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HD **Gamer v Goliath**
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Australian high-roller Adesh Goel is no stranger to the fast-paced world of gambling, but after a horror night and a serious injury, he has taken the extraordinary step of suing global gaming giant Genting for over \$1 **million**, writes Hannah Low.

In the early hours of a Sunday morning in April 2012, Adesh Goel pulled his chips off the table at one of Singapore's most exclusive casinos and called it a night. The Australian lawyer was heading home after a big night of gambling and drinking.

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He was no stranger to the neon lights and blackjack tables of Resorts World on Singapore's upmarket Sentosa island.

A key associate of the shadowy Punters Club exposed by The Australian Financial Review, whose members include Tasmanian art collector David Walsh and gambling master Zeljko Ranogajec, Goel has spent a good part of his life frequenting high-end gaming facilities. But no amount of time on the high-rollers' floor could have prepared him for what was about to happen.

After a short verbal altercation with another patron, the 41-year-old was locked in a small room to the side of the high-rollers' floor, surrounded by security guards.

Almost immediately, he called the police. Then he began to panic.

CCTV footage from that night shows Goel – who has lived in Singapore for the last seven years – become increasingly frantic as the seconds tick by.

It took nearly an hour for the police to arrive at the resort, by which time the young Australian had been seriously injured, was lying face-down and had barricaded himself with a chair to prevent the guards from approaching him. Casino 'totally unapologetic'

Nearly two years on, the incident remains fresh in Goel's memory. He has launched explosive legal proceedings against the owner of Resorts World Sentosa – global gaming giant Genting – that accuses the **company** of false imprisonment and assault and seeks upwards of \$1 **million** in compensation.

He wants compensation for the loss he suffered and exemplary damages, arguing Resorts World Sentosa "has conducted itself with a haughty and high-handed attitude during and after the incident".

The casino, he argues, remains "totally unapologetic, defiant and obstructive in the face of the fact that [I] suffered serious personal injuries, pain and suffering as a direct consequence of the entirely unjustified and disproportionate actions".

The first part, at least, is not disputed by Genting, which is vigorously defending the proceedings. It argues Goel was drunk, aggressive and willingly escorted to the side room to cool off.

Seven months ago, the gaming giant made it clear it would increase its **stake** in Australia's Echo Entertainment – which owns Sydney's The Star casino – if it is given the go-ahead by regulators.

Genting's chairman is Malaysian **billionaire** Lim Kok Thay – one of the richest men in Asia – and his empire has a vast number of gaming **operations** globally.

The **Hong Kong** arm of the gaming outfit is now awaiting approval to buy as much as 25 per cent of Echo. The last time Lim discussed this publicly was in July, when he made it clear he was still interested. Echo checks under way

In June, Genting **Hong Kong** increased its **stake** in Echo from 5.22 per cent to 6.6 per cent amid speculation it was considering a tilt at Echo or trying to send a message to **billionaire** James Packer, who was around the same time approved by the NSW and Queensland independent liquor and gaming authorities to build a luxury hotel and casino at Barangaroo on Sydney's Harbour.

Under Echo's constitution, any shareholder who holds more than 10 per cent of the **company** must pass probity checks and satisfy the regulator that they are a "fit and proper" person. This process has been under way for more than 18 months, although it is not uncommon for investigations into companies which are likely to be involved in the running of a casino to take some time. Crown's application took 14 months to be approved.

Over the last few years, the Genting group has been investing around the world due to restrictions on gaming in Malaysia.

Genting has interests in the United States and the UK, and is reportedly spending \$US4 **billion** (\$4.6 **billion**) completing a Las Vegas resort it acquired last year. Miami, Macau and Japan are all in Lim's sights, according to an interview he did in December, where he failed to mention Australia.

Resort World Sentosa, which opened 3½ years ago, is one of Genting's key investments and cost nearly \$5 **billion** to build. The **company's** two other casinos nearby are Resorts World Genting, located in Pahang, Malaysia, and Resorts World Manila, in the Philippines. Quarrel sparks alleged attack

The casino where the assault allegedly occurred is part of an integrated resort on the upmarket island of Sentosa, which includes a Universal Studios theme park and a marine life park.

Goel held a Genting Rewards **Gold** Card, which allowed him access to a VIP lounge. According to his version of events, he was in the lounge around 4.30am on Sunday, April 22 when he and another patron got into a quarrel. A few minutes later – at 4.55am – he was asked to step aside into a private room.

From there, things very quickly turned ugly. Two Sentosa security guards locked Goel in the private "cool down" room and refused him access to the gaming manager.

Three other men – dressed as police officers – quickly arrived and Goel asked to leave for the first time. He was refused.

That was around 5am, and it would be another hour before the Australian was released from the room.

