sidhu requested that the court allow the matter to be resolved "privately", without being reflected in a court order.[37]

Parties' arguments

19 The Claimants seek an order for costs in the aggregate sum of $330,989.26 across the Suits, asserting that each matter required discrete legal work, subject to some limited overlap across the Suits.[38] The aggregate is apportioned as $108,803.77, $115,805.16, and $106,380.33 in respect of each Suit, respectively.[39] In respect of pre-trial costs, the Claimants conducted complex factual investigations and prepared evidence tailored to each Suit.[40] In

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33 Mr Amarjit Singh Sidhu's Letter to Court dated 2 December 2025.

34 Mr Amarjit Singh Sidhu's Letter to Court dated 2 December 2025.

35 David Lim & Partners' Letter to Court dated 9 December 2025.

36 Mr Goh Peck San's Letter to Court dated 15 December 2025.

37 Mr Goh Peck San's Letter to Court dated 15 December 2025.

38 David Lim & Partners' Letter to Court dated 18 November 2025 at para 29.

39 David Lim & Partners' Letter to Court dated 18 November 2025 at para 29.

40 David Lim & Partners' Letter to Court dated 18 November 2025 at paras 5–10.6.

respect of trial costs, the Claimants submit that the Defendants occasioned delay by failing to utilise scheduled court time efficiently.[41] In respect of post-trial costs, the Claimants had to address comprehensive submissions filed by the Defendants.[42] The Claimants applied discounts to the pre-trial, trial and post-trial costs ranging from 20% to 50% to reflect overlap between the Suits, which involved related parties and interconnected transactions.[43]

20 In response, the Defendants submit that the Claimants have "triple-counted" by charging thrice for work effectively undertaken once in a consolidated set of proceedings.[44] The Suits involved the same legal teams, documents, witnesses, and arguments, such that pre-trial costs warrant a reduction of 40%–60% and trial costs should be calculated on a single daily rate rather than on a per-suit basis.[45] The Defendants further contend that the Claimants have overstated the complexity of the work and seek recovery for tasks that had minimal impact on the court's decision. The Defendants submit that costs should reflect the reality of a single consolidated trial rather than three separate actions.[46]

21 With respect to the Fictitious Authorities Issue, as detailed above at [18], the parties are agreed that a personal costs order should be imposed on Mr Goh

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41 David Lim & Partners' Letter to Court dated 18 November 2025 at paras 11–18.

42 David Lim & Partners' Letter to Court dated 18 November 2025 at paras 19–22.

43 David Lim & Partners' Letter to Court dated 18 November 2025 at paras 10.6, 18, and 22.

44 Mr Goh Peck San's Letter to Court dated 2 December 2025 at para 22.

45 Mr Goh Peck San's Letter to Court dated 2 December 2025 at para 39.

46 Mr Goh Peck San's Letter to Court dated 2 December 2025 at para 39.

and Mr Sidhu.[47] Both parties, and Mr Sidhu, also agree that any personal costs ordered should be jointly payable by Mr Goh and Mr Sidhu.[48]

Issues

22 Given that the Claimants succeeded in their claims in the Suits, there is no dispute that costs should follow the event and that the Claimants are, as the successful party, entitled to costs of the Suits under O 21 r 3(2) of the Rules of Court 2021 ("ROC 2021"). The remaining issue, aside from the quantum of these costs, is whether a separate personal costs order (or orders) should also be imposed on Mr Goh and/or Mr Sidhu as a result of the Fictitious Authorities Issue, and if so, the quantum thereof.

23 Accordingly, in this judgment, I determine these questions in the following order:

(a) on the Fictitious Authorities Issue, whether it warrants a personal costs order against Mr Goh and/or Mr Sidhu;

(b) the quantum of any personal costs order(s) made against Mr Goh and/or Mr Sidhu; and

(c) the quantum of costs for the Suits that the Claimants are entitled to recover.

24 As I stated in the First Judgment at [95], to prevent further dissemination of false information, I refrain from repeating the actual citations of the Fictitious

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47 David Lim & Partners' Letter to Court dated 9 December 2025 at para 24; Mr Goh Peck San's Letter to Court dated 15 December 2025 at para 3.

48 David Lim & Partners' Letter to Court dated 9 December 2025 at para 24; Mr Goh Peck San's Letter to Court dated 15 December 2025 at para 3.

Authorities in this judgment. As abbreviated above at [6], they will simply be referred to as "Case A" and "Case B".

The Fictitious Authorities Issue

25 The first reported case in Singapore addressing the citation of fictitious authorities by counsel is *Tajudin bin Gulam Rasul v Suriaya bte Haja Mohideen* [2025] 5 SLR 518 ("*Tajudin*"), in which the solicitor concerned was ordered to pay costs personally for his citation of AI-generated fictitious authorities. In *Tajudin*, the learned Assistant Registrar Tan Yu Qing ("AR Tan") provided an excellent exposition of the law regarding the use of AI by counsel in court proceedings. To avoid repetition, I will not belabour those points apart from the ones most material to this case.

