# **Hughes Hubbard & Reed**

# 康乂 Christine (Yi) Kang

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#### 教育背景 Education

美国斯坦福大学法学院,法学硕士 Stanford Law School, LL.M.

中国人民大学法学院,法学硕士 Renmin University of China, Law School, Master of Law

法国巴黎第一大学法学院,欧盟法专业 Universitè Paris I - Panthéon-Sorbonne, Faculté des Droits, Diplomé en Droit European 内蒙古大学法学院,法学学士 Inner Mongolia University, Law School, Bachelor of Law

#### 执业资格 Bar Admissions

美国纽约州, 2015年 New York, 2015 中国, 2013年 China, 2013

# 工作语言 Languages

中文(普通话) Mandarin 英语 English

法语 French

#### 业务领域 Areas of Focus

国际仲裁 Arbitration

跨境诉讼

Litigation

Lingunoi

非洲业务 Africa

反腐败及内部调查

Anti-Corruption & Internal Investigations

多边开发银行制裁及合规

Multilateral Development Bank Investigations and Sanctions

康乂律师是本所大中华业务联席主席,同时牵头负责中国仲裁业务。康律师在跨境争议解决领域拥有丰富的执业经验,并在仲裁界享有国际声誉。同时,她在多边开发银行调查、合规和制裁解禁相关领域也拥有国际领先的实务经验和成功业绩。

Christine (Yi) Kang is Co-Chair of the China Practice of Hughes Hubbard & Reed and leads the China Arbitration practice. Christine has significant experience in resolving cross-border disputes and enjoys a high reputation in international arbitration. She also has extensive and successful experiences in Multilateral Development Banks (MDBs) sanction matters.

加入 HHR 之前,康律师在国际律师事务所和中国红圈律师事务所执业数超过15年,她还曾在中国国际经济贸易仲裁委员会北京总部工作八年。康律师经常代表世界500强企业,处理其在国际主要仲裁机构的仲裁案件,包括中国国际经济贸易仲裁委员会(CIETAC)、美国仲裁协会国际争议解决中心(AAA-ICDR)、香港国际仲裁中心(HKIAC)、国际商会仲裁院(ICC)、新加坡国际仲裁中心(SIAC)、以及斯德哥尔摩商会仲裁院(SCC)等。康律师代理的案件涉及众多产业和业务领域,包括国际贸易、合资、建筑、基础设施、金融、保险、以及知识产权等。她也经常代表中国企业处理其海外和跨境诉讼案件。

Prior to joining Hughes Hubbard & Reed, Christine practiced at international law firms and a Chinese "Red Circle" law firm for over 15 years and worked at CIETAC Beijing headquarters for eight years before her private practice. She has advised leading Fortune 500 companies on their international arbitration cases with major international arbitration institutions, including

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CIETAC, AAA-ICDR, HKIAC, ICC, SIAC, and SCC etc., involving a broad array of industries and areas such as international trade, joint ventures, construction, finance, insurance and intellectual property. She also regularly advised Chinese SOEs on their overseas litigation cases in concert with US and UK litigators.

康律师在代表中国国有企业和跨国公司处理公司合规和反商业贿赂调查领域拥有广泛深入的成功实务经验。她经常协助中国企业应对世界银行、非洲开发银行、亚洲开发银行等多边开发银行的合规调查,并代表客户参与多边开发银行的和解谈判、建立和实施符合多边开发银行标准的合规制度等重要事项。

Christine has extensive and in-depth experiences in representing Chinese SOEs and multinationals in their corporate compliance and anti-bribery investigations. Specifically, she has regularly represented Chinese enterprises in their response to the investigation from, settlement negotiations with the MDBs, including the World Bank, the African Development Bank and the Asia Development Bank and establishing as well as implementing the integrity compliance program with the MDBs standards.

康律师在国际仲裁案件的丰富经验广受认可,受邀担任香港国际仲裁中心程序委员会委员、美国仲裁协会理事会成员、美国仲裁协会国际争议解决中心的仲裁规则修改委员会委员、美国仲裁协会国际咨询委员会委员、香港国际仲裁中心的程序委员会委员、以及世界知识产权组织国际咨询委员会委员等。康律师经常在国际主要仲裁机构的仲裁案件中担任案件首席仲裁员、当事人指定的仲裁员、独任仲裁员。她目前是美国仲裁协会国际争议解决中心、香港国际仲裁中心、新加坡国际仲裁中心、国际商会仲裁院、伦敦国际仲裁院、世界知识产权组织仲裁与调解中心、中国国际经济贸易仲裁委员会、以及华南(香港)国际仲裁院等主要国际仲裁机构的仲裁员。

Christine is widely recognized for her abundant arbitration experience and was invited to serve as a member of the Council of AAA, the AAA-ICDR Rules Revision Committee, AAA International Advisory Committee, the HKIAC Proceedings Committee, as well as the WIPO International Advisory Committee. She has acted as a presiding arbitrator, sole arbitrator and party-nominated arbitrator in a variety of arbitration cases and is listed as an arbitrator on the panels of world major international arbitration institutions, including AAA-ICDR, HKIAC, SIAC, ICC, LCIA, WIPO, CIETAC, and SCIA (Hong Kong).