"[I] subsequently called the police to report that [I] was being unlawfully detained and assaulted," he argued in a lawsuit at the Singaporean High Court.

Goel claims that when he tried to leave the room and record the names of the security guards holding him hostage, he was pushed back. "These acts led to scuffles and resulted in Mr Goel being manhandled and seriously injured by the [Resort World Sentosa] Security Officers," his claim says.

His path was blocked, his phone confiscated and he was pinned to the wall. The guards "restrained [my] arms and body and used violent and excessive force to shove [me] down to sit on a chair", he alleges.

He tried to barricade himself into the room with chairs, even lying on the floor in an attempt to avoid any further confrontation. At the end of the hour, when the police arrived, Goel's collarbone was broken.

He left the room clutching his shoulder and accompanied by a convoy of police through the main gaming floor, where he was served with a "persona non grata" notice prohibiting him from setting foot in the casino for a year.

In late 2012, he had surgery on his shoulder, and he continues to attend physiotherapy sessions.

"The injuries suffered," his statement of claim argues, "have caused and continue to cause tremendous pain and suffering, impairment and loss of amenity to Mr Goel."Goel 'drunken and disorderly'

Genting disputes the allegations, and in its defence argues that once in the room, Goel's behaviour allegedly "took a turn for the worse", and security personnel were required to stop him leaving before the police arrived because it is "obliged to ensure that the patrons in the casino premises do not act in a drunken, disorderly and riotous" way. It argues Goel was only prevented from leaving the side room for 20 minutes, and this was because he was agitated and a risk to other patrons.

Genting has denied injuring the Australian, saying his injuries were "either already present at the time of the incident or caused by ... unruly and violent behaviour in the side room".

Two days after the alleged assault, Goel lodged a formal complaint with the police. No action was taken. It is unclear what, if any, investigation has been undertaken. Goel was not interviewed.

Requests from his lawyers to have the injury he suffered upgraded to grievous hurt, and copies of reports prepared by the police provided, fell on deaf ears.

Less than two months after Goel was injured, his case was closed by the criminal registry of the magistrate's complaint section of Singapore's Attorney-General's department, with no explanation.

The department refused to hand over other information gathered during the short investigation.

"After careful considerations of the facts and circumstances of the case and in consultation with the Attorney-General's Chambers, the Police have decided not to take further action against the accused," the police wrote to Goel, in a letter seen by the Financial Review. "Should you have any clarification, please contact investigating officer Andy Tan."Police report runs to one line

When Goel's lawyers wrote to Tan asking again for police reports, as well as details of anyone who was interviewed as part of the investigation, they received only a one-line report from the night of the alleged assault. "I had been assaulted by the security here," it read.

According to Goel, he talked on the phone to the police for over three minutes – all of which should have appeared in the initial report.

His lawyers also asked why the investigation was discontinued in circumstances where Goel had not even been interviewed, and raised concerns that "certain quarters within the Singaporean Police Force may be acting in concert with party complained against (namely, Resorts World Singapore) to suppress information of wrongdoings committed by the staff".

A response, sent by the Deputy Public Prosecutor for Singapore's Attorney-General to Goel's lawyers, said the earlier letter's "tone and contents" were unwarranted.

The suggestion that no serious investigation took place was "wholly speculative and ill-judged", they were told, and claims the initial police report was not handed over in full, plus the request for an explanation, were "completely regrettable".

It is hard to dispute the claim that the original letter was, at best, quarrelsome. But beneath the "tone" remain a number of serious unresolved issues: why was the police report not released; why was Goel not interviewed as part of the police investigation; and why have no serious questions been asked about whether someone should be brought to account for his injuries?Genting launches counterclaim

The case is currently before the Singaporean High Court, but is advancing slowly.

In December – over a year after the case began – Genting counterclaimed, arguing a contractor security **firm** was responsible for the injuries. That **firm**, Singapore Airlines Security Division, has rebuked any suggestion of wrongdoing, saying it was acting under the instructions of Genting employees.

The casino giant has argued it should not have to hand over its house rules on the bizarre basis that the rules fall within Singapore's Official Secrets Act.

According to Goel's lawyers, both arguments are intended to stall the judicial process.

A letter sent on December 3 suggested he was left with no "choice but to presume that your client is intentionally attempting to pressure our client to withdraw his claim by making it prohibitive for our client to continue.

"Our client is not intimidated by your client or the vast resources at its disposal and will not yield to your client's delay and cost-consuming tactics."

There is no love lost between the parties. In a response, Genting's solicitors said that suggestion was "less than courteous".

The case returns to court this week.

\$1 **million** the figure Adesh Goel wants Genting to pay for allegedly assaulting and falsely imprisoning him.

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