26 To begin, I observe that the troubling issue of counsel relying on AI-generated case authorities, without verification of their existence or accuracy, is attracting mounting concern in a number of jurisdictions. In less than a year after *Tajudin* was decided, more cases have emerged beyond those mentioned in *Tajudin*. For example, both *Tajudin* and the First Judgment cited the English decision in *Ayinde v London Borough of Haringey* [2025] 1 WLR 5147 ("*Ayinde*") – the judgment in *Ayinde* was published on 6 June 2025. On 2 July 2025, less than a month after the *Ayinde* judgment, the Federal Court of Australia handed down its judgment in *Murray (on behalf of the Wamba Wemba Native Title Claim Group) v Victoria* [2025] FCA 731 ("*Wamba Wemba*"), where the court observed as follows at [11]–[12]:

> 11. The Court's position arises out of a recognition that the use of AI is a rapidly evolving issue in legal practice. It is apparent from the consultation with the profession which has taken place to date that many members of the legal profession use AI in some form, and that they see it as a useful tool in the conduct of litigation. I note that the Law Society of Western Australia

> recently ran a snapshot survey on how the legal profession in WA is using AI, doing so to assist the Supreme Court of WA with its consultation process. The results demonstrate that the use of AI in that State is increasingly common, with over 50% of survey participants incorporating it into their practice. The results also record that the most used safeguard to ensure the accuracy and ethical use of AI-generated legal content is human verification, by a lawyer: The Law Society of Western Australia, *Summary of Results from the Law Society's Use of Generative AI Survey*, 2025.
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> *12. Whilst the use of AI in the legal profession is growing, practitioners must be aware of its limitations. It is critical that legal practitioners use proper safeguards to verify the accuracy of the work produced. Any use of AI must be consistent with the overriding duty of legal practitioners as officers of the Court and their fundamental obligation to uphold, promote and facilitate the administration of justice.* As stated by the Chief Justice in the Notice to the Profession:
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> > … the Court expects that if legal practitioners and litigants conducting their own proceedings make use of Generative Artificial Intelligence, they do so in a responsible way consistent with their existing obligations to the Court and to other parties. Further, it is also expected that parties and practitioners disclose such use if required to do so by a Judge or Registrar of the Court.
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> [emphasis in bold and italics added]

27 Shortly thereafter, on 15 August 2025, the Federal Circuit and Family Court of Australia handed down judgment in *JNE24 v Minister for Immigration & Citizenship* [2025] FedCFamC2G 1314 ("*JNE24*"). *JNE24* involved a case where the applicant's counsel similarly relied on fictitious cases in his submissions to the court as a result of AI-generated research. At [24]–[25] of *JNE24*, Judge Gerrard made the following pointed remarks on the dangers of AI-generated legal research:

> 24. What is common amongst the recent cases is the propensity of what has been referred to as AI hallucination (*Wamba Wemba* at [8]). There are now a concerning number of reported matters where reliance upon AI has directly led to the citation of fictitious cases in support of a legal principle. The dangers of such an approach are reasonably apparent but are

> worth stating. *First, if discovered, there is the potential for a good case to be undermined by rank incompetence. Second, if undiscovered, there is the potential that the Court may be embarrassed and the administration of justice risks being compromised. Relatedly, the repetition of such cases in reported cases in turn feeds the cycle, and the possibility of a tranche of cases relying upon a falsehood ensues. Further, the prevalence of this practice significantly wastes the time and resources of opposing parties and the Court. Finally, there is damage to the reputation of the profession when the clients of practitioners can genuinely feel aggrieved that they have paid for professional legal representation but received only the benefit of an amateurish and perfunctory online search.*
>
> 25. To be clear, *it is not the initial reliance on AI that constitutes the vice in such matters. It is the placing before the Court of false authorities or evidence that constitutes improper conduct and a breach of a legal practitioner's duty to the Court.*
>
> [emphasis in bold and italics added]

28 And shortly thereafter, on 12 September 2025, the Federal Circuit and Family Court of Australia handed down judgment in a third case from Australia – *Helmold v Mariya (No 2)* [2025] FedCFamC1A 163 (*"Helmold"*). In *Helmold*, the appellant's counsel admitted to using AI to assist in the preparation of the appellant's Notice of Appeal and Summary of Argument. At [7], the court reproduced the observations of Dame Victoria Sharp in *Ayinde* regarding the:

> … serious implications for the administration of justice and public confidence in the justice system if artificial intelligence is misused. *In those circumstances, practical and effective measures must now be taken by those within the legal profession with individual leadership responsibilities (such as heads of chambers and managing partners) and by those with the responsibility for regulating the provision of legal services. Those measures must ensure that every individual currently providing legal services within this jurisdiction (whenever and wherever they were qualified to do so) understands and complies with their professional and ethical obligations and their duties to the court if using artificial intelligence.*
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> [emphasis in bold and italics added]

29 In Singapore, likewise, *Forbes Monaco APAC v Kawajiri Seiji* [2026] SGHC 16 ("*Forbes*"), decided in January this year, represents yet another matter brought before the Singapore Courts involving the citation of fictitious authorities. The decision in *Forbes* follows in the wake of existing cases in Singapore such as *Tajudin* and *Landscape Engineering Pte Ltd v Dot Safety Solutions Pte Ltd* [2025] SGHC 214 ("*Landscape Engineering*"). While *Forbes* and *Landscape Engineering* concerned self-represented litigants rather than parties represented by counsel, all of the cases referred to above nonetheless demonstrate the prevalence of the problem.

30 I have referred to and reproduced excerpts from the Australian cases referred to above (at [26]–[28]) to underscore the seriousness of the matter – it strikes at the very heart of the proper administration of justice, and has the potential to severely undermine it. It can be seen from the cases surveyed in *Tajudin* and those I have cited above that across jurisdictions, courts are increasingly encountering cases in which either legal submissions have been prepared with the use of AI tools or such tools have been relied on for legal research and which have "hallucinated" plausible sounding but entirely fabricated legal authorities.

