

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT
BRIDGEPORT DIVISION**

In re

Chapter 11

**HO WAN KWOK
a/k/a WENGUI GUO
a/k/a MILES GUO,**

Case No. 22-50073 (JAM)

Debtor.

**APPLICATION FOR ORDER APPROVING
APPOINTMENT OF A CHAPTER 11 TRUSTEE**

William K. Harrington, the United States Trustee for Region 2 (the “United States Trustee”), through his undersigned counsel, hereby applies to this Court, pursuant to 11 U.S.C. § 1104 and Rule 2007.1 of the Federal Rules of Bankruptcy Procedure, for an Order approving the appointment of Luc A. Despins as Chapter 11 trustee in the captioned case. In support of the Application, the United States Trustee respectfully represents the following:

I. STATEMENT OF FACTS

1. Ho Wan Kwok, also known as Wengui Guo, Miles Guo, and Miles Kwok, as well as numerous other aliases (“Debtor”), filed a voluntary chapter 11 petition on February 15, 2022. ECF 1.
2. By order dated April 29, 2022, the Debtor employed the firm of Brown Rudnick LLP as his chapter 11 counsel. ECF 293.
3. On March 19, 2022, the United States Trustee filed a Motion for an Order Directing the Appointment of an Examiner, or, In the Alternative, Motion for an Order Directing the Appointment of a Chapter 11 Trustee (“UST Chapter 11 Trustee Motion”). ECF 102.

4. On April 6, 2022, creditor Pacific Alliance Asia Opportunity Fund L.P. (“PAX”) filed a Motion to Dismiss or, In The Alternative, Partial Joinder to the United States Trustee’s Motion for an Order Directing the Appointment of a Chapter 11 Trustee (“PAX Dismissal/Trustee Joinder Motion”). ECF 183.

5. On March 21, 2022, the United States Trustee appointed an Official Committee of Unsecured Creditors (“Committee”) in this case. ECF 108. The Committee employed Pullman & Comley, LLC as its counsel. ECF 298.

6. On May 25, 2022, the Court conducted a hearing on the UST Chapter 11 Trustee Motion and PAX Dismissal/Trustee Joinder Motion. Counsel for the following participated in the hearing: the Debtor, the United States Trustee, the Committee, and creditors PAX, Rui Ma, Weican Meng and Zheng Wu.

7. On June 15, 2022, the Court entered a memorandum of decision and order (the “Trustee Order”) directing the United States Trustee to appoint a chapter 11 trustee (the “Chapter 11 Trustee”). ECF 465.

8. Pursuant to 11 U.S.C. § 1104(d), the United States Trustee has consulted the following parties-in-interest regarding the selection of the Chapter 11 Trustee: (i) counsel to the Committee, (ii) counsel to PAX, (iii) counsel to creditors Rui Ma, Weican Meng and Zheng Wu, and (iv) counsel to the Debtor.

9. Pursuant to the Trustee Order, and after consultation with the parties-in-interest, the United States Trustee selected Luc A. Despins as the Chapter 11 Trustee.

10. To the best of the United States Trustee’s knowledge, Luc A. Despins’ connections with the Debtor, creditors, any other parties-in-interest, their respective attorneys

and accountants, the United States Trustee, and persons employed in the Office of the United States Trustee are set forth on the Declaration of Luc A. Despins which is annexed hereto.

11. The United States Trustee, therefore, requests that the Court enter an order approving the appointment of Luc A. Despins as Chapter 11 trustee in this case. A form of proposed order is attached hereto.

WHEREFORE, the United States Trustee respectfully requests that the Court enter an order approving the appointment of Luc A. Despins as Chapter 11 Trustee pursuant to 11 U.S.C. §1104(d), and grant such other relief as the Court may deem just and proper.

Dated: July 7, 2022
New Haven, Connecticut

Respectfully submitted,

WILLIAM K. HARRINGTON
UNITED STATES TRUSTEE FOR REGION 2

By: /s/ Holley L. Claiborn
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(203) 773-2210

**UNITED STATES BANKRUPTCY COURT
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**HO WAN KWOK
a/k/a WENGUI GUO
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Case No. 22-50073 (JAM)

Debtor.