康律师近期被国际著名法律媒体《法律名人录》评选为"2023年度全球精英思想领袖"、 "《全球调查评论》2023年度思想领袖"和"2022年度仲裁业务全球领袖"。

Christine is recently nominated in Who's Who Legal: Thought Leaders-Global Elite 2023, Thought Leaders-GIR 2023, and Arbitration 2022.

# 代表业绩 Highlighted Matters

# 国际仲裁——作为仲裁代理律师 International Arbitration – as Counsel

- 代表美国某对冲基金处理其在香港国际仲裁中心的投资合同争议仲裁案,案件标的超过 10 亿美元(2023 年至今)
  - Advising a US hedge fund in a dispute over its investment contract disputes with the HKIAC, with the amount in dispute of over USD 100 million (2023 to date)
- 代表某领先重型机械生产商就其在巴拿马的国际销售合同争议案,提供法律咨询,协调巴拿马律师和中国律师处理中国国际贸易仲裁委员会的仲裁案件(2022年至今)
  - Representing a leading heavy machinery manufacturer in its international sales contract dispute in Panama, coordinating Panama attorney and Chinese attorneys over its arbitration case with the CIETAC (2022 to date)
- 在某全球领先的生物科技公司的国际商会仲裁案件中,提供涉及美国纽约州法和中国法的相关 法律意见(2022年至今)
  - Advising a world leading biotechnology company on the issues relating to the laws of People's Republic of China in an ICC arbitration case governed by the laws of the state of New York (2022 to date)
- 代表全球著名的集成电路设计生产企业处理其在中国国际经济贸易仲裁委员会的代理采购合同 争议仲裁案,案件标的超过 2 亿人民币(2019-2021)
  - Representing a world leading IC designer and manufacture in a dispute over its procurement contract before the CIETAC, with the amount in dispute of over RMB 200 million (2019 to 2021)
- 为某美国著名俱乐部处理其在北京仲裁委员会的许可合同争议提供仲裁前分析和策略建议 (2019-2021)
  - Advised a prominent American club on its pre-arbitration analysis with respect to licensing contract dispute before the Beijing Arbitration Commission (2019 to 2021)
- 代表中国某大型承包商处理瑞典斯德哥尔摩商会仲裁院关于其在巴西的建筑工程争议仲裁案, 案件标的达数十亿美元(2018-2021)
  - Representing a large Chinese contractor on the resolution of an EPC contract dispute in Brazil with the SCC Institute in Stockholm with an amount in dispute of over several billion US dollars (2018-2021)
- 代表某中国科技公司应对某美国公司在国际商会仲裁院提起的多项合同争议案件,并在仲裁程序阶段获得仲裁庭对管辖权异议的全面支持(2018-2021)
  - Representing a Chinese technology company in an ICC arbitration initiated by an American company involving multiple contracts, and completely won the jurisdictional award from the ICC arbitral tribunal (2018-2021)

- 代表中国某大型跨国企业集团处理其在中国国际经济贸易仲裁委员会的有关酒店管理仲裁案件, 并取得全面胜诉(2018-2019)
  - Represented a large Chinese multinational on the resolution of hotel management agreement dispute in a CIETAC arbitration, and completely won the case (2018-2019)
- 代表某著名投资基金处理其在香港国际仲裁中心的仲裁案件,涉案金额达 2.3 亿美元 (2016-2019)
  - Represented a leading investment fund in an HKIAC arbitration case with the amount in dispute of \$230 million (2016-2019)
- 代表多个顶级世界知名体育用品公司处理其在中国国际经济贸易仲裁委员会的代理服务协议争议仲裁案,并获得超出客户预期的满意结果(2016-2019)
  - Represented several famous sportswear brands in an arbitration over disputes of agency agreement before the CIETAC, and has obtained favorable award beyond client's expectation (2016-2019)
- 代表某香港上市地产企业处理其在中国国际经济贸易仲裁委员会的租约争议仲裁案,并取得全面胜诉(2017-2018)
  - Represented a listed Hong Kong real estate company on the resolution of leasing agreement disputes in an arbitration case before the CIETAC and obtained a favorable award (2017-2018)
- 为中国某特大型能源集团就其某天然气田开发、勘探和销售合同以及相关建筑工程合同项下的 争议以及在中国国际经济贸易仲裁委员会和斯德哥尔摩商会仲裁院管理下、适用《联合国国际 贸易法委员会仲裁规则》的仲裁案提供分析意见,争议标的达数十亿美元(2016-2018) Advised one of China's largest state-owned oil companies on the resolution of disputes over gas field exploitation, development, sales and relevant construction agreements in the amount of several billions USD before the CIETAC and the SCC Institute in Stockholm under the UNCITRAL Arbitration Rules (2016-2018)
- 协助中国某大型钢铁企业集团处理其在北京仲裁委员会的矿山承包协议争议仲裁案,涉案标的 达 17 亿人民币(2016-2017)
  - Assisted one of China's largest state-owned steel manufacturers on the resolution of disputes over mining contracting agreement in the amount of more than RMB 1.7 billion before the Beijing Arbitration Commission (2016-2017)
- 为某跨国投资公司在香港国际仲裁中心的合资合同争议提供法律分析意见并参加仲裁庭庭审 (2015-2017)
  - Advised a multinational investment company on the joint venture contract dispute case before HKIAC and provided legal advice (2015-2017)
- 为印度某领先的太阳能技术集团在香港国际仲裁中心的争议标的额超过 3,400 万美元的仲裁案 件提供中国法专家意见(2015-2016)