31 In my view, this phenomenon, if left unchecked, poses a serious threat to the administration of justice in Singapore, which relies heavily on lawyers to "ensure that the evidence and arguments adduced before the court are skilfully, *accurately* and fairly presented" [emphasis added] (*Attorney-General v Shahira Banu d/o Khaja Moinudeen* [2024] 4 SLR 1324 at [60]). And as also noted in *Ayinde* (at [5]), "the administration of justice depends upon the court being able to rely *without question* on the integrity of those who appear before it and *on their professionalism in only making submissions which can properly be supported*" [emphasis added]. The provision of fictitious authorities to the court

wastes precious judicial time and resources at best, if the error is discovered in time. At worst, it may lead to an erroneous decision made in mistaken reliance on such fictitious authorities, resulting not only in potential embarrassment but *more importantly*, a potential miscarriage of justice.

32 To be clear, there is no inherent objection in using AI tools *per se* – see Supreme Court Registrar's Circular No 1 of 2024, *Guide on the Use of Generative Artificial Intelligence Tools by Court Users* ("AI Circular"), at para 3(1); *Tajudin* at [40(a)]). In fact, it is beyond argument that AI tools are here to stay and will become an increasingly prevalent feature of our legal ecosystem. As observed by Judge Gerrard in *JNE24* at [25] (see [27] above), "it is not the initial reliance on AI that constitutes the vice in such matters". However, AI tools can only ever play the part of the handmaiden. The fundamental point remains that lawyers bear ultimate responsibility for ensuring that all materials placed before the court – including case authorities – are, *without exception*, true and accurate, and crucially, *verified* by them to be so. In view of this inescapable duty as officers of the court, it is immaterial whether the fictitious authorities were generated by an AI tool or by any other means. It goes without saying that a lawyer practising at the Singapore Bar who permits fictitious authorities to be submitted to the court risks contravening, among others, the AI Circular (in a case where AI is used), the Supreme Court Practice Directions, and the Legal Profession (Professional Conduct) Rules 2015 (see, generally, *Tajudin* at [51]–[59]).

33 It is for this reason that I cannot countenance Mr Goh and Mr Sidhu's requests that they be allowed to resolve the question of costs privately among the parties. It is in the interests of both the public and the legal profession that the matter *not* be dealt with privately.

Whether Mr Sidhu can also be held responsible by way of a personal costs order

34 Before considering the issue of personal costs orders substantively, I first address a preliminary point. In determining the question of whether a personal costs order should be made in this case, I do not regard it as an impediment that Mr Sidhu was not the counsel on record for the Defendants. A personal costs order may be made against *any* solicitor responsible for the conduct in question. This is made clear by O 21 r 6(1) of the ROC 2021:

> Adverse costs orders against solicitor (O 21, r 6)
>
> 6.—(1) If *the solicitor is responsible, either personally* or through an employee or agent, for incurring costs unreasonably in the proceedings, the Court may —
>
> > (*a*) disallow the costs as between the solicitor and his or her client in whole or in part;
> >
> > (*b*) order the solicitor to repay to his or her client costs which the client has been ordered to pay in the proceedings; and
> >
> > (*c*) *order the solicitor to indemnify any other party in the proceedings for costs payable by them.*
>
> [emphasis added]

35 Order 1 r 3 of the ROC 2021 further defines "solicitor" as possessing the same meaning as in s 2 of the Legal Profession Act 1966 (2020 Rev Ed), which, in turn, defines a "solicitor" as any solicitor of the Supreme Court. On this basis, the term "solicitor" would, in my view, be wide enough to include Mr Sidhu, even if he was not the counsel on record. Alternatively, I am satisfied that the court does have the inherent power to impose a personal costs order against Mr Sidhu, as an officer of the court, if his actions or omissions resulted in costs being unnecessarily or unreasonably incurred in proceedings before that court.

36 Accordingly, in my view, the court is empowered to order costs against a solicitor personally even if he or she did not formally participate or appear in the proceedings, so long as the solicitor can be said to have been *responsible for* costs being incurred unreasonably in the proceedings. In this regard, and in fairness to Mr Sidhu, Mr Sidhu did not contend, and rightly so, that the court could only make a personal costs order against Mr Goh as counsel on record for the Defendants.

37 With this preliminary point out of the way, I turn now to consider whether a personal costs order should be made against Mr Goh and/or Mr Sidhu.

Applicable framework

38 It is trite that advocates and solicitors in Singapore may be held personally liable for costs under the court's inherent powers. For civil proceedings, this power is codified in O 21 r 6 of the ROC 2021 – see *Zhou Tong v Public Prosecutor* [2010] 4 SLR 534 ("*Zhou Tong*") at [22] and [25], also cited in *Tajudin* at [43].

39 Guidance on the exercise of the court's powers with regard to the imposition of personal costs orders is provided by the three-stage test articulated in *Ridehalgh v Horsefield* [1994] Ch 205 ("*Ridehalgh*"):

(a) first, the court determines whether the advocate and solicitor has acted improperly, unreasonably, or negligently ("Stage 1");

(b) second, if so, whether such conduct has caused the other party to incur unnecessary costs ("Stage 2"); and

(c) third, if again answered affirmatively, whether it is in all the circumstances just to order the advocate and solicitor to compensate the other party in whole or in part for the costs incurred ("Stage 3").

