

To

The Supreme Court of Singapore

1 Supreme Court Lane
Singapore 178879

The Registry

Mr. Kenneth Wang Ye

Ms. Sherelyn Khoo

and

Mr. Timothy Ang
Mr. Wilson Zhu
at Rajah & Tann
9 Straits View, #06-7,
Marina One West Tower
Singapore 018937

cc

Justice Lee Seiu Kin, PJG, PBS
Justice of the Court of Appeal, Justice
Steven Chong
Justice Audrey Lim Yoon Cheng
Ms. Eunice Chan

c/o

Ms. Adelia Tay
Ms. Alice Chua
Ms. Susan Ho

Tuesday 13 July 2021

Dear Mr. Wang Ye,

I look forward to the honour of meeting you soon.

As discussed in my Written submissions dated Monday 12 July, I have reason to believe Mr. Ang and Mr. Zhu held a defence ‘in abeyance’, but under O. 18, r. 19 to deny justice.

In the pages below, I address your kind self, Mr. Ang, and Mr. Zhu. I mention several notable inconsistencies in the documents Mr. Ang sent me yesterday.

Mr. Ang withheld his Bundle of authorities because he thought I had not sent mine. I respond to that in a paragraph. I briefly outline why I think it may not be helpful to generate a bundle of authorities for a case at present. I believe I discussed the same and adequately in my Written submissions.

Please forgive me for not printing and binding my Written submissions in a booklet for the hearing. I simply could not, if I were to go through some of the matter Mr. Ang sent me Monday.

To Mr. Wang Ye, Mr. Timothy Ang, and Mr. Wilson Zhu,

1. I refer to the email Mr. Timothy Ang and Mr. Wilson Zhu sent to me on Monday 12 July 2021, attached below. The link provided gave me access to two (2) files: (i) *2021.07.14 - Defendant's Bundle of Documents.pdf* [66 MB]; and (ii) *2021.07.12 - Defendant's Written Submissions (final).pdf* [266 kB].
2. Thank you, Mr. Ang and Mr. Zhu, for your *Written Submissions*.

Bundles of authorities in Written submissions

3. Concerning exchange of bundles of authorities, which Mr. Ang mentions in paragraph (3) of his email below: As I discuss in my *Written submissions* dated 12 July, it may not have been possible to discover authorities related to HC/SUM 2650/2021. Briefly:
 - a. There are no pleadings by the Defendant, no specific issue was raised, and no allegation I made against the Defendant was traversed in the affidavit deponed by Mr. Kevin Goh in support of HC/SUM 2650/2021, '*Plaintiff: Goh Ke Min Kevin: 1st : 07.06.2021*' (henceforth, 'the Affidavit by Goh' except when quoted otherwise).
 - b. I (eventually) understood that the 'relevant legal submissions' mentioned several times by Mr. Kevin Goh in his Affidavit *would* probably be forthcoming in *Written submissions*.
 - c. I cited as accurately as I could, with reference to my Statement of the Claim, the issues I thought were relevant, or that were directly or indirectly brought up in the Affidavit by Goh.
 - d. I believe I cited relevant legislation on the primary issue stated in my claim, namely illegality of work and action taken against me, before and after termination.

Documents filed under HC/S 413/2021

4. There appears to be errors with documents filed under HC/S 413/2021. For example, I believe I was informed that there is no document mentioning O. 33, r. 2 in HC/S 413/2021, but I am in possession of a document filed in that case which does. Another example is mentioned in my *Written submissions* dated 12 July.

