

NUO JI

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PRACTICE AREA

MR. JI'S PRACTICE AREAS INCLUDE BANKRUPTCY AND RESTRUCTURING, COMMERCIAL LITIGATION AND ARBITRATION, CONSTRUCTION AND REAL ESTATE, AND REGULATORY LAW ENFORCEMENT AND CRISIS MANAGEMENT.

Education

- Fudan University Law School, LL.B., LL.M.

Professional Qualification

- Admitted to practice in the PRC

Professional Background

- From 1992 to 1995, Legal Department, Foreign Trade Department of Beijing Coking Chemical Plant
- From 1998 to 2001, attorney of Shanghai Jianwei Law Firm
- From 2001 to 2003, partner of Beijing Tongda Law Firm Shanghai Branch
- From 2003 to 2005, founding partner, director of Shanghai HHP Attorneys-at-Law
- From 2005 till now, partner of Fangda Partners

Mr. Ji has been deeply engaged in various practice areas and has been recognized by international rating agencies such as Chambers, the Legal 500 and Asialaw Profiles as Leading Individual, Eminent Practitioner, and Hall of Fame Lawyer in bankruptcy and restructuring, dispute resolution, and construction and real estate.

Understanding the importance of combining practice and theory, Mr. Ji is committed to promoting the development of the rule of law in China through comparative legal research. He has participated in a large number of research projects and legislative drafting and consulting work.

Mr. Ji is "held in high regard for his expertise in litigation and arbitration, offering advice on construction disputes and insolvency matters". One client praised him for his "insight into issues and issue-solving approaches". A market commentator describes him as "no doubt the most experienced lawyer". --- Chambers Greater China/Asia Pacific Legal Guide

REPRESENTATIVE MATTERS AND CASES

Bankruptcy and Restructuring

- Acted as one of the bankruptcy administrators for major bankruptcy cases such as the bankruptcy liquidation of CEFC China and its affiliates, the prepackaged bankruptcy of ZK Engineering (the first prepackaged bankruptcy case in Shanghai), the restructuring of Trendzone Holdings and Bestway Marine & Energy (both A-share listed companies), the restructuring of DSIC Offshore, and the restructuring of Shanghai Yuehe Real Estate, the total debts at issue of which amounted to several hundred billion in RMB; Aso appointed by Shanghai courts at different levels as the administrator or member of the liquidation committee for many other insolvent companies or companies in mandatory liquidation proceedings
- Represented a number of liquidators and administrators of offshore bankrupt companies including Lehmann Europe in dealing with various issues relating to asset collection, asset and business sales, and related litigation in China
- Represented large banks and syndicated creditors in filing claims, formulating and negotiating restructuring plans, and conducting related litigation in the restructuring proceedings of listed companies home and abroad

- Represented COFCO in dealing with various issues in the restructuring of THE CEREAL WAY
- Represented various large-scale Chinese and foreign commercial banks, assets management companies, foreign investment funds, and investors in handling various issues in the disposal, acquisition, and recovery of non-performing assets in China
- Represented the relevant creditors in the bankruptcy liquidation and restructuring proceedings of various securities companies
- Represented various syndicate lenders in dealing with issues relating to debt restructuring and in participating in relevant bankruptcy liquidation and restructuring proceedings
- Represented various multinational corporations in their offshore bankruptcy proceedings in disposing of and operating their assets and businesses in China
- Represented the shareholders, directors, supervisors and senior management personnel of various companies in bankruptcy in dealing with litigations and other related matters
- Represented the shareholders or members of the liquidation committee of various foreign-invested companies in voluntary or mandatory liquidation proceedings

Commercial Litigation and Arbitration

- Represented various foreign investment companies and funds in resolving disputes arising out of their mergers, acquisitions, investments and joint ventures in China
- Represented various foreign investment companies and funds in resolving investment disputes such as those over company control issues arising from PE investments and VIE structure
- Represented various Chinese and foreign investment institutions in resolving disputes arising out of mergers and acquisitions
- Represented a number of Chinese and foreign clients in resolving shareholder rights disputes, including disputes over co-investment agreements, confirmation of shareholding, rights of first refusal, access to information, and shareholder derivative actions
- Represented a number of Chinese and foreign clients in resolving corporate governance disputes, including disputes over impairment of company interests by shareholders, directors, supervisors or senior management, and disputes over confirmation or revocation of company resolutions
- Represented a number of Chinese and foreign banks and other financial institutions in resolving various financial disputes arising from loan agreements, guarantee agreements, financial leasing agreements, ship leasing agreements, etc.
- Represented various Chinese and foreign clients in resolving disputes with securities companies over wealth management contracts and advised on relevant enforcement and bankruptcy proceedings
- Represented a number of Chinese and foreign clients in dealing with disputes relating to international sale of goods, including disputes over commodities trading
- Represented a number of Chinese and foreign companies in dealing with all types of commercial contract disputes, including disputes related to sales and purchase contracts, auction contracts, lease contracts, technical service contracts, and advertisement contracts
- Represented a number of Chinese and foreign clients in resolving professional liability contractual or tort disputes
- Represented a number of Chinese and foreign companies in dealing with civil compensation disputes over various environmental pollution incidents
- Represented a number of Chinese and foreign clients in the pharmaceutical industry in dealing with personal injury disputes relating to pharmaceutical research and development
- Represented a number of Chinese and foreign companies in dealing with civil proceedings arising out of unfair competition acts
- Represented a number of Chinese and foreign clients in dealing with various disputes arising out of domestic and international arbitration proceedings, including disputes over the effectiveness of arbitration agreements, the set-