40 As I noted above at [21], neither Mr Goh nor Mr Sidhu objected to the making of a personal costs order against them and in fact, both agree to personally bearing costs arising from the Fictitious Authorities Issue. This was, in my view, a sensible course for them to take given the circumstances of this case. Nonetheless, I address the issue for completeness, particularly in the light of the still-evolving nature of cases involving the citation of fictitious authorities.

Stage 1: Whether Mr Goh and/or Mr Sidhu acted improperly, unreasonably, or negligently

41 It has already been made clear in *Tajudin* that the citation of fictitious cases constitutes sanctionable misconduct. This position is also reflected in the AI Circular at para 5(9)(a), which provides that where a lawyer cites a fictitious AI-generated authority to the court, *inter alia*, a personal costs order may be made against him.

42 As noted in *Tajudin* (at [84]–[85]), not only is it unreasonable for a solicitor to be blindly reliant on AI-generated authorities, if the solicitor fails to verify the accuracy of all cases put before the court, such failure would also amount to negligent conduct in failing to act with the competence reasonably expected of solicitors. But it is not just the "unreasonable" or "negligent" limbs in *Ridehalgh* that I am concerned with and wish to address. Rather, I turn to the fact that Mr Goh's conduct was, in my view, clearly improper.

43 *Ridehalgh* defines improper conduct as follows (at 232–233, and cited in *Tajudin* at [49]):

> 'Improper' [conduct] covers but is not confined to, conduct which would ordinarily be held to justify disbarment, striking off, suspension from practice or other serious professional penalty. It covers any significant breach of a substantial duty imposed by a relevant code of professional conduct. But it is not in our judgment limited to that. *Conduct which would be regarded as improper according to the consensus of professional (including judicial) opinion can be fairly stigmatised as such whether or not it violates the letter of a professional code.*
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> [emphasis original to *Tajudin*]

44 Several facts, when considered together, are particularly striking in this case. Most notably, Mr Goh failed to exercise due care and diligence in verifying the existence of the Fictitious Authorities. Notwithstanding the explanations provided, it is still not apparent who took on the ultimate responsibility for finalising the Defendants' closing submissions prior to filing them. In the absence of any contrary indication, it must be assumed that Mr Goh, as the counsel on record for the Defendants, undertook that responsibility. In doing so, he had a non-delegable duty to ensure that the submissions were complete, accurate, and properly verified. By appending his signature to the final version of the submissions that were filed and served, he thereby accepted personal responsibility for all material submitted to the court.

45 Further, it would have been manifestly obvious, or ought reasonably to have been so, to any competent solicitor that the bundle of authorities accompanying the submissions was *incomplete*. It should, and must, have been plainly evident to Mr Goh that Case A and Case B were not included in the bundle of authorities that was to accompany the closing submissions – a reasonably diligent solicitor would have picked up on this as a potential red flag. That Mr Goh took no steps to address this glaring omission is a clear indication

that his conduct fell short of that expected of an officer of the court. The proper and expected course of action would have been for Mr Goh to spend the time to track down and verify the existence of the missing authorities. If the missing authorities could not be found, Mr Goh should have removed all references to them from the submissions altogether and to replace those references with *actual cases* on the point (verified to exist), and for those cases to be included in the bundle of authorities – these are not extraordinary steps that the court expects from counsel, but basic ones.

46 But leaving aside Mr Goh as counsel on record, Mr Sidhu's role and conduct in the Fictitious Authorities Issue was also improper. Mr Sidhu acknowledged in correspondence that he "overlooked" the Fictitious Authorities, although he realised that the two cases he did in fact send to Mr Goh were not on point.[49] Even if the matter had not arisen to his attention, he ought to have recognised that a paralegal is not qualified to prepare written submissions independently, and that proper supervision and the verification of all authorities was his ultimate responsibility. To cross-check that the cases cited in the Relevant Paragraphs actually existed was not an onerous task. Yet, despite having read the draft submissions "about twice", the Fictitious Authorities referred to in the Relevant Paragraphs were not picked up by Mr Sidhu.

47 Mr Sidhu further asserted that his firm maintains an internal database containing authorities that support the legal principles set out in the Relevant Paragraphs – implying that his error was citing incorrect authorities in support of otherwise correct propositions.[50] This argument is, in my view, without merit

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[49] Mr Goh Peck San's Letter to Court dated 18 September 2025, containing Mr Amarjit Singh Sidhu's Letter to Court dated 17 September 2025.

[50] Mr Goh Peck San's Letter to Court dated 18 September 2025, containing Mr Amarjit Singh Sidhu's Letter to Court dated 17 September 2025.

and misses the point. Mr Sidhu's duty as a solicitor and officer of the court was to ensure that *every* authority referred to and relied upon in the closing submissions that he was tasked to prepare was *verified to actually exist* and confirmed to be accurate. Of particular gravity is that Case A could, in fact, be mistaken to be a real case, in the sense that the neutral citation and the case name, *if each were viewed in isolation*, actually existed.

48 Finally, I found it extraordinary that between Mr Goh and Mr Sidhu, the issue fell between two stools and *neither* solicitor took the time or trouble of actually verifying the existence and veracity of the Fictitious Authorities. As I indicated above, for Case A, the neutral citation and the case name were individually correct, but when *paired together* formed an entirely non-existent case.[51] Case B was arguably more egregious – it was entirely fictitious.[52] Neither the neutral citation nor the case name, even if individually searched in a search bar of an internet browser, or a research tool such as LawNet, would have turned up an existing case.