ORDER APPROVING APPOINTMENT OF CHAPTER 11 TRUSTEE

Upon the Application for an Order Approving the United States Trustee's Appointment of Chapter 11 Trustee ("Application") pursuant to the Court's Order dated June 15, 2022 (ECF 465) directing the United States Trustee to appoint a Chapter 11 Trustee in the above captioned individual case of Ho Wan Kwok a/k/a Wengui Guo a/k/a Miles Guo (the "Debtor"),¹ and the United States Trustee having selected Luc A. Despins for appointment and Luc A. Despins having accepted appointment to serve as Chapter 11 trustee in the Debtor's case, it is hereby

ORDERED that, pursuant to 11 U.S.C. § 1104(d), the appointment of Luc A. Despins as Chapter 11 trustee in the Debtor's case is hereby approved; and it is further

ORDERED that, within seven (7) days after his appointment, Luc A. Despins shall obtain a bond in favor of the United States in the initial amount of \$25,000.00, subject to further increase or decrease as needed, conditioned on the faithful performance of his official duties pursuant to 11 U.S.C. § 322(a).

¹ The Debtor also uses other aliases.

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HO WAN KWOK
a/k/a WENGUI GUO
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Case No. 22-50073 (JAM)

Debtor.

CERTIFICATE OF SERVICE

The undersigned certifies that on the 7th day of July, 2022, the following documents were served on all appearing parties via the court's electronic filing system as listed in section 2 below.

1. Documents Served

- a. Application for Order Approving Appointment of Chapter 11 Trustee
- b. Proposed order on same
- c. Declaration of Luc A. Despins

2. Service on Luc A. Despins via email at: lucdespins@paulhastings.com

3. Parties Served Via ECF

Laura Aronsson on behalf of 20 Largest Creditor Pacific Alliance Asia Opportunity Fund L.P.
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David S. Forsh on behalf of Creditor Zheng Wu
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Peter Friedman on behalf of Defendant Pacific Alliance Asia Opportunity Fund L.P.
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Peter Friedman on behalf of Plaintiff Pacific Alliance Asia Opportunity Fund L.P.
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Mia N. Gonzalez on behalf of 20 Largest Creditor Pacific Alliance Asia Opportunity Fund L.P.
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Jeffrey L Jonas on behalf of Debtor Ho Wan Kwok

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Jonathan Kaplan on behalf of Creditor Committee Official Committee of Unsecured Creditors

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U. S. Trustee
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Peter J. Zarella on behalf of 20 Largest Creditor Weican Meng
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Peter J. Zarella on behalf of Creditor Zheng Wu
pzarella@mdmc-law.com

Dated: July 7, 2022
New Haven, Connecticut

Respectfully submitted,

WILLIAM K. HARRINGTON
UNITED STATES TRUSTEE FOR REGION 2

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(203) 773-2210

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT
BRIDGEPORT DIVISION**

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In re: : Chapter 11

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HO WAN KWOK, : Case No. 22-50073

:

Debtor.¹ :

:

-----X

DECLARATION OF DISINTERESTEDNESS OF LUC A. DESPINS

I, Luc A. Despins, declare the following is true to the best of my knowledge, information, and belief:

1. I am a partner in Paul Hastings LLP (“Paul Hastings”), an international law firm with twenty-one offices across the Americas, Asia, and Europe. I am currently resident in Paul Hastings’ New York office. I am authorized to make this Declaration on Paul Hastings’ behalf. Except as otherwise indicated, I have personal knowledge of the facts set forth in this Declaration and, if called as a witness, I could and would testify thereto.

2. I submit this Declaration in connection with my appointment as chapter 11 trustee (the “Trustee”) in the chapter 11 case of Ho Wan Kwok (the “Debtor”) and in support of an application that I intend to file to approve the employment of Paul Hastings as counsel to the Trustee.

