

LEI YANG

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PRACTICE AREA

MR. LEI YANG'S KEY PRACTICE AREAS ARE CORPORATE COMPLIANCE, INTERNAL INVESTIGATION, AND GOVERNMENT ENFORCEMENT (INCLUDING MDB SANCTION MATTERS)

Education

- Georgetown University Law Center (Graduation with Distinction & Dean's List), LL.M.
- Transnational Law and Business University, Master of Laws.
- China University of Political Science and Law, LL.B.

Professional Qualification

- Admitted to practice in the PRC
- Admitted to practice in New York

Work Language

- Mandarin
- English

Professional Background

- Besides experience at Fangda, Mr. Yang had worked at the Washington D.C. office of a top U.S. law firm in the white-collar crime area, the legal department of Google China, and the dispute resolution practice group of another major law firm.

Mr. Yang has more than a decade of experience as a lawyer. Having experiences in compliance and dispute resolution practice in both the PRC and the U.S. has enabled him to be especially good at representing clients in solving complicated cross-border regulatory compliance, government enforcement, and dispute resolution matters.

Mr. Yang has represented clients in a wide range of areas, such as anti-bribery, anti-unfair competition, fraud, conflict of interest, trade secret protection, multilateral bank sanctions, ESG and supply chain compliance, etc.

REPRESENTATIVE MATTERS AND CASES

Government Enforcement, Overseas Crisis Management & MDB Sanction

- Represent a high-net-worth individual client in connection with an investigation initiated by the U.S. Department of Justice relating to possible violations of U.S. sanctions regulations. Assist the client in selecting and managing U.S. counsel, developing a response strategy for the client, and preparing evidence for the defense. The case is still ongoing.
- Represent a UK-based multinational media company in connection with an investigation by the Guangzhou Market Supervision Administration. Assist the client in developing a response strategy.
- Represent a well-known multinational pharmaceutical company in response to an investigation and enforcement by a local Public Security Bureau. Assist the client in responding to the PSB's inquiry and ultimately resolve the crisis.
- Represent a Fortune 500 catering company in an investigation by Shanghai MSA concerning commercial bribery.
- Represent a Chinese technology company in a U.S. trade secret infringement case. Serve as the general coordinating counsel, assisting the client in managing its U.S. legal team in the lawsuit and establishing an overall case strategy that included parallel litigations and other countermeasures in China.
- Participate in advising a major U.S. cryptocurrency exchange in an investigation by the U.S. Securities and Exchange Commission.
- Serve as the Integrity Compliance Expert for a large infrastructure construction SOE in a case where the company was facing sanctions by the World Bank, conducting a thorough review of the client's compliance

implementation report and carrying out site visits, providing continuous advice on improving the client's compliance system and engaging in multiple rounds of communication with the World Bank Integrity Compliance Officer (ICO). The company recently filed a release application which is pending review by the ICO.

- Represent a large state-owned construction company in responding to an investigation conducted by the World Bank related to potential collusive conduct in connection with one bidding project of an overseas branch of the client. We helped the client establish a consistent communication channel with the Integrity Vice Presidency (INT), investigate the alleged misconduct, and devise response strategies with a thorough analysis. This case is still ongoing.
- Represent a large infrastructure construction SOE to conduct a thorough internal investigation into the client's previous projects financed by the World Bank to identify third parties' possible violations of the World Bank's Integrity Guidelines, which is a condition of the client's settlement with the INT regarding the sanction by the World Bank for the client's violation of the World Bank Integrity Compliance Guidelines.

Internal Investigation

- Represent a new energy sector MNC in conducting an internal investigation against its employees' potential problematic T&E expenses reimbursement. Worked with a well-known U.S. law firm in this investigation, and reported to the Audit Committee of the client; provided risk analysis under the PRC law.
- Represent a multinational telecommunication company in an internal investigation against one of its senior executives in its Chinese subsidiary for a potential conflict of interest issue.
- Represent a joint venture between a leading global pharmaceutical company and a major SOE in various internal investigations, including potential violation of FCPA and Chinese anti-corruption laws, conflict of interest, and embezzlement.
- Represent a leading U.S. pharmaceutical company in its internal investigations against potential violations of FCPA and Chinese commercial bribery laws.
- Represent a chemical company in its FCPA and Chinese commercial bribery internal investigations in China, and advise the client in improving its compliance program.
- Represent a leading Chinese public company in its internal investigations against top management, discovering a sophisticated systematic fraud through acquisition and third-party schemes.
- Participate in advising a major U.S. cryptocurrency exchange in an investigation by the U.S. Securities and Exchange Commission.

Compliance Program and Advisory

- Assist a leading Chinese medical device company in conducting a compliance risk review in relation to anti-unfair competition and recommend risk remediation measures to the client.
- Advise a leading Fintech company to design its employee compliance risk awareness evaluation model, which is the first of its kind in the industry.
- Advise a leading ride-hailing company in the establishment of its global anti-corruption compliance program.
- Advise a leading e-commerce company to devise its global investment compliance policy.
- Advise a leading alternative energy company to establish its whistle-blowing mechanism in China.
- Represent a leading Chinese semiconductor company in devising its trade secret protection policy.
- Advise various companies to build their compliance programs, government dawn raid programs, and third-party management system.
- Advise various multinational and domestic companies of commercial bribery risk of different business models.
- Advise various multinational companies in various industries on cross-border data transfer, state secrets, and data privacy issues.

Anti-corruption Due Diligence

- Represent a leading e-commerce company and its affiliates to conduct numerous anti-corruption due diligence in connection with various M&A transactions in different industries and recommend risk remediation measures.
- Represent a leading Fintech company and its affiliates to conduct numerous anti-corruption due diligence in connection with various M&A transactions in different industries and recommend risk remediation measures.
- Represent several leading private equity firms and investment banks in their anti-corruption due diligence in connection with various M&A transactions and recommend risk remediation measures.