49 That said, I accept that unlike counsel in *Tajudin*, Mr Goh and Mr Sidhu did not seek to evade responsibility. Their acceptance of the Claimants' allegations and their apologies are duly noted, and I accept that their conduct was not intentional. However, their remorse does not detract from the inherent seriousness of their conduct.

50 What has been a disconcerting feature of this saga is that despite multiple letters from the court, Mr Goh and Mr Sidhu remain unable to provide confirmation on whether the Fictitious Cases had been included in the closing

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51 CRS at para 58.

52 CRS at para 58.

submissions as a result of the use of an AI tool to prepare a draft of the submissions. Even after all their explanations, no such confirmation was forthcoming from either Mr Goh or Mr Sidhu. As I observed in the First Judgment, it was plainly evident that such a tool was most likely employed, and hence the hallucination in terms of the Fictitious Authorities. The fact that neither Mr Goh nor Mr Sidhu could shed any light on this question demonstrated to me the sheer lack of diligence displayed. All that was before me was Mr Sidhu's assertion that the paralegal who prepared the draft submissions was no longer with the firm and uncontactable, and that he had previously instructed his staff not to utilise such tools.[53] But the fact that the Fictitious Authorities were included in the draft submissions without being picked up by Mr Sidhu (and, it would appear to me, with no inkling whether any AI tools had in fact been utilised by the paralegal) indicates a lax system of control and supervision.

51 In *Iskandar bin Rahmat v Public Prosecutor* [2021] 2 SLR 1151 at [53], the Court of Appeal issued a reminder that it is the professional responsibility of counsel to ensure that all suits and applications filed are grounded on a proper legal basis. An application that is entirely devoid of legal foundation, if filed recklessly and without any legitimate basis, may attract adverse costs consequences for the applicant or even for his counsel. That reminder may be usefully extrapolated and equally applied to a situation where counsel are responsible for the citation of fictitious authorities to the court. The rationale underpinning personal costs orders is that the court has both the right and the duty to supervise the conduct of its advocates and solicitors, and to penalise conduct that tends to defeat or upend the administration of justice (*Tajudin* at [45], citing *Zhou Tong* at [23]). A solicitor who employs GenAI tools without

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[53] Mr Goh Peck San's Letter to Court dated 3 December 2025, containing Mr Amarjit Singh Sidhu's Letter dated 2 December 2025 at para 5.

verifying the accuracy of the output, irrespective of his or her awareness (or otherwise) of the propensity of GenAI tools to hallucinate, bears responsibility to, among others, the court for any misuse arising therefrom – this is why the cases make clear that the vice is *not* in the use of GenAI *per se* but *the lawyer's omission to verify* the existence and accuracy of the authorities cited in the output generated by the GenAI tool utilised – it is that omission that threatens to harm the proper administration of justice.

52 In my view, and bearing in mind the points raised above, this is a clear case that warrants the solicitors responsible being sanctioned by the court.

Stage 2: Whether Mr Goh's and/or Mr Sidhu's conduct caused the Claimants to incur unnecessary costs

53 The second and third limbs of the framework in *Ridehalgh* are more easily dealt with. On unnecessary costs being incurred, the Claimants submitted that by reason of the Fictitious Authorities Issue, their counsel expended time and resources to not only deal with, but also to locate and verify (a) the existence of the Fictitious Authorities, and (b) the contents of the Fictitious Authorities.[54] The Claimants appended to those submissions an estimate of the costs incurred for work undertaken specifically in relation to the Fictitious Authorities Issue.[55] Mr Goh and Mr Sidhu did not dispute these submissions, save that they did not agree that their conduct should be characterised as "egregious".[56]

54 One of the principles, albeit not the only one, that undergirds the imposition of personal costs orders is that of compensation – in that such orders

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54 David Lim & Partners' Letter to Court dated 9 December 2025 at para 13.

55 David Lim & Partners' Letter to Court dated 9 December 2025 at para 14 and Annex A-2.

56 Mr Goh Peck San's Letter to Court dated 15 December 2025.

are intended to compensate for expenses incurred as a result of improper conduct by a solicitor (*Tajudin* at [61]–[63]).

55 Compensation is particularly warranted where the fictitious authorities cited relate to a central issue in dispute. That was the position in the present case. The Fictitious Authorities bore *directly* upon the question of whether the burden of proof on the material issue of whether TTT was an "excluded moneylender" under the Moneylenders Act (Cap 188, 2010 Rev Ed) ("MLA") lay on the Defendants or the Claimants. As a result, the Fictitious Authorities Issue resulted in expenditure of time and resources that could not be said to be trivial. Costs were undoubtedly incurred unnecessarily and unreasonably.

Stage 3: Whether it is in all the circumstances just to order Mr Goh and/or Mr Sidhu to compensate the Claimants for the whole or any part of the relevant costs

56 On the issue of just compensation, the Claimants submit that the Fictitious Authorities were cited in support of a central plank of the Defendants' case[57] – that the Claimants (and not the Defendants) bore the burden of proving that TTT was an excluded moneylender under the MLA.[58] Given that the court had expressly directed the parties to address the issue of burden of proof in their closing submissions, the Fictitious Authorities had the potential to materially affect the court's reasoning and, consequently, the outcome of the case.[59]

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57 David Lim & Partners' Letter to Court dated 9 December 2025 at para 16–17.