3. I attach to this Declaration, as Schedule 1, a consolidated list of parties in interest in connection with the Debtor’s chapter 11 case that includes:

¹ Although the Debtor’s legal name is Ho Wan Kwok, he is also known by the following names: Guo Wengui; Miles Guo; and Miles Kwok, and searches have been conducted with respect to all such names. The last four digits of the Debtor’s taxpayer identification number are 9595.

- a. parties listed as creditors, executory contract counterparties, and co-debtors on the Debtor's Schedules D, F, G, and H [Docket No. 78];
- b. parties listed on the Debtor's Statement of Financial Affairs ("SOFA") [Docket No. 77], including (i) as recipients of payments within 90 days prior to the filing of the chapter 11 case (SOFA Part 3, Question 6); (ii) parties involved in litigation in which the Debtor is a party (SOFA Part 4, Question 9); and businesses owned by the Debtor (SOFA Part 11, Question 27).
- c. parties and counsel filing notice of appearances in the Debtor's chapter 11 case; and
- d. the Court and personnel of the office of the United States Trustee.

4. Paul Hastings has developed procedures to enable it to ensure compliance with the requirements of the Bankruptcy Code, the Bankruptcy Rules, and any local rules of the Court regarding the service of a trustee and the employment of professionals under the Bankruptcy Code. Following those procedures, on July 5, 2022, I asked Paul Hastings personnel to compare the names listed on Schedule 1 with a database containing the names of all Paul Hastings clients and former clients who were clients at any time during the past five years,² and related conflict information, to research information about affiliates of the listed entities, to distribute an email inquiry to all Paul Hastings attorneys, and to make follow-up inquiries.

5. Based on the results of those review procedures, I believe:

² Except with respect to the Debtor and the Debtor's family members and related entities, with respect to which no such time limitation was used when reviewing Paul Hastings' database.

- a. Neither I, nor Paul Hastings, nor any partner in, counsel to, or associate of Paul Hastings represents any entity in or in connection with the Debtor's chapter 11 case;
- b. Paul Hastings and I do not hold or represent an interest adverse to the Debtor's estate; and
- c. neither Paul Hastings nor any of its attorneys, including me, (i) is a creditor, equity security holder or insider of any of the Debtor or his affiliates, (ii) has been, within two years before the date of the filing of the petition, a director, officer, or employee of any of the Debtor or his affiliates, or (iii) has any interest materially adverse to the interests of the estates of any class of creditors or equity security holders by reason of any direct or indirect relationship to, connection with, or interest in, the Debtor, or for any other reason.

6. Based on the foregoing, I believe that Paul Hastings and I are each a disinterested person and eligible to serve as counsel to the Trustee and Trustee, respectively, in this case.

7. Also based on the results of the review procedures, I believe neither Paul Hastings nor any of its attorneys, including me, has any connections (as that term is used in Bankruptcy Rule 2014), with any of the entities listed on Schedule 1, except:

- a. The Debtor has listed on his Schedules a potential malpractice claim against "Boies Schiller." Boies Schiller Flexner (UK) LLP is a former client of Paul Hastings in a matter that ended in September of 2021 and was unrelated to the Debtor, his family members, or entities controlled by the Debtor or his family members (an "Unrelated Matter"). Given that

Boies Schiller Flexner (UK) LLP is no longer a client of Paul Hastings, there is no legal impediment to Paul Hastings being adverse to any Boies Schiller entities (collectively, "Boies Schiller"). I have never represented Boies Schiller. I, in my capacity as Trustee, am able to be adverse to Boies Schiller and to be the named plaintiff, as chapter 11 Trustee, in any lawsuit against Boies Schiller.

