

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

[2026] SGHC 17

Originating Claim No 823 of 2023
(Summons No 3351 of 2025)

Between

- (1) Gurpreet Gill Maag
- (2) Daniel Maag
- (3) Unum in infinitum Inc.
- (4) Illume Holding Pte. Ltd.

... Claimants

And

Ian McKee

... Defendant

JUDGMENT

[Civil Procedure — Judgments and orders — Stay of execution of judgment pending appeal — Stay of execution of costs order]

This judgment is subject to final editorial corrections approved by the court and/or redaction pursuant to the publisher's duty in compliance with the law, for publication in LawNet and/or the Singapore Law Reports.

Gurpreet Gill Maag and others

v

McKee, Ian

[2026] SGHC 17

General Division of the High Court — Originating Claim No 823 of 2023
(Summons No 3351 of 2025)

Choo Han Teck J

15 January 2026

23 January 2026

Judgment reserved.

Choo Han Teck J:

1 The claimants are applying for a stay of execution of a costs order pending determination of their appeal. This application arises from my judgment dated 7 November 2025 in HC/OC 823/2023, where I dismissed both the claims and the counterclaim on 20 November 2025 with costs in the defendant's favour. The facts are set out in greater detail in my judgment.

2 Briefly, the dispute concerned agreements under which the claimants were to provide strategic advisory, fundraising and consulting services to Vuulr Pte Ltd ("Vuulr"), a video distribution company of which the defendant was the sole director. The claimants brought claims for inducement of breach of contract, breach of confidentiality, malicious falsehood, slander and libel, alleging that the defendant had improperly disclosed confidential information and made false statements about their performance under the service

agreements. The defendant counterclaimed for defamation against the first claimant.

3 For reasons in my judgment, I dismissed the action in its entirety and ordered costs of S\$130,000 payable to the defendants. The claimants having filed an appeal against my judgment, now seek a stay of execution of the costs order pending determination of their appeal or in the alternative, a stay conditional on claimants paying the costs into court.

4 The crux of their application is that the alleged financial instability of the defendant amounts to special circumstances that warrant a stay of execution of the costs order. Their counsel, Mr Wijaya, raised before me various documents, including emails and letters from 2022–2023 in which the defendant admitted to facing financial difficulties during Vuulr’s insolvency.

5 Counsel pointed out that the defendant declined to invest in Vuulr due to financial constraints, and sold his apartment immediately before Vuulr’s liquidation, alleging asset dissipation.

6 Applicants for a stay of execution tend to allege that the defendant is unable to pay damages and costs, but the claims must be scrutinised and the totality of evidence against the quantum considered. There must be no reasonable probability of recovering the damages and costs paid over should the appeal succeed: *Lee Sian Hee (trading as Lee Sian Hee Pork Trader) v Oh Kheng Soon (trading as Ban Hon Trading Enterprise)* [1991] 2 SLR(R) 869 at [5]. Otherwise, the law must take its course, and the party awarded the costs must be entitled to them forthwith.

7 In the present case, the evidence adduced by the claimants is largely outdated and speculative. The communications and events from 2022–2023 were in the context of Vuulr facing insolvency and do not reflect the defendant’s current capacity to meet a costs order or judgment debt some two to three years later.

8 Declining an investment opportunity for financial reasons may just be a refusal of an investment he did not wish to make. The alleged asset dissipation through the apartment sale is equally speculative. Property sales during times of commercial difficulty may result from various personal reasons, including downsizing as the defendant explains. These do not constitute credible evidence of the defendant’s current inability to pay.

9 Even if the claimants are successful on appeal, the quantum of costs or damages based on the claims are unlikely to be so extraordinary as to justify a stay based on the tenuous evidence presented.

10 As for a conditional stay of execution, the court may consider the likelihood of success of the appeal: *Axis Megalink Sdn Bhd v Far East Mining Pte Ltd* [2024] SGHC 47 at [13], citing Prof Jeffrey Pinsler SC, *Singapore Court Practice 2017* (LexisNexis, 2017) at para 57/15/3. The claimants’ appeal faces significant procedural and substantive weaknesses that, in my view, render it without merit. The inducement of breach of contract claim is fundamentally misconceived — it requires the court to find that Vuulr breached its contractual obligations, yet Vuulr is not a party to these proceedings. As I held in my judgment, one cannot find that a director induced a breach of contract without first establishing that the company breached the contract.

11 The breach of confidentiality claim similarly lacks merit. The alleged confidential information belongs to Vuulr, not the claimants. The defendant's conscience was also unaffected as he was entitled and in fact, obliged, as a director, to disclose Vuulr's financial position, including outstanding debts, to the board when the company was on the brink of insolvency.

12 The malicious falsehood and defamation claim fare no better in my view. The claimants failed to prove publication of most alleged statements as their witnesses were unable to provide contemporaneous evidence or key details of purported conversations. For the few statements that were published, the claimants could not establish falsity, and in any case, I found that the defences of qualified privilege and fair comment apply.

13 In my view, there is no reasonable basis for concluding that the appeal has any realistic prospect of success, rendering a conditional stay of execution inappropriate.

14 For the reasons above, the application for a stay (or conditional stay) of execution of costs order is dismissed. Counsel will file written submissions as to costs, no longer than five pages each, by 4 February 2026.

- Sgd -
Choo Han Teck
Judge of the High Court

Suang Wijaya and Hamza Zafar Malik (Eugene Thuraisingam LLP)
for the claimants;
Gerard Quek Wen Jiang and Glenn Chua Ze Xuan (PD Legal) for the
defendant.