58 David Lim & Partners' Letter to Court dated 9 December 2025 at para 16–17.

59 David Lim & Partners' Letter to Court dated 9 December 2025 at para 16–17.

57 The Claimants also submit that, notwithstanding the need for immediate, full and truthful explanations (*Tajudin* at [72(c)]; *Ayinde* at [24]), the responses provided by Mr Goh and Mr Sidhu have been unclear and gaps still remain.[60]

58 Mr Goh and Mr Sidhu did not seriously dispute these contentions.[61]

59 In *Tajudin* at [65], three principles were identified in considering just compensation: (a) fairness and proportionality; (b) the preservation of the integrity of the justice system; and (c) deterrence. In respect of (a), relevant considerations include the nature and impact of the solicitors' conduct, the prejudice suffered by the opposing party, and the egregiousness of the conduct (at [68]).

60 I agree that applying these principles in the present case, it is appropriate that personal costs orders be made against Mr Goh and Mr Sidhu. The citation of fictitious authorities strikes at the heart of the adversarial system and when cited by a solicitor, constitutes a fundamental failing in the duty owed to the court by an officer of that court. Further, the Claimants have suffered prejudice, having been compelled to respond to fictitious authorities advanced in support of a central argument on the burden of proof – there should be monetary recompense to right that prejudice caused by the solicitors responsible for advancing the Defendants' case.

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60 David Lim & Partners' Letter to Court dated 9 December 2025 at para 18–19.

61 Mr Goh Peck San's Letter to Court dated 15 December 2025.

Whether Mr Sidhu should be permitted to bear Mr Goh's share of personal costs

61 The final point I would address before going on to the question of quantum is whether Mr Goh and Mr Sidhu should be held equally and *separately* accountable. This point arises from Mr Sidhu's offer to bear Mr Goh's share of any personal costs order made by the court. I am not inclined to accept that offer. Mr Goh correctly acknowledged that his duty was a non-delegable one.[62] Mr Goh bore the ultimate responsibility to properly check the veracity and accuracy of the submissions before filing them with the court.

62 I therefore reject Mr Sidhu's proposal to bear Mr Goh's share of the personal costs order on his behalf. While the Claimants submit that the personal costs order (if any) is to be jointly borne by Mr Goh and Mr Sidhu, I am of the view that responsibility must lie with *both* solicitors *individually*. On the one hand, Mr Sidhu undertook the initial drafting of the closing submissions for the Defendants and was primarily responsible for introducing the Fictitious Authorities into the draft closing submissions. On the other hand, Mr Goh entirely failed in his duty to verify the existence of the authorities cited in the submissions that were eventually deployed and filed in court. Each solicitor bears a commensurate degree of fault. Holding only either Mr Goh or Mr Sidhu accountable would, in effect, downplay the severity of their individual failings and dilute any deterrent effect the personal costs orders are intended to achieve.

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62 Mr Goh Peck San's Letter to Court dated 15 December 2025.

Quantum of costs

Personal costs orders

63 Having heard counsel for the parties and Mr Sidhu on the Fictitious Authorities Issue, and in view of the conduct described above at [41]–[60], I am of the view that personal costs orders against both Mr Goh and Mr Sidhu are amply justified in this case and ought to be imposed. On quantum, the Claimants submit that a sum of $1,500-$1,600 be jointly borne by Mr Goh and Mr Sidhu. Mr Goh and Mr Sidhu agreed to costs being fixed at $1,500. I however disagree with the proposed quantum as it is insufficient to reflect the gravity of the matter.

64 Two considerations warrant re-emphasis here. First, the potential impact of the Fictitious Authorities on the outcome of the case was material. Had the Fictitious Authorities found their way into the court's reasoning or judgment, the consequences would have been severe. Second, personal costs orders serve both compensatory and punitive purposes (*Ridehalgh* at 227). The punitive dimension brings into sharp focus the imperative of deterring improper conduct and upholding the standards of the legal profession. As observed in *Tajudin* at [98], the determination of quantum "should not be a mere mathematical exercise based on the number of fictitious authorities cited", but must instead be grounded in considerations including "the egregiousness of conduct". At [79], the court further emphasised the principle of deterrence, noting that:

> The consequence imposed should be *sufficiently severe to deter* the individual advocate and solicitor from repeating his improper conduct and to send a strong signal to other advocates and solicitors that such improper conduct will not be tolerated. Otherwise, *an unduly lenient consequence may send the wrong signal that the court views such conduct lightly.*
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> [emphasis added]

65 In the present case, the imperative of deterrence demands that a higher quantum of personal costs is imposed, commensurate with the circumstances of the case and the court's opprobrium of counsel's conduct. In addition, I am of the view that this is a clear case where the personal costs order should be granted on an indemnity basis.

66 For the foregoing reasons, the proposed quantum of $1,500 is in my view plainly inadequate. Having regard to the circumstances of this case, and having taken into account Mr Goh and Mr Sidhu's acceptance of responsibility, Mr Goh and Mr Sidhu should *each* personally pay costs to the Claimants in the sum of $5,000, making it a total of $10,000, and I so order. I will take these costs orders into account when I fix the costs of the Suits, which I address in the next section of this judgment.

67 I note that in *Tajudin*, AR Tan imposed a personal costs order of $800 on the claimant's counsel. This amount is somewhat lower than the amount I have ordered in this case. However, *Tajudin* can be distinguished:

(a) First, and as a general point, when imposing personal costs orders, the court's powers are not fettered or guided by any "tariff" – each case depends on its particular facts. As I have explained above, the citation of fictitious authorities here carried a significantly greater potential to affect the outcome of the case as they related to a central issue in the case. In *Tajudin*, it concerned a peripheral issue.