- b. Certain Paul Hastings attorneys who joined Paul Hastings in early 2022 formerly represented, while at their prior firm (Stroock & Stroock & Lavan LLP), Sherry-Netherland, Inc., in the chapter 11 case of Genever Holdings LLC. These attorneys did not represent Sherry-Netherland, Inc. after joining Paul Hastings and will be separated by an "ethical wall" from any involvement in Paul Hastings' representation of the Trustee.
- c. While Paul Hastings previously represented UBS AG (London Branch) ("UBS AG") (an entity currently involved in litigation with the Debtor in the United Kingdom) in an Unrelated Matter that ended in November of 2021, Paul Hastings does not currently represent UBS AG. Paul Hastings does currently represent certain UBS entities, namely UBS Securities LLC, UBS Securities Ltd. Pte. Seoul Branch, and UBS Investment Bank, that are affiliates of UBS AG, in Unrelated Matters. Paul Hastings' representation of UBS entities has largely involved advice related to capital markets and leveraged finance transactions. I have never represented any UBS entity (including UBS AG). I, in my capacity as

Trustee, am able to be adverse to UBS AG and to be the named plaintiff, as chapter 11 Trustee, in any lawsuit against UBS AG.

- d. Baker Hostetler LLP, which has filed a proof of claim in this chapter 11 case and listed on the Debtor's SOFA as a creditor that received a payment within the 90 days preceding the commencement of the Debtor's chapter 11 case, was formerly counsel to a party involved in an Unrelated Matter that ended in December of 2020 in which a Paul Hastings attorney serves as arbitrator.
- e. LALIVE SA, listed as a creditor on the Debtor's schedules, is related to a former client of Paul Hastings in an Unrelated Matter that ended in August of 2019.
- f. McElroy, Deutsch, Mulvaney & Carpenter, LLP, which has filed a notice of appearance in the chapter 11 case on behalf of creditors Rui Ma, Zheng Wu, and Weican Meng, served as local counsel to a client of Paul Hastings in connection with an Unrelated Matter that ended in October of 2017.
- g. The Debtor has listed "Ying Liu" on his Schedules as a creditor. An individual named Ying Liu, whom Paul Hastings cannot presently confirm is the same person listed on the Schedules, is a former client of Paul Hastings in an Unrelated Matter that ended in January of 2020.
- h. The Debtor has listed "Shuang Wang" on his Schedules as a creditor. An individual named Shuang Wang, whom Paul Hastings cannot presently confirm is the same person listed on the Schedules, is related to a former

client of Paul Hastings in an Unrelated Matter that ended in September of 2021.

- i. The Debtor has listed “Yan Huang” on his Schedules as a creditor. An individual named Yan Huang, whom Paul Hastings cannot presently confirm is the same person listed on the Schedules, is related to a former client of Paul Hastings in an Unrelated Matter that ended in September of 2021.
- j. The Debtor has listed “Yan Zhao” on his Schedules as a creditor. An individual named Yan Zhao, whom Paul Hastings cannot presently confirm is the same person listed on the Schedules, is related to a former client of Paul Hastings in an Unrelated Matter that ended in August of 2019.
- k. The Debtor has listed Veritext on the Debtor’s SOFA as a creditor that received a payment (of less than \$1,000.00) within the 90 days preceding the commencement of the Debtor’s chapter 11 case. Entities related to Veritext are current clients of Paul Hastings in Unrelated Matters.

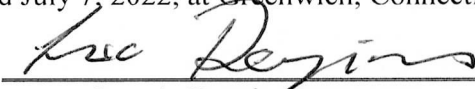
8. Paul Hastings has been or is currently adverse to certain parties listed on Schedule I in Unrelated Matters. For example, Brown Rudnick, LLP, the Debtor’s counsel, and O’Melveny & Myers LLP, counsel to Pacific Alliance Asia Opportunity Fund L.P., are opposing counsel or otherwise adverse to Paul Hastings LLP in connection with certain Unrelated Matters related to Paul Hastings’ representation of the official committee of unsecured creditors of the Commonwealth of Puerto Rico and certain of its instrumentalities.