Provided expert advice on the PRC laws for an India leading solar energy technology company in an HKIAC arbitration with a disputed amount of more than \$34 million (2015-2016)

- 为某跨国投资公司在中国国际经济贸易仲裁委员会获得的有利仲裁裁决在中国大陆的执行等相关事项出具法律分析意见(2015)
  - Advised an international investment company on its enforcement of a CIETAC arbitration award in mainland China (2015)
- 代表某世界知名的轿车公司处理其在中国国际经济贸易仲裁委员会的进出口服务协议争议仲裁案,案件标的超过 400 万欧元,最终获得全面胜诉(2014-2016)
  - Represented a world-renowned automobile manufacturer on the resolution of disputes over export service agreements in the amount of more than EUR 4 million before the CIETAC and won the case (2014-2016)
- 代表中国某国有药业公司和大型国有保险公司处理其与某境外公司之间在中国国际经济贸易仲裁委员会的销售合同争议仲裁案,并获得全面胜诉(2014-2016)
  - Represented a Chinese state-owned pharmaceutical company and one of China's largest state-owned insurance companies on the resolution of disputes over several sales contracts before the CIETAC, and won a favorable arbitration award for client (2014-2016)
- 为某世界知名跨国工业集团在国际商会仲裁院的货物销售合同争议提供仲裁前的程序和实体法律分析意见并协助获得有利和解(2014-2015)
  - Advised a world leading industrial engineering group on its pre-arbitration analysis on both procedure and merits of an arbitration before ICC International Court of Arbitration with regard to the disputes over several sales contracts, and assisted it to reach amicable settlement (2014-2015)
- 为世界领先的钢铁工业设备制造公司在瑞典斯德哥尔摩仲裁院的多个供销合同争议提供仲裁程 序和实体分析意见及协助和解(2014-2015)
  - Advised one of the world's largest metal equipment suppliers on pre-arbitration analysis, both procedural and substantive, for an arbitration with SCC Institute in Stockholm with regard to the disputes over several supply contracts (2014-2015)
- 代表中国某大型地产集团处理其在中国国际经济贸易仲裁委员会的租赁合同争议,提供实体分析意见并协助客户与对方达成和解(2014-2015)
  - Represented one of China's largest real estate groups in an arbitration case of lease contract disputes before the CIETAC, providing substantive analysis and assisting to settle the disputes with the opposing party (2014-2015)
- 为某大型跨国包装公司在香港国际仲裁中心的潜在股权收购争议提供仲裁前的法律分析意见 (2014)
  - Advised one of the world's largest packaging companies on the potential equity acquisition disputes before the HKIAC (2014)

- 为中国某大型国有高科技公司在国际商会仲裁院的仲裁案提供仲裁前的策略分析并起草相关仲裁文件,与美国诉讼律师共同代表该公司共同处理其供货商在美国特拉华州破产法院的破产案件(2013-2015)
  - Advising a subsidiary of one of China's largest high-tech companies on its pre-arbitration strategy for an ICC arbitration with the amount of dispute over \$80 million, and acting as co-counsel with US litigators in the bankruptcy litigation with the Delaware Bankruptcy Court in the US (2013-2015)
- 代表世界领先的检验鉴定公司处理其在中国国际经济贸易仲裁委员会的数宗仓储合作项目仲裁 案,并取得全面胜诉(2013-2015)
  - Represented a world leading inspection, testing and certification company to completely win an arbitration case of disputes over several warehousing cooperation projects before the CIETAC (2013-2015)
- 代表某世界领先的石油公司处理其在中国国际经济贸易仲裁委员会的仲裁案件,并协助其和解解决争议(2013)
  - Represented a world leading oil company in an arbitration case before the CIETAC and assisted to settle the case (2013)
- 代表某香港公司处理其在上海仲裁委员会的有关股权并购的争议仲裁案,涉案争议标的超过 4.000万元人民币(2012-2015)
  - Represented a Hong Kong based company in an arbitration case of equity acquisition disputes with the amount of over RMB 40 million before the Shanghai Arbitration Commission (2012-2015)
- 为中国某国有特大钢铁企业在国际商会仲裁院的争议标的额为 4,700 万美元的仲裁案件提供法律咨询服务并协助取得全面有利和解(2011-2012)
  - Advised one of China's largest state-owned steel companies, on the resolution of disputes in the amount of \$47 million with the ICC International Court of Arbitration in France and achieved the settlement arrangement (2011-2012)
- 代表某世界领先的跨国物流公司办理其在中国国际经济贸易仲裁委员会北京总会进行的仓储合同争议仲裁案,涉案争议标的达数百万美元(2009-2010)
  - Represented one of world's largest logistics company on the resolution of warehousing contract disputes in the number of dozens of millions USD before CIETAC headquarter (2009-2010)
- 代表某世界主要轮胎制造商解决在中国国际经济贸易仲裁委员会及美国加利福尼亚州高等法院 进行的数宗案件(2009-2010)
  - Represented a world leading tire manufacturer, on the resolution of several disputes with CIETAC in China and before California Superior Court in USA (2009-2010)
- 代表某世界顶级广告集团处理其有关广告服务协议争议在中国上海法院的诉讼以及在香港国际 仲裁中心的仲裁案,涉案标的额超过 6,000 万元人民币,并取得胜诉(2008-2010)