aside of arbitration awards, and the domestic recognition and enforcement of foreign and Chinese arbitration awards

- Represented a number of Chinese and foreign clients in handling complex court enforcement proceedings
- Represented a number of Chinese and foreign clients in administrative review and administrative litigation cases involving, for example, commercial bribery, environmental pollution, securities regulation and other matters related to their business operation

Construction and Real Estate

- In the field of construction, represented the owners of dozens of major construction projects including Shanghai World Financial Center Project, providing legal services in bidding, construction engineering and design, negotiation and drafting of various contracts, construction project management, and completion and acceptance
- In the field of construction, represented general contractors in dozens of major construction projects and provided comprehensive legal services covering all major issues of construction and real estate laws
- In the field of real estate development, represented dozens of real estate development companies including Vanke, CMPD, Tian An China, Kerry Properties, SIIC, YOUNGOR Real Estate to deal with issues relating to residential and commercial real estate development projects; represented a number of Fortune 500 companies, state-owned enterprises, private enterprises in issues relating to industrial investment projects
- In the field of real estate acquisition, represented a number of real estate companies and foreign real estate funds in issues relating to their acquisition of real estates (including residential and commercial real estate and infrastructure projects) in China and in related disputes over project transfer, project acquisition or joint ventures
- In the field of real estate leasing, represented a number of real estate development companies and foreign-invested companies in various issues relating to property rental or leasing and in related litigation and arbitration cases
- In the field of hotel management, represented a number of hotel management companies in various issues relating to project development and hotel operation and in disputes arising out of hotel management contracts with owners
- Represented various foreign and domestic construction companies to deal with various litigation and arbitration cases on disputes arising out of construction contracting agreements
- Represented a number of foreign and foreign-invested design companies to deal with disputes arising out of construction design contracts
- Represented a number of foreign and foreign-invested construction project management companies and construction consulting companies to deal with disputes arising out of project management contracts and construction consulting contracts
- Represented a number of Fortune 500 companies to deal with litigation and arbitration cases on disputes arising out of construction contracts with domestic contractors
- Represented a number of domestic real estate development companies to deal with disputes arising out of the sale of housing
- Represented a number of domestic real estate development companies to deal with disputes arising out of real estate brokerage contracts
- Represented a number of well-known property management companies to deal with property management contract disputes

Regulatory Law Enforcement and Crisis Management

- Represented a number of Chinese and foreign clients to provide legal services in the course of managing public incidents and crisis, including cases arising out of environmental pollution, commercial bribery, foreign anti-corruption investigation, compliance and regulatory investigation, collective negotiation, and cross-border investment
- Represented an international accounting firm in an investigation by the China Securities Regulatory Commission

(CSRC) and the Ministry of Finance into its alleged failure to exercise due diligence as an intermediary

- Represented an international accounting firm in a dispute arising from the issuance of a false letter by a bank
- Represented an international hotel group in dealing with a cybersecurity law investigation jointly conducted by multiple Chinese law enforcement authorities
- Represented a domestic subsidiary of a large U.S.-based financial group in dealing with a market manipulation investigation by the CSRC
- Represented a cleaning company in dealing with a criminal investigation arising from mismanagement during the pandemic
- Represented an equipment manufacturing group in dealing with the CSRC's investigation of alleged disclosure misconducts
- Represented a client in dealing with the CSRC's investigation of alleged insider trading

