

JASON LI

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PRACTICE AREA

MR. LI'S PRACTICE AREA IS DISPUTE RESOLUTION AND INSOLVENCY AND RESTRUCTURING. HE SPECIALIZES IN CORPORATE, FINANCE, CONTRACT, CIVIL INFRINGEMENT AS WELL AS LIQUIDATION AND BANKRUPTCY.

Education

- Fudan University Law School, LL.B
- East China University of Political Science and Law, LL.M

Professional Qualification

- Admitted to practice in the PRC

Before joining Fangda in September 2012, Mr. Li has worked in the court system in Shanghai for over 15 years.

Since joining Fangda, Mr. Li mainly engages in commercial contract disputes and legal services in relation to finance, intellectual property and labor disputes. Moreover, Mr. Li deals with some significant liquidation and bankruptcy cases.

REPRESENTATIVE MATTERS AND CASES

Corporate Law

- Represented a large overseas fund in Shanghai court in a lawsuit to force an invested enterprise to exercise the shareholders' rights to know
- Represented a large state-owned asset management company in Anhui court in a lawsuit on the effectiveness of a shareholder resolution
- Represented a Hong Kong-owned company in Shanghai court in a lawsuit about the distribution of the liquidation income under the agreement of anonymous investment
- Advised a large domestic private enterprise on negotiation and litigation strategies in shareholder dividend and repurchase disputes in Sino-foreign joint ventures
- Advised a well-known state-owned enterprise on a litigation plan in respect to the validity of board decision regarding a hostile takeover
- Advised a domestic equity investment fund on its disputes with fund management partners
- Advised a foreign-funded five-star hotel on its internal governance disputes with domestic cooperative operators and represented it in filing a lawsuit in Jiangsu court

Financing law

- Represented a foreign bank in handling a number of financial derivatives arbitration cases before CIETAC
- Represented a foreign bank in a large loan lawsuit in the Tianjin High Court and the Supreme Court
- Represented a trust company in handling the arbitration between a borrower and a guarantor before the Beijing

Arbitration Commission

- Represented a financial asset-management company in Shanghai court to apply for a ruling to realize the huge amount security interest
- Represented a large securities company in various local courts in handling litigation and enforcement notarization as well as debtor default enforcement under a pledge repurchase transaction
- Represented a large securities company in various local courts in handling litigation over fraud in listed company disclosures
- Represented a private equity investor in local court in handling litigation over a debtor's default in an investment transaction
- Represented a foreign auto financing company in several lawsuits against several car dealers that defaulted on their debts under various modes of cooperation
- Provided full legal services, including for civil litigation, administrative complaints, reconsideration, etc., for a domestic client seeking to recover massive losses caused by bank executive's fraud

Bankruptcy - Creditor Side

- Represented a multinational bank acting as a creditor in the bankruptcy restructuring of Huishan Dairy
- Acted for six creditors in Nantong Mingde Heavy Industry's bankruptcy proceedings
- Represented two financial institutions in the consolidated bankruptcy proceedings of Liaoning Dahua Group
- Represented a securities company as a creditor in Dadongnan Group's bankruptcy restructuring before a Zhejiang province court

Other typical cases

- Represented a domestic auto-component manufacturer in handling damages arising from product recalls between it and its secondary suppliers
- Represented Johnson Controls in arbitration on product quality disputes
- Represented Ingersoll Rand in court in a lawsuit seeking to terminate a purchase contract due to product quality defects
- Represented a German luxury car dealer in arbitration with its buyer over product quality disputes
- Represented a German component manufacturer in a lawsuit on product quality disputes with distributors
- Represented an A-share listed company in handling arbitration over a star-rated hotel lease contract and applying for an injunction in the Zhejiang court
- Advised multiple state-owned housing and commercial real estate projects on disputes and risk management
- Represented a foreign-invested company in handling a sale and purchase contract under a rolling forecasting model with its suppliers in Guangxi court
- Represented a famous internet company in successfully obtaining the first injunction in a non-IP case in Shanghai in an action against a famous domestic newspaper over the infringement of goodwill
- Represented an international large-scale supermarket company in several domestic courts in handling labor disputes caused by management misconduct
- Represented creditors in large-scale bankruptcy reorganization procedures in several courts

Publications/Articles

- Member of the group of books with respect to "equity transfer disputes", entrusted by the Supreme Court.
- Member of the Shanghai Higher People's Court group for the project on "Studies on Insolvency of Associated Companies Under Consolidation", entrusted by the Supreme Court.

Procedural Law:

- "Study on the Application of the System of Trial by Default in Civil Proceedings"

- “Discussion on effects of optional arbitration clauses including litigation or arbitration”
- “Discussion on Improvement of Verification Procedures for Claims in Bankruptcy in terms of the New Bankruptcy Law”
- “Preliminary Discussion on Jurisdiction of Substantive Disputes concerning Insolvent Companies”

Substantive Law:

- “On the Influence of Judicial Procedure to the Constitution of Defamation”
- “The Safety Guarantee Obligation of the Operators When the Third Party Carry Out the Tort—from the Contract Law to the Tort Law” (abstract from the master's thesis)
- “Agreement on Choice of Law in Foreign Civil and Commercial Contracts”
- “The Reform of Interest Rate Marketization in China and Its Influence on the Trial Practice”
- “Study on Acceleration Clauses in Bank Loan Contracts”
- “Discussion on Facility Contracts in Banking Business”
- “Thinking Over Transfer of Distressed Debts in Context of Financial Crisis in terms of Financial Law”
- “Study on Legal Practice in terms of Interest in Banking Credit Business”
- “Identification and Treatment of Legal Relations of the Financing Lease Contract Involving Hong Kong”
- “The Remedies of the Equity Transferee When the Equity Transfer is Not Registered”
- “Legal Issues on Conversion of Dissolution Liquidation to Insolvency Liquidation”
- “The Employee’s Right to Challenge the Resolution of the Employer to Dissolve in Advance”
- “The Guarantee of the Procedural Right of Collective Bargaining of the Employee During the Contract is Performing”

Professional Affiliations

- Serve as an arbitrator on the Shanghai Arbitration Commission, the Shanghai International Economic and Trade Arbitration Commission, and the China International Economic and Trade Arbitration Commission