Advised one of the world's largest advertising groups for its litigation in China and an arbitration before the HKIAC with a disputed amount of more than RMB 60 million (2008-2010)

- 代表某世界领先的跨国集团,全程处理其在国际商会争端解决中心、可选择争端解决中心、专家争议解决中心以及国际商会国际仲裁院的有关建筑工程的争议案件,涉案金额超过 2,000 万美元(2008-2010)
  - Represented one of the world's largest multinational groups, on the resolution of construction projects disputes in the amount of more than \$20 million before the ICC Dispute Resolution Service ADR, the ICC International Centre for Expertise, and the ICC International Court of Arbitration in France (2008-2010)
- 协助中国某大型国有家电公司处理其在斯德哥尔摩商会仲裁院进行的国际商事仲裁案件 (2008-2009)
  - Assisted one of China's largest state-owned appliance companies with its international commercial arbitration case before the SCC Institute in Stockholm (2008-2009)
- 为某财富 500 强管理咨询公司提供有关案件的仲裁前的分析意见以及相关事项法律服务 (2008-2009)
  - Advised a world leading Fortune 500 consulting company on its pre-arbitration analysis and settlement project (2008-2009)
- 代表某世界领先的跨国工业集团处理其在中国国际经济贸易仲裁委员会北京总会的多个合资争议仲裁案件、在中国各级法院的仲裁管辖权诉讼以及在和国际商会仲裁院的建设工程仲裁案,并取得全面有利于客户的和解(2005-2009)
  - Represented a world leading industry group, on the resolution of several disputes before the CIETAC in China, the jurisdictional litigation at various levels of Chinese courts, and the ICC International Court of Arbitration in France with a disputed amount of more than RMB 15 million and achieved the settlement in favor of client (2005-2009)
- 为某世界领先的建材集团在国际商会仲裁院做出的超过 1.3 亿美元的有关建筑工程仲裁裁决的 执行,提供全程法律咨询并协助其执行和解(2005-2009)
  - Advised a world-leading construction material company, on the enforcement of an ICC arbitral award in China in the amount of more than \$130 million (2005-2009)
- 代表某世界主要零售商处理其在中国国际经济贸易仲裁委员会北京总会和上海分会的多个仲裁 案件,以及仲裁裁决在中国的执行(2005-2009)
  - Represented a world leading retailer, on the resolution of several disputes with the CIETAC Beijing headquarters and Shanghai Sub-commission, and on the enforcement of the arbitral awards in China (2005-2009)
- 代表世界最大化妆品制造商处理其在法国国际商会仲裁院的仲裁案件,涉案争议标的达 17.5 亿 美元(2005-2008)
  - Represented the world's largest cosmetics maker, on the resolution of disputes in the amount of \$1.75 billion before the ICC International Court of Arbitration in France (2005-2008)

#### 国际仲裁——担任仲裁员

#### International Arbitration - as Arbitrator

- 在香港国际仲裁中心某争议仲裁案件中担任首席仲裁员(2022 年至今) Sit as presiding arbitrator in a HKIAC arbitration case (2022 to date)
- 在美国仲裁协会国际争议解决中心的美国某网上交易平台公司与其中国台湾客户之间的交易服务协议争议案中担任独任仲裁员(2022)
  - Sit as sole arbitrator in an ICDR arbitration case involving a transaction service agreement dispute between an American online transaction platform and its Taiwanese customer (2022)
- 在美国仲裁协会国际争议解决中心的中国某电信运营企业北美子公司与中国某科技公司之间的电信服务协议争议案中担任独任仲裁员(2022-2023)
  - Sit as sole arbitrator in an ICDR arbitration case involving a telecommunications services agreement dispute between an American subsidiary of Chinese telecommunications operator and a Chinese technology company (2022-2023)
- 在美国仲裁协会国际争议解决中心的美国某保险公司与美国某投资公司之间的服务协议争议案中担任当事人指定的仲裁员(2018-2020)
  - Sit as party-appointed arbitrator in an ICDR arbitration case involving a service agreement dispute between an American insurance company and an American investment company (2018-2020)
- 在美国仲裁协会国际争议解决中心的美国某公司与中国某公司之间的服务协议争议案中担任独任仲裁员(2019-2020)
  - Sit as sole arbitrator in an ICDR arbitration case with regard to a service agreement dispute between an American company and a Chinese company (2019-2020)
- 在香港国际仲裁中心的多个中国企业之间的建设工程协议争议仲裁案中担任仲裁员,争议标的 达人民币9亿元(2018-2020)
  - Sit as a co-arbitrator in an HKIAC arbitration case involving several Chinese construction companies regarding construction engineering agreement in dispute with amount of over RMB 900 million (2018-2020)
- 在美国仲裁协会国际争议解决中心的美国某公司与英国某公司之间的服务协议争议案中担任独任仲裁员(2017-2018)
  - Sit as sole arbitrator in an ICDR arbitration case involving an agency agreement dispute between an American company and an UK company (2017-2018)
- 在香港国际仲裁中心的中国某公司与香港某公司之间的合资合同争议案件中担任仲裁员,涉案金额达 2,500 万港币(2016-2018)
  - Sit as co-arbitrator in an HKIAC arbitration case involving a joint venture dispute between a Chinese company and a HK company with the amount in dispute of HKD 25 million (2016-2018)