9. All references herein to “Unrelated Matters” means matters that are not related to the Debtor, his family members, entities controlled by the Debtor or his family members, or this chapter 11 case. Paul Hastings is not precluded from taking a position, on any matter that is related to this chapter 11 case, that would be adverse to any entity on Schedule 1 that is not a current Paul Hastings client or related thereto. Should the Trustee become adverse to a Paul Hastings client or related party, the Trustee would employ other counsel in connection with such matter.

10. To the extent that Paul Hastings discovers any facts bearing on matters described in this Declaration, Paul Hastings will supplement the information contained in this Declaration. Paul Hastings will not represent any entity other than the chapter 11 Trustee in any matter in or in connection with this chapter 11 case.

11. I declare under penalty of perjury under 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed July 7, 2022, at Greenwich, Connecticut.



Luc A. Despina

SCHEDULE 1

SCHEDULE OF PARTIES IN INTEREST – IN RE KWOK

20 LARGEST UNSECURED CREDITORS

PACIFIC ALLIANCE ASIA OPPORTUNITY
GOLDEN SPRING NEW YORK
RUI MA
CHENG JIAN WU JIAN SHE
NING YE
GUO BAOSHENG
YAN LAN & WU ZHENG
HONG QI QU
NAN TONG SI JIAN
JIAN GONG
YAN ZHAO
YUA HUA ZHUANG SHI
LIEHONG ZHUANG/XIAO YAN ZHU
WEICAN MENG/BOXUN INC.
SAMUEL NUNBERG
LAMP CAPITAL LLC
JUN CHEN AKA JONATHAN HO
YUE HUA ZHU SHI
XIONG XIAN WEI YE
HUIZEN WANG

DEBTOR, FAMILY MEMBERS, AND CERTAIN RELATED ENTITIES

HO WAN KWOK (A.K.A MILES GWOK, MILES GUO AND WENGUI GUO)
HING CH NGOK/YUE QINGZHI
QIANG GUO
MEI GUO/MEI GUI
HK INTERNATIONAL FUNDS INVESTMENTS (USA) LIMITED, LLC
BRAVO LUCK LIMITED
GENEVER HOLDINGS CORPORATION
GENEVER HOLDINGS LLC

BANKRUPTCY JUDGE AND U.S. TRUSTEE PERSONNEL

HONORABLE JULIE A. MANNING
WILLIAM HARRINGTON
KIM L. MCCABE
HOLLEY CLAIBORN
JOSEPH H. FLAMINI
ERIN HOGAN
STEVEN MACKAY
FRANK MARINO
JENNIFER J. MOREY
NICOLE NEELY
SHARON WARNER
JOHN GERVAIS

OTHER INTERESTED PARTIES

AAGV LIMITED
ACE DECADE HOLDINGS LIMITED
ALFA GLOBAL VENTURES LIMITED
ALFONSO GLOBAL LIMITED
ALLIED CAPITAL GLOBAL LIMITED
ANDREW SULNER/FORENSIC DOCUMENT EXAMINATIONS, LLC
ANTON DEVELOPMENT LIMITED
BAIQIAO TANG A/K/A TANG BAIQIAO
BAKER HOSTETTLER LLP
BEIJING BI HAI GE LIN YUAN LIN LU HUA, LTD.
BEIJING CHENG JIAN WU JIAN SHE GROUP, LTD.
BEIJING FU LE HONG MA JIAN ZHU ZHUANG SHI GONG CHENG, LTD.
BEIJING PANGU INVESTMENT CO.
BEIJING ZENITH HOLDINGS CO.
BEIJING ZHONG XIAN WEI YE STAINLESS DECORATION CENTER
BEIJING PANGU INVESTMENT CO.
BOIES SCHILLER
BRANCH
BROWN RUDNICK, LLP
BSA STRATEGIC FUND I
BURNETTE SHUTT MCDANIEL
CHAO-CHIH CHIU
CHENGLONG WANG
CHINA GOLDEN SPRING GROUP (HONG KONG) LIMITED
CHONG SHEN RAPHANELLA
CLARK HILL PLC
CLAYMAN & ROSENBERG LLP
CLAYMAN ROSENBERG KIRSHNER & LINDER LLP
COHN BIRNBAUM & SHEA P.C.
COUNSEL PRESS INC.
CREATIVE APEX INVESTMENTS LIMITED
CRYSTAL BREEZE INVESTMENTS LIMITED
DANYU LIN
DAWN STATE LIMITED
DONGNA FANG
EASTERN PROFIT CORPORATION LIMITED
ELITE WELL GLOBAL LIMITED
ERIC GOLDSMITH MD, LLC
FAN BINGBING
FORBES HARE
G CLUB OPERATIONS LLC
GANFER SHORE LEEDS & ZAUDERER
GAO BINGCHEN
G-CLUB
GETTR USA
GLOBALIST INTERNATIONAL LIMITED
GOLDFARB & HUCK ROTH RIOJAS, PLLC
GREENWICH LAND LLC
GTV MEDIA GROUP, INC.,
GUO LIJIE
HAIHONG WANG
HAN CHUNGUANG
HARCUS PARKER LTD.
HE BEI YUE HUA ZHUANG SHI GONG CHENG LTD.