(b) Second, *Tajudin* concerned an application to set aside a default judgment, whereas the present matter involved a trial of claims across three separate suits. This is not to suggest that misconduct in smaller

matters is in any way excusable or trivial. Rather, the point is that I am not constrained to regard $800 as representing any sort of benchmark.

68 Finally, in *Tajudin* at [100], having regard to the seriousness of the matter, AR Tan directed that counsel for both parties furnish their respective clients with copies of her directions, to underscore the seriousness with which the court views such conduct by solicitors.

69 It is appropriate for similar directions to be made in this case. Accordingly, I direct that Mr Goh informs the Defendants of this judgment and specifically of the personal costs orders made against him and Mr Sidhu. A copy of this judgment is also to be furnished to the Defendants. Mr Goh is to write to the court within seven days of the date of this judgment to confirm that he has complied with these directions.

70 I further direct that neither Mr Goh nor Mr Sidhu is to charge the Defendants for any time, costs, or resources expended in dealing with the Fictitious Authorities Issue. Further, and for the avoidance of any doubt, no part of the personal costs orders I have imposed on Mr Goh and Mr Sidhu are to be charged or passed on by them in any way to the Defendants, whether directly or indirectly.

Costs of the Suits

71 The remaining issue is that of the quantum of costs to be awarded to the Claimants, as the successful party in the Suits.

72 Costs of civil proceedings are governed by O 21 of the ROC 2021, with useful guidance provided in the *Guidelines for Party-and-Party Costs Awards*

(the "Guidelines"), as set out in Appendix G of the Supreme Court Practice Directions 2021 ("Appendix G").

73 Order 21 r 2 makes clear that costs are in the discretion of the Court. In exercising its powers to fix or assess costs, O 21 r 2(2) provides that the court is to have regard to all the relevant circumstances, including:

(a) efforts made by the parties at amicable resolution;

(b) the complexity of the case and the difficulty or novelty of the questions involved;

(c) the skill, specialised knowledge and responsibility required of, and the time and labour expended by, the solicitor;

(d) the urgency and importance of the action to the parties;

(e) the number of solicitors involved in the case for each party;

(f) the conduct of the parties;

(g) the principle of proportionality; and

(h) the stage at which the proceedings were concluded.

74 Appendix G, in particular Section III (Costs Guidelines for Trials (including Assessment of Damages), Part A (Section 1 Costs), sets out indicative ranges of costs for different categories of proceedings. The applicable range depends on factors including whether cross-examination was conducted and the nature of the transcription service utilised. Nonetheless, the court retains

the overall discretion to award costs outside the stated ranges. Ultimately, the Guidelines are intended to provide guidance rather than to operate as rigid or inflexible rules, and the court's overall discretion in deciding questions of costs is unaffected.

75 The Claimants submit that they should be awarded costs (excluding disbursements) amounting to $108,803.77, $115,805.16, and $106,380.33 respectively for each of the Suits:

(a) Pre-trial costs: The Claimants submit that a sum of $50,000, $60,000 and $50,000 for HC/OC 201/2024, HC/OC 381/2023, and HC/OC 382/2023 respectively would be appropriate before applying a 20% discount to account for overlap – the net figures claimed for pre-trial costs are $40,000, $48,000 and $40,000 respectively. As justification for the figures claimed, the Claimants refer to the range in Appendix G of $25,000-$70,000 per suit for pre-trial costs, the Claimants' three-tiered legal strategy, the heavily factual nature of the dispute requiring extensive evidential work, and the need for six tailored affidavits of evidence-in-chief due to each suit's unique circumstances.[63]

(b) Trial costs: The Claimants claim $108,000 for six days of trial across the Suits, pegged at $6,000 per day of trial for each of the Suits. The Claimants referred to Appendix G which provided a range of $6,000-$16,000 for each day of trial.[64]

(c) Post-trial costs: The Claimants claim a base sum of $15,000 for each of the Suits, taking reference from Appendix G which indicates a

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63 David Lim & Partners' Letter to Court dated 18 November 2025 at paras 5–10.6.

64 David Lim & Partners' Letter to Court dated 18 November 2025 at paras 11–18.

sum of "up to $30,000" for post-trial work.[65] Accounting for overlap, the Claimants apply a 20% discount and seek a net figure of $36,000 in total for post-trial work (or $12,000 per suit).

76 In response, the Defendants submit that the Claimants have materially overstated the complexity, effort, and costs incurred across the consolidated Suits, and that the discounts applied fail to reflect the substantial overlap and efficiencies achieved by the informal consolidation of all three Suits and having a single trial.[66] They contend that fairness requires reductions of between 40% and 60% in pre-trial costs to avoid duplication of costs for identical work, single daily tariffs for trial costs rather than per-suit rates, and significantly reduced post-trial costs to reflect the preparation of a single set of submissions.[67] In essence, the Defendants submit that the Claimants' approach erroneously treats the consolidated trial as three separate trials, inflates the complexity of the matters, and seeks excessive recovery for work that had limited impact on the conduct of the proceedings. The Defendants submit that costs of the Suits should range between $63,000 and $88,000 in total.[68]

77 In my view, the sums advanced by the Claimants exceed what are reasonable and proportionate.

78 I agree with the Defendants that the costs claimed by the Claimants are not commensurate with or proportionate to the work undertaken. The issues across the Suits were not complex, and no novel issues were raised. The crux of

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65 David Lim & Partners' Letter to Court dated 18 November 2025 at paras 19–22.