- 在美国仲裁协会国际争议解决中心的美国某公司与印度某公司之间的服务合同争议仲裁案中担任独任仲裁员(2016-2018)
  - Sit as sole arbitrator in an ICDR arbitration case involving a service agreement dispute between an American company and an Indian company (2016-2018)
- 在国际商会仲裁院的中国某国有公司与新加坡某公司之间的国际货物销售合同争议仲裁案中担任仲裁员,涉案金额 470 万美元(2015-2018)
  - Sit as co-arbitrator in an ICC arbitration case involving an international goods sales contract agreement dispute between a Chinese SOE and a Singaporean company with the amount in dispute of \$4.7 million (2015-2018)
- 在国际商会仲裁院的中国某国有公司与欧洲某公司的太阳能设备供应合同争议案件中担任仲裁员,涉案金额达 3.3 亿美元(2014-2018)
  - Sit as co-arbitrator in an ICC arbitration case involving solar energy contract dispute between a Chinese SOE and a European company with the amount in dispute of \$330 million (2014-2018)
- 在数百件中国国际经济贸易仲裁委员会的涉及多种类型的国际仲裁案件中担任首席仲裁员、当事人指定的仲裁员、以及独任仲裁员(2005年至今)
  - Sit as presiding arbitrator, party-appointed arbitrator or sole arbitrator in hundreds of international arbitration cases involving various types of disputes before CIETAC (2005 to date)

## 调查合规

## **Investigation and Compliance**

被非洲开发银行任命担任中国某高新技术和大型能源装备制造企业合规项目的合规监管团队的牵头律师,代表非洲开发银行指导和检查该公司合规制度的建立和实施(2022年至今)
 Leading the team of the Independent Integrity Compliance Consultant (IICC) appointed by the African Development Bank (AfDB) to monitor the establishment and implementation of the integrity compliance program of a large Chinese high-technology and equipment manufacturing company (2022 to date)

- 被非洲开发银行任命担任中国某国有集团设计院合规项目的合规监管团队的牵头律师,代表非洲开发银行指导和检查该公司合规制度的建立和实施(2022年至今)
   Leading the team of the Independent Integrity Compliance Consultant (IICC) appointed by the African Development Bank (AfDB) to monitor the establishment and implementation of the integrity compliance program of a research institute of a large Chinese state-owned group (2022 to date)
- 协助中国某大型国有企业应对世界银行的合规调查,多次起草并搜集整理相关证据回复世界银行,为客户建立并实施符合多边开发银行标准的企业合规制度提供建议和指导,最终帮助公司免于被世界银行处罚(2021-2022)
  Represented a large Chinese state-owned company to deal with the investigation by the WBG, drafting response and preparing relevant exculpation evidence, advising on adoption and implementation of a compliance program in accordance with the compliance standards of MDBs, and eventually avoided the company being sanctioned by the WBG (2021-2022)
- 协助中国某大型国有企业应对亚洲开发银行的制裁提供分析意见,多次起草并搜集整理相关证据提交亚洲开发银行,与亚洲开发银行谈判解除制裁;并为客户建立并实施符合多边开发银行标准的企业合规制度提供建议和指导(2021 至今)
  Representing a large Chinese state-owned company in its application for release by the Asian Development Bank (ADB), draft response and preparing relevant evidence, negotiate with the ADB, and advise on adoption and implementation of a compliance program in accordance with the compliance standards of ADB (2021 to date)
- 被非洲开发银行任命担任中国某知名高新技术上市公司合规项目的合规监管人,代表非洲开发银行指导和检查公司合规制度的建立和实施,最终该公司成功获得全面解除制裁(2020-2021)Appointed by the African Development Bank (AfDB) as the Independent Integrity Compliance Consultant (IICC) to monitor the establishment and implementation of the integrity compliance system of a listed Chinese technology company on behalf of the AfDB. The company eventually obtained complete release from sanction (2020-2021)
- 协助中国某特大型央企及其下属 1,000 余家子公司应对世界银行的制裁,建立并实施符合世界银行标准的全系统合规制度,应对世界银行对其融资项目的反腐败反欺诈调查,选聘代表世界银行的独立合规顾问和独立调查员、并进行合规实地考察和项目调查,并对公司数十万名全体员工进行合规培训等,最终帮助客户成功获得全面如期解除制裁。此项目为世行有史以来规模最大、牵涉公司数量最多、业务体量特别巨大的制裁合规项目(2019-2022)Represented an extra-large Chinese SOE group and its over 1,000 subsidiaries in response to the sanction by WBG, adopting and implementing the compliance program in accordance with the WBG compliance standards across the group, advising on the investigation cooperation in WBG-financed projects, selecting independent compliance monitor and independent investigator, coordinating with the compliance monitor and investigator to conduct site visits and investigations, and conducting compliance training for more than 100,000 employees of the company, and eventually obtained complete release from

sanction on time. This is one of the largest World Bank sanction projects to date in terms of the large number of affiliates involved and a huge scale of business around the world (2019-2022)