HERO GRAND LIMITED
HING CH NGOK
HONG KONG INTERNATIONAL FUNDS INVESTMENTS LIMITED
HONG QI QU JIAN SHE GROUP, LTD.
HONG ZENG
INFINITE INCREASE LIMITED
INFINITUM DEVELOPMENTS LIMITED
INSIGHT PHOENIX FUND
JANOVER LLC
JASON MILLER
JIA LI WANG
JIAMEI LU
JIANG SU PROVINCE JIAN GONG GROUP LTD BEIJING BRANCH
JIANHU YI
JIANSHENGXIE AND JIEFU ZHENG
JING GENG
JOHN S LAU
JONATHAN YOUNG
JUMBO CENTURY LIMITED
JUN LIU
JUNE SHI
KAIXIN HONG
KERCSMAR FELTUS & COLLINS PLLC
KEYI ZIKLIE
KUI CHENG
LALIVE SA
LAW FIRM OF CALLARI PARTNERS, LLC
LAWALL & MITCHELL, LLC
LEADING SHINE LIMITED
LIEHONG ZHUANG
LIHONG WEI LAFRENZ (AKA SARA WEI)
LINDA HE CHEUNG
LOGAN CHENG (F/K/A SHUIYAN CHENG)
MACDONALD
MCELROY, DEUTSCH, MULVANEY & CARPENTER, LLP
MOA-FU
NEW DYNAMIC DEVELOPMENT LIMITED
NOBLE FAME GLOBAL LIMITED
O'MELVENY & MYERS LLP
PACIFIC ALLIANCE ASIA OPPORTUNITY FUND L.P.
PETRILLO KLEIN & BOXER LLP
PULLMAN & COMLEY, LLC
QU GUOJIAO
QUIJU JIA
RANDAZZA LEGAL GROUP, PLLC
ROBINSON & COLE LLP
RONG ZHANG
ROY D. SIMON
RUIZHENG AN
RULE OF LAW FOUNDATION III
RULE OF LAW SOCIETY IV INC
RUQUIN WANG
SAIL VICTORY LIMITED
SARA WEI (A/K/A LIHONG WEI LAFRENZ)
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SCHULMAN BHATTACHARYA, LLC

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SHUANG WANG
STOKES LAWRENCE, PS
STRATEGIC VISION LLC
TELI CHEN
THE CASPER FIRM
THE FRANCIS FIRM PLLC
THE LAW OFFICES OF RAFAEL A. VARGAS
THOMAS RAGLAND
U.S. LEGAL SUPPORT, INC.
UBS AG (LONDON)
UNA MANYEE WILKINSON
VERITEXT
VOICE GUO MEDIA, INC.
VOICE OF GUO MEDIA, INC.
VX CERDA & ASSOCIATES
WA&HF LLC
WEICAN ("WATSON") MENG
WEIGUO SUN
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