

James (Chen) Li

Senior Partner and Member of the Board



Senior Partner and Member of the Board

Shanghai

D +86 21 2028 3287

M +86 136 8187 5881

li.chen@dentons.cn

Overview

James Li, Senior Partner of Beijing Dentons Law Offices, LLP (Shanghai), Supervisor of Master student of East China University of Political Science and Law, Visiting Professor of Shanghai University.

Mr. Li has developed many influential clients in the industry, such as Changan Trust and Eastern Bell Capital; offer legal services on cases which concentrates on resolutions of significant, difficult, and complicated business disputes in the financial and commercial industry; the total amount of the case is over 10 billion yuan; a breakthrough has been achieved in the type of cases, with the addition of trust cases. A major breakthrough has been made by customer visibility, customer categories, target amount of cases, case types.

From perspective of developing new clients, Mr. Li develops new clients such as Changan Trust, Eastern Bell Capital, Pudong Emerging Industry Investment, Shanghai Pudong Real Estate, Industrial Bank etc.

From the subjects of the cases, mortgage rights and priority rights of compensation disputes over Industrial Bank and Guotai Construction, and contract disputes over Shanghai Chudi Horticulture and Shanghai Jinxin Landscaping Engineering, are the newly developed cases that subjects over a hundred million.

Furthermore, Mr. Li deals with cases with great influence such as debt crisis between one international Trust and Guozhijie Group which is the stockholder of Anxin Trust and insurance contract disputes over one international Trust and one listed company.

Additionally, Mr. Li participates in the organization of attorneys that help trust companies collect debts and protect their rights by dealing with case of Changan Trust. Mr. Li also develops well-known PE clients and develop new business of enforcing claim debts by tracing shareholders' repurchase obligation.

Besides resolution of business disputes, Mr. Li also organizes major risk control legal projects, real estate investment and financing projects. Mr. Li is professional at mediation and negotiation, he resolves complicated, difficult disputes, achieves targets of resolution, and protects rights of all parties by non-litigation negotiation.

Experience

- **HTF Investment Management, Fullgoal Fund, Xinyuan Assets Management:** Mr. Li dealt with the first

serial cases of Super Short-term Commercial Paper of China, of which the amount of the disputed-object was more than 1,000,000,000 RMB. Being the coordinator lawyer and entrusted by several bondholders, Mr. Li rapidly completed the multiple case filing and achieved the timely Judicial Seizure of debtors', Shandong Sunny Group (00691.HK), most valuable and key assets, which was first-role Judicial Seizure throughout China. Therefore Mr. Li maximized creditors' benefits during the debt recovery process. After the judgments being effective, by representing the creditors, Mr. Li organized and created the negotiation with the debtors, and finally helped to bring about the settlement agreements. Currently, those settlement agreements were well performed and thus Mr. Li eventually protected creditors' legal interests to the utmost extent.

- **Yunfeng Group:** Mr. Li represented one state-owned company for disputes over investment and financing due to introduction of strategic investor. The case involved disputes over damages of company, shareholders' profits, stock transfer, confirmation of shareholders' qualification, and shareholders' right to know. Moreover, different level courts even Supreme People's Court and several high people's court of several provinces were involved in. Mr. Li decided to resolve disputes by combining litigation and non-litigation methods at the beginning. He obtained successful and effective judgments in the series of cases and resolve disputes by non-litigation method eventually. In this case, Mr. Li successfully protected interests of client and avoided loss of domestic assets.
- **Haitong Securities Assets Management:** Mr. Li represented HT to obtain the successful judgment relating to the stock trading. This had been the first case of which investor (LP) sued fund manager (GP) to claim GP's legal responsibilities based on the private placement of stock project in China. The background of the case was, the investor (plaintiff) signed "orienting assets management plan management contract" with HT based on some private placement of stock of the listed company, but did not feel satisfactory with the outcome and further pursued the litigation. Through judgment, this was the first case which clearly clarified the boundary of the fund manager's fiduciary duties while operated this type of asset.
- **Haitong Leading Capital Management:** Mr. Li represented HC to defend Jushan (Shanghai) Assets Management Co., Ltd. ("JS") for dispute over partnership agreements. The background of the case was HC served as GP and thus established Leyu Limited Partnership ("the Fund") to specifically invest in Le-Mobile convertible bonds project, the total investment amount was RMB 410 million. Being the limited partner, JS represented JS JL 1 project to invest RMB 90 million into the Fund. However, Le-Group (included Le-Mobile) could not perform the contracts due to Le-Group debt crisis, JS thus demanded lifting of "partnership agreement" with HC, and further demanded HC to return its investment including capital and interests. Considering that Le-Group debt crisis was a major event in the Chinese capital market in 2017, this case would set up the standard of judicial judgment for the fiduciary duties and prudent management obligations of Private Fund Managers, also this case clearly stated the principle that there was no rigid payment in the investment issues.
- **Shaohui Investment:** Mr. Li represented several listed companies for external loan disputes over the actual controller offered credit of the company