- 代表中国某大型央企应对世界银行的合规调查,搜集整理并向世界银行提交减轻处罚的证据文件,与世界银行进行谈判,并最终达成对公司有利的和解协议(允许公司继续投标世界银行项目、并减少制裁期限),进行合规培训,协助客户建立并实施符合多边开发银行标准的企业合规制度等,最终帮助客户成功获得到期全面解除制裁(2019-2022)
  - Advising a large Chinese state-owned contractor to deal with the investigation from the WBG, drafting response and preparing relevant exculpation evidences, negotiating with the WBG to reach settlement agreement with favorable terms for the company(company being allowed to continue to bid for WBG-financed projects with a reduced sanction period), conducting compliance training for senior management of the company, assisting client in adopting and implementing the compliance program with the MDB standards, and eventually obtained complete release from the WBG sanction on time (2019-2022)
- 代表中国某大型央企及其子公司应对非洲开发银行及世界银行的合规调查,协助客户与该银行 谈判并最终达成全方位和解协议,协助客户建立并实施符合多边开发银行标准的企业合规制度 并应对由非洲开发银行对其所选定项目的调查,最终帮助客户成功获得全面提前解除制裁 (2016-2019)
  - Represented a large Chinese SOE and its subsidiaries to respond to the investigations by the **AfDB** and the World Bank, negotiated to reach a comprehensive Settlement Agreement with the AfDB, established and implemented the compliance program with the MDB standards and cooperated with the AfDB on the selected bank-financed projects, and **eventually obtained early release from the AfDB sanction** (2016-2019)
- 代表中国某领先建筑承包商及其下属子公司应对非洲开发银行的合规调查,代表并协助客户与该银行谈判并最终达成全方位和解协议,协助客户建立并实施符合多边开发银行标准的企业合规制度,协助客户应对非洲开发银行对银行资助项目的调查,并最终帮助客户成功获得全面提前解除制裁(2014-2016)
  - Represented one of China's top contractors and its subsidiaries in response to the investigations by the AfDB, negotiated to reach a Settlement Agreement with the AfDB, and assisted client to establish and implement a compliance program with the MDB standards and cooperate with the AfDB in the investigation on selected bank-financed projects, and **eventually obtained early release from the AfDB sanction** (2014 to 2016)
- 代表某大型基建公司应对其被亚洲开发银行施以附条件恢复投标资格的制裁,协助客户完善合规制度,进行合规整改,开展投标合规专项审计,并最终帮助客户成功获得提前全面解除制裁(2020-2021)
  - Represented a large construction company regarding its debarment with conditional release by the Asia Development Bank (ADB), assisting the client to optimize its compliance program, conducting compliance rectification and bidding compliance audit, and **eventually obtained early release from sanction** (2020-2021)

- 协助中国某大型国有企业应对亚洲开发银行的合规调查,多次起草并搜集整理相关证据,与亚洲开发银行银行进行沟通谈判,协助客户完善进一步并实施符合多边开发银行标准的企业合规制度,最终帮助公司获得训诫的最轻制裁(2021-2022)
  - Represented a large Chinese SOE to respond to the investigation by the Asia Development Bank (ADB), drafting and collecting relevant evidence, communicating, and negotiating with ADB, and assisting the client to further improve and implement compliance program in consistent with the MDB standards, and eventually obtained the slightest sanction, letter of reprimand, for the client (2021-2022)
- 协助中国某知名科技上市公司应对世界银行的合规调查,代表并协助客户与银行就和解协议进 行谈判、并取得减轻制裁,协助客户建立并实施符合多边开发银行标准的企业合规制度,协助 客户应对银行对银行资助项目的调查等,并最终帮助客户成功获得到期全面解除制裁(2018-2021)
  - Represented a listed Chinese technology company to respond to the investigation by the World Bank Group (WBG), to negotiate with the WBG for mitigated sanction, to adopt and implement compliance program with MDB standards, to cooperate with the WBG's investigation into the bank-financed projects, and **eventually obtained complete release from the WBG sanction** (2018 to 2021)
- 为总部位于法国巴黎且在巴黎泛欧交易所上市的国际知名奢侈品集团的全体中国员工进行合规培训 10 余场,设立合规举报热线并协助处理举报调查等(2019-2021)
   Advised a world-renowned luxury multinational headquartered in Paris and listed on Euronext Paris to conduct more than 10 sessions of compliance trainings for all of its Chinese employees, establish the whistleblowing hotlines and handle the whistleblowing reports (2019-2021)
- 为某国际领先的专业服务公司出具进一步优化合规制度的专业法律意见(2020年)
   Advised a world leading service company to improve and optimize its internal compliance rules and system (2020)
- 协助中国某领先建筑设计集团起草并制定符合多边开发银行标准的海外业务核心合规制度,就公司现有合规制度出具法律意见(2020年)
  - Advised a Chinese leading construction designing group to develop integrity compliance program with MDB standards for tis overseas business, and issue legal opinion on its current compliance rules (2020)
- 协助中国某大型国有企业应对世界银行的合规调查,多次起草并搜集整理相关不予制裁的证据,与世界银行进行沟通谈判,协助客户建立并实施符合多边开发银行标准的企业合规制度,最终帮助公司获得世界银行免除处罚的成功结果(2019-2020)
  - Represented a large Chinese state-owned company to deal with the investigation by the WBG, drafting response and preparing relevant exculpation evidence, negotiating with the WBG, advising on adoption and implementation of a compliance program in accordance with the compliance standards of MDBs, and **eventually the case was discontinued by the WBG** (2019 to 2020)