66 Mr Goh Peck San's Letter to Court dated 2 December 2025.

67 Mr Goh Peck San's Letter to Court dated 2 December 2025 at Conclusion.

68 Mr Goh Peck San's Letter to Court dated 2 December 2025 at Summary of Total Costs.

the dispute centred around the main issue of whether the Claimants or the Defendants bore the legal burden of proving that TTT was (or was not) an "excluded moneylender" as defined in the MLA – this issue has been discussed in detail by the Court of Appeal in *Sheagar s/o T M Veloo v Belfield International (Hong Kong) Ltd* [2014] 3 SLR 524. Further, notwithstanding that the parties (specifically, the defendants) were not identical in the Suits, the issues in the Suits were in fact *legally* identical. The same legal teams were involved in the Suits and one set of documents was relied upon in all the Suits. The trial was conducted on the basis of an informal consolidation basis precisely because of these material overlaps. In my view, the Claimants have sought to recover costs on a per-suit basis, without adequately accounting for the extent of duplication avoided through this informal consolidation.

79 At the same time, the costs proposed by the Defendants are also not realistic and too low. Having regard to the circumstances of this case and the factors in O 21 r 2, in particular, the overall complexity of the matter, the issues in dispute, the length of the trial (six days), the amounts involved (*ie*, a total principal claim of $900,000 excluding contractual interest), and the overlap of the issues across the Suits, I fix costs of the Suits at the global sum of $180,000, excluding disbursements – this sum is broken down into $88,000 for pre-trial costs (including costs of the application for the Suits to be informally consolidated, for which costs were ordered to be in the cause), $72,000 for trial costs and $20,000 for post-trial costs. The global sum I have fixed is to be apportioned equally across each of the Suits – thus, the costs of each suit are fixed at $60,000. Further, the global sum of $180,000 that I have fixed *includes* the personal costs orders amounting in total to $10,000 that I have ordered against Mr Goh and Mr Sidhu. What this means is that the Defendants are,

collectively, only liable to pay the Claimants $170,000 as costs, with the remaining $10,000 to be paid by Mr Goh and Mr Sidhu in equal shares.

Disbursements

80 With respect to disbursements, the Claimants provided a breakdown of the amounts claimed but without any supporting documents. In any event, both parties agree that I should order that disbursements be agreed in the first instance, and failing agreement for the court to fix the disbursements.

81 Accordingly, I direct that the parties are to endeavour to agree the disbursements for the Suits within three weeks from the date of this judgment. Should the parties be unable to reach an agreement, the Claimants' solicitors are to write to the court to seek directions for the court to fix the disbursements.

Conclusion

82 For the foregoing reasons, these are my orders:

(a) costs of the Suits are fixed at the global sum of $180,000 (excluding disbursements), payable to the Claimants;

(b) the global sum of $180,000 is split equally across each suit. Thus, the costs of each suit are fixed at $60,000, payable to the Claimants by the Defendants in each suit jointly and severally;

(c) a sum of $5,000 is ordered as costs against Mr Goh personally in respect of the Fictitious Authorities Issue;

(d) a sum of $5,000 is ordered as costs against Mr Sidhu personally in respect of the Fictitious Authorities Issue;

(e) the global sum of $180,000 ordered at [82(a)] above includes the personal costs ordered above at [82(c)] and [82(d)];

(f) accordingly, the Defendants are, collectively, to pay the Claimants the sum of $170,000 as costs of the Suits while Mr Goh and Mr Sidhu are to each personally pay the Claimants $5,000;

(g) interest on the costs ordered is payable at the rate of 5.33% *per annum* from the date of this judgment to the date of payment; and

(h) disbursements for the Suits are to be agreed between the parties within three weeks from the date of this judgment, failing which the Claimants are to write to the court for directions for the disbursements to be fixed by the court.

83 In closing, I offer a word of advice, or perhaps more importantly, caution to the Bar. I hope this judgment leaves no member of the Singapore Bar in any doubt over the critical importance of (a) verifying the authenticity and accuracy of all materials submitted to the court in any proceedings before it, and (b) familiarising themselves with the rules and guidance on the proper use of GenAI in the course of their work (see [32] above). The consequences of submitting fictitious authorities to the court can be severe, not just for the adjudication of the case in question but the administration of justice as a whole and the public image of the legal profession. Adopting the sagacious comments of Dame Victoria Sharp in *Ayinde* at [9], it is imperative, perhaps now more than ever, that every advocate and solicitor practicing at the Singapore Bar "(whenever and wherever they were qualified to do so) understands and complies with their professional and ethical obligations and their duties to the court if using artificial intelligence".

84 While the sanctions which were imposed in *Tajudin* and this case comprised personal costs orders against the solicitors in question (and the attendant adverse publicity as a result of being named in a published judgment), such conduct may, if an appropriate case arises in the future, result in the errant solicitor(s) being subjected to disciplinary action – advocates and solicitors cannot plead ignorance as the consequences for misusing AI tools in court proceedings are all clearly spelt out in the AI Circular.

S Mohan
Judge of the High Court

Yeoh Kar Hoe, Ng Wei Jin and Abel George (David Lim & Partners LLP) for the claimants;
Goh Peck San (P S Goh & Co) for the defendants.