Publications/Articles

- Involved in various researches entrusted by the legislatures, governments, courts and law societies, including study groups on "Research on Civil Trial Reform", "Judicial Reform – Research on Judicial Management in Common Law and Civil Law Jurisdictions", "Civil Trial System with Chinese Characteristics", "The Government's Role in China's Market Economy", "Perfecting Property Legislation", "Research on Director's Personal Liabilities under Bankruptcy Law" and "Comparative Law Study on Issues in the Judicial Practice of Financial Institutions' Bankruptcy"
- Member of the Drafting Panel of the "Compulsory Enforcement Law of the People's Republic of China"
- Involved in the legislative drafting and legislative consultation on the "Enterprise Bankruptcy Law of the People's Republic of China", the "Financial Stability Law of the People's Republic of China", the "Measures of Shanghai Municipality on Real Estate Mortgage", the "Anti-unfair Competition Regulation of Shanghai Municipality", the "Regulations of Shanghai Municipality on Optimizing the Business Environment" and the "Regulations of Shanghai Municipality on Urban Renewal"
- Drafted, with others, the "Model Clauses for Construction Project"
- A dozen of publications and multiple honors and awards
- Hosting lectures for undergraduates and graduate on a regular basis; invited as guest speaker in many international and domestic academic symposiums and forums
- As Deputy Director of the Editorial and Review Committee, edited "Hot Spotlight: Cross-Border Insolvency and Disposal of Non-performing Assets", published in Insolvency Law Tea House, Law Press, 2020 edition
- Co-author of "Practical Operation and Suggestions on Certain Important Issues in Cross-Border Bankruptcy", published in People's Judicature, No. 25, 2020
- Co-author of "Towards a More Dynamic Reorganization Market: Reflections on China's Recent Development on Corporate Towards a More Dynamic Reorganization Market: Reflections on China's Recent Development on Corporate Reorganization", published in CEE Article (2020)
- Co-author of "Asia-Pacific Restructuring Review, China Chapter", published in Global Restructuring Review (2019)
- Co-author of "Chambers Global Practice Guides - Insolvency, China Chapter", published in Chambers Insolvency 2019 China (2019)
- Co-author of "Insolvency and Corporate Reorganization Report 2016", published in International Financial Law Review (2016)
- Co-author of "China Environmental Protection Case from the Perspective of Cross-Border Bankruptcy", published in Proceedings of the Fourth Enterprise Bankruptcy Law Practice Forum, 2015 edition
- Co-author of "Insolvency Law Test for Accelerated Maturity of Lending Contracts", published in Proceedings of the Fourth Enterprise Bankruptcy Law Practice Forum, 2015 edition
- Co-author of "Insolvency and Corporate Reorganization Report 2015", published in International Financial Law Review (2015)

- Co-author of "Enforcement of Judgments and Arbitral Awards: a Global Guide from Practical Law 2nd Edition (China Chapter)", published in Thomson Reuters (2015)
- Co-author of "Practical Dilemmas and Solutions to Recognition and Enforcement of Foreign Insolvency Proceedings", published in Proceedings of the Third Forum on Corporate Insolvency Law Practice, 2013 Edition
- Co-author of "The Protection of Web Pages under German Copyright Law", published in Legal Frontiers of Information Network and High-Tech Law, Law Press, July 2007, 1st edition
- Author of "Legal Reflections on Disputes over 'Information Network Dissemination Rights'", published in Legal Frontiers of Information Network and High-Tech Law, National People's Congress Publication, January 2006, 1st edition
- Author of "Shanghai Engineering Consulting Service Contract (Model Text)", published in Research on Important Legal Issues in the Transition Period, Law Press, December 2005, 1st edition
- Co-author of "The Legislative Achievements and Practical Significance of Article 79 of the Construction Law", published in Compilation of Papers of China Construction Law Practice Forum, 1999 edition
- Co-author of "Specific Issues in the Application of Multilateral International Economic and Trade Treaties in the Hong Kong Special Administrative Region", published in Contemporary Legal Studies, No. 2, 1997
- Author of "Revisiting Hong Kong's Role as an International Trade Center -- Legal Countermeasures and Prospects", published in Contemporary Legal Studies, No. 1, 1996

Professional Affiliations

- President of the Shanghai Association of Bankruptcy Administrators
- Delegate to the Shanghai People's Congress
- Member of the Supervision and Judicial Committee of the Shanghai People's Congress
- Legal Advisor of the Shanghai People's Government
- Member of the Administrative Review Committee of the Shanghai People's Government
- Legal Advisor of the United Front Work Department of the Shanghai Municipal Committee of the CPC
- Legal Advisor of the State Administration for Market Regulation, Shanghai Branch
- Deputy Director of the Bankruptcy Law Study Commission of the Shanghai Law Society
- Executive Director of the All China Lawyers Association
- Director of the Legal Professional Committee of Bankruptcy Liquidation and Merger, Acquisition and Restructuring of the All China Lawyers Association
- Deputy Director of the Lawyers Development Strategy Research Committee of the All China Lawyers Association
- Arbitrator of China International Economic and Trade Arbitration Commission
- Arbitrator of Shanghai International Arbitration Center
- Arbitrator of Shenzhen Court of International Arbitration
- Arbitrator of Shanghai Arbitration Commission
- Former President of the Shanghai Bar Association (2019-2023)