- 代表中国某大型央企承包商应对世界银行的合规调查,协助客户建立并实施符合多边开发银行标准的企业合规制度,协助处理亚洲开发银行等机构的跨机构联动制裁等,最终帮助客户成功获得到期全面解除制裁(2018-2022)
  - Representing a leading Chinese SOE contractor to deal with the investigation by the WBG, to establish and implement the compliance program with MDBs standards, as well as to respond to the Cross-Debarment by Asian Development Bank (ADB), and **eventually obtained complete release from the WBG sanction on time** (2018-2022) (2018-2022)
- 协助中国某大型国有承包商建立股份公司层面的、符合多边开发银行标准的全面合规制度和风险内控体系,应公司要求对公司全体员工和下属多家子公司进行多次合规培训(每次一天或两天)(2018-2019)
  - Represented a large state-owned contractor to establish a comprehensive compliance program and internal risk control system at the group-level in accordance with the ethical standards of MDBs, and conduct multiple compliance trainings for all employees of the company and a number of subsidiaries of the company (one-day or two-day session each training) (2018 to 2019)
- 在中央纪委国家监委与世界银行集团联合举办的研讨会上多次担任主讲嘉宾(2018-2019) Spoke on the seminars jointly organized by CCDI and WBG (2018-2019)
- 为国资委、中国对外承包工程商会、多家中国央企等进行海外合规风险防范和多边开发银行合规政策的合规培训(2018)
  - Provided trainings on overseas compliance risk prevention and MDBs compliance policy for SASAC, CHINCA, and some Chinese SOEs (2018)
- 为中国某大型承包商的高管进行多边开发银行合规培训(2018)
   Provided MDB compliance training for the senior management of a large Chinese contractor (2018)
- 为中国某大型国有承包商集团提供中高级领导干部海外投资合规风险防范培训(2018)
   Provided overseas investment compliance risk prevention training for senior management of a large Chinese contractor group (2018)
- 为中国某大型国有企业应对某国际多边开发银行的反商业贿赂调查和合规项目提供相关法律咨询(2016-2018)
  - Advised one of China's largest SOEs in its anti-bribery investigations launched by one of the MDBs and the implementation of relevant compliance policies (2016-2018)
- 代表美国某公司处理涉及其一名资深员工的合规调查以及员工解聘等相关事宜,并出具中国法 法律意见(2016-2017)
  - Advised a US company on its compliance, investigation and termination of a senior manager, and issuing legal opinions on relevant PRC law matters (2016-2017)
- 为某跨国半导体公司的公司合规制度以及员工合规培训提供法律意见(2014)
   Advised a world leading semiconductor company on its corporate compliance program and staff compliance training (2014)

• 为某全球领先的工业制造企业处理其一名中国籍高管及其行为的合规和反商业贿赂调查等问题 出具法律分析意见,并协助进行内部调查(2014)

Advised a world leading industrial manufacturer on its anti-commercial bribery investigation against one of its Chinese senior executives, and assisted in the internal investigations (2014)

#### 跨境诉讼

# **Cross-border Litigation**

- 代表中国某知名基金会处理其在深圳中院的投资合伙协议案件,案涉标的额超过 2.2 亿元人民币,并获得全面胜诉(2019-2023)
  - Representing a leading Chinese Foundation on the resolution of disputes relating to investment partnership agreements in the amount of over RMB 220 million before the Shenzhen Intermediate Court, and completely won the case for client (2019-2023)
- 代表世界著名的歌坛巨星处理其在中国法院的名誉权和肖像权侵权案件(2019-2021)
   Representing one of the world's top singers in her reputation and portrait right infringement case before the Chinese court (2019-2021)
- 代表美国某领先的科技企业处理其在香港法院和警方的资产追讨案件,获得香港法院的全面胜诉并成功追回相关资金(2019-2021)
  - Representing a leading American technology company in an asset recovery case before the HK Courts and Police, obtained favorable rulings from the HK Courts, and successfully recovered the funds for client (2019-2021)
- 代表三家中国大型国有公司处理其在新疆乌鲁木齐中级人民法院的大型建筑工程 EPC 争议案件的诉前分析和起诉准备工作,案涉标的额达数十亿元人民币(2018-2019)
   Representing three of the largest Chinese contractors to handle prelitigation analysis and prosecution preparation in an EPC contract dispute with the amount in dispute of multi-billion RMB before the Xinjiang Intermediate Court (2018-2019)
- 代表美国某知名跨国公司处理其在深圳法院和香港警方的有关不当得利及资产追索的诉讼案件, 并获得全面胜诉(2017-2020)
  - Representing a leading US multinational in an unjust enrichment litigation case involving asset recovery before the courts and police stations in Hong Kong and Shenzhen, and completely won the case (2017-2020)
- 代表全球知名的软件公司处理其在广东知识产权法院的云服务合同争议案件,争议标的达数千万元人民币,并获得一审全面胜诉(2016-2020)
  - Representing a world leading software enterprise in a litigation before the Guangzhou Intellectual Property Court with dispute amount of multi-million RMB, and obtained full favorable ruling in the first instance (2016-2020)