Mr. Ang's and Mr. Zhu's Written submissions

5. The *Defendant's Bundle of Documents* and *Defendant's Written Submissions* state dates when events are meant to have happened but did not. Also, certain terms appear to have been used in constructions I would not agree with, or indeed, would use to mean the opposite.
6. For example, some errors and which I believe are known to have significant impact on occasion: On the front or title page of *Defendant's Bundles of Documents*, it reads 'Dated this 14th day of July 2021' whereas *Defendant's Written Submissions* reads '12 July 2021 (for hearing on 14 July 2021)'. On the latter there is '(Plaintiff)' next to my name but not on the former. The solicitors' names are not identical on the two documents.
7. I looked through quite a few letters and emails Mr. Ang and Mr. Zhu had sent me. They are signed with their names, and the firm's address is always somewhere to be found. *Defendant's Written Submissions* is signed 'Solicitors for the Defendant' and I notice that there is no address for Rajah & Tann and no address for Nanyang Technological University. The address for both is in the *Defendant's Bundles of Documents*, as an accident of the content.
8. I reiterate that I disagree with some dates mentioned in the *Defendant's Written Submissions*. The documentary evidence I have indicates otherwise.
9. In *Defendant's Bundles of Documents*, it reads '1st Affidavit of Goh Ke Min Kevin dated 8 June 2021'. The Affidavit by Goh was affirmed on 7 June so one may assume that it is the date of filing that is being referred to. Also, the Affidavit by Goh is termed in *Defendant's Bundles of Documents* as '(Defendant's Affidavit)', but the designation it was given in the format prescribed is 'Plaintiff: Goh Ke Min Kevin: 1st : 07.06.2021'. The Defendant/Defendant/Plaintiff is discussed elsewhere.
10. While the Affidavit by Goh was referred to by date of filing, the Plaintiff's 1st Affidavit is apparently referred to by date of affirmation; I was informed in no uncertain terms by Lawnet Service Bureau that the date of filing is logged and no note need be endorsed to state the filing date.
11. There are other errors which I am unable to collate in brief time.

12. For the present I wish to highlight four vital findings:

- a. HC/SUM 2991/2021 is an application to strike out the Affidavit by Goh, which was deponed in support of HC/SUM 2650/2010. However, it appears there is an error; HC/SUM 2991/2021 alleges to strike out an affidavit supporting the application HC/SUM 3650/2021. To the best of my knowledge, there is no such application under HC/S 413/2021.
- b. Mr. Kevin Goh is not mentioned in *Defendant's Written Submissions*. Not once, as far as I can tell. The Affidavit by Goh is referred to as 'the Defendant's Affidavit' – except when it comes to HC/SUM 2991/2021. On pages 2 and 37, the Affidavit is called: 'SUM 2991: STRIKING OUT NTU'S AFFIDAVIT'. I believe neither references may be in line with directions.
- c. References in the *Defendant's Written Submissions* to particular paragraphs in the Affidavit by Goh appear uniform, regulated.

13. I do not agree with Mr. Ang that evidence may be adduced in the present context. I do not comment on, for example, the veracity of correspondence selected and attached in the Affidavit by Goh, changed addressees, backdating, and so on.

14. Should it be necessary to draw on evidence from 'the Defendant's Affidavit' / 'NTU's Affidavit' / Affidavit of 'Plaintiff' Goh / Affidavit of 'Defendant' Goh / Affidavit of 'Defendant' Unknown, then: I would please like to see the original, and a document to the effect that Mr. Kevin Goh was authorised to depone that affidavit for this purpose.

I remain,



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From: **Timothy Ang** <timothy.ang@rajahtann.com>
Date: Mon, 12 Jul 2021 at 16:38
Subject: RE: WS 12 July MH
To: Helmy <helmy.m@protonmail.com>, Mohamed Helmy <helmy.m@gmail.com>
Cc: Wilson Zhu <wilson.zhu@rajahtann.com>, Anna Oh <anna.oh@rajahtann.com>

HC/S 413/2021
HC/SUM 2650/2021
HC/SUM 2991/2021
HC/SUM 3000/2021

Dear Sirs,

1. We refer to your email of 12 July 2021 below, and we acknowledge receipt of your written submissions and bundle of documents.
2. We note that you have referred to numerous authorities in your written submissions. However, you have not provided us with those authorities.
3. We have expressly informed you on 6 July 2021 that parties are to exchange copies of their written submissions **and all legal authorities referred to therein** (i.e. case authorities, textbook authorities, statutes etc.), by today. Parties are also responsible for providing copies of those legal authorities to the Court.
4. Please find attached a download link to our written submissions and bundle of documents. We will provide you with our bundle of authorities, when you are ready to provide yours.

<https://transfer.rajahtann.com/message/8zPJXnLPyqR1h7pGgBne4J>

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