- 代表某世界知名的汽车制造商申请执行其在中国国际经济贸易仲裁委员会的进出口服务协议争 议仲裁案的胜诉仲裁裁决(2016-2018)
  - Represented a world leading automobile manufacturer in enforcing a CIETAC arbitration award regarding Import & Export Service Agreement disputes (2016-2018)
- 代表非洲某水泥生产公司处理其在天津某法院的合同欺诈案件,并取得全面胜诉(2015-2017)
   Represented an African cement manufacturer in a contractual fraud lawsuit before the Chinese court in Tianjin and obtained a favorable result for client (2015-2017)
- 代表中国特大型石油集团的研发机构处理其有关专利无效争议的一审和二审案件,并取得全面 胜诉(2015-2016)
  - Advised a D&R branch of one of China's largest oil companies to win a patent invalidating lawsuit before the first and second instances of Chinese courts and completely won the cases (2015-2016)
- 为中国某特大型石油集团的高管股票期权纠纷在中国大陆和新加坡的潜在诉讼提供法律分析意见(2015-2016)
  - Advised one of China's largest oil companies on the resolution of disputes over executive stock options in mainland China and in Singapore (2015-2016)
- 为中国领先的互联网公司与其原高管之间的不正当竞争、商标侵权等一系列纠纷提供法律分析 意见并起草诉讼文件(2014-2015)
  - Advised a leading Chinese internet company on its disputes with its former senior manager over various unfair competition issues and trademark infringements, analyzing the case merits and drafting relevant litigation documents (2014-2015)
- 为某世界领先的跨国半导体公司的反垄断诉讼提供诉前法律咨询,包括设计诉讼方案和搜集相关证据等(2014)
  - Advised a world leading semiconductor company on its potential antitrust litigation in China, including litigation strategy and evidence collection (2014)
- 协助中国某大型国有承包商处理其在肯尼亚的铁路建筑项目违宪诉讼案件并圆满撤案解决 (2014)
  - Advised one of China's largest state-owned contractors on constitutional complaints before the Kenya Constitution Court regarding the construction of railway projects in Kenya, helped achieve an amicable settlement (2014)
- 代表中国某大型国有高科技公司与美国诉讼律师合作共同处理其在美国特拉华州破产法院的破产案件(2013-2015)
  - Represented one of China's largest high-tech companies on its court action before the Delaware Bankruptcy Court in the US in concert with US litigators (2013-2015)
- 为中国某大型国有汽车制造商就其合资合同争议提供法律分析意见及起草律师函,成功协助达成有利和解(2013)

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Advised one of China's largest state-owned automobile manufacturers on the resolution of disputes over joint venture contracts, issued attorney letters and helped achieve amicable settlement (2013)

- 代表法国某咨询服务公司处理其在北京朝阳法院和北京第三中级人民法院的租赁合同争议的一审、二审和执行案件,并最终获得全面胜诉和执行(2012-2016)
  - Represented a French consulting company, completely won the lawsuit of disputes over leasing contracts before the first instance and the second instance Chinese courts, and successfully enforced the court rulings on behalf of the client (2012-2016)
- 协助中国某大型承包商处理其在马来西亚法院的建筑工程代理合同争议案件,该案经过一审和 二审后获得全面胜诉(2012-2014)
  - Advised one of China's largest state-owned contractors on the court action before the various levels of Malaysian courts over the disputes of construction agency agreements, and won favorable ruling for client after appeal (2012-2014)
- 协助某世界著名美职篮篮球运动员处理其在中国法院的姓名权侵权案件(2011-2012)
   Assisted one of the world's most famous NBA basketball players in his naming right infringement case before the Chinese court (2011-2012)
- 协助中国某大型国有石油公司处理其在美国加利福尼亚州高等法院的标的额超过 20 亿美元的诉讼案件(2008-2010)

Assisted one of China's largest state-owned oil companies on the court actions with the California Superior Court in the amount of more than \$2 billion (2008-2010)

## 业界荣誉 Recognition

- 连续入选《法律名人录》2020 2023 年度"全球精英思想领袖"
   Recognized in Who's Who Legal: Thought Leaders Global Elite (2020 2023)
- 连续入选《法律名人录》2020 2022 年度"仲裁业务全球领袖"
   Recognized in Who's Who Legal: Global Leaders for Arbitration (2020 2022)
- 连续入选《法律名人录》2020-2023 年度"《全球调查评论》思想领袖" Recognized in Who's Who Legal: Thought Leaders- GIR (2020-2023)
- 被《法律 500 强》评选为 2021 年度"争议解决之诉讼律师"
   Recognized in The Legal 500 for Dispute Resolution: Litigation (2021)

#### 精选演讲 Highlighted Lectures

"中国及法国的反腐败执法动向",《调查百科》(All Things Investigations)系列播客第9期(2022年8月8日)

"Anti-Corruption Enforcement in China and France," Hughes Hubbard and Reed's All Things Investigations, Podcast, Episode 9, August 8, 2022

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# 执业资格 Bar Admissions

- 美国纽约州, 2015年 New York, 2015
- 中国,2013年 China,2013

# 律协组织 Professional Association

纽约州律师公会
 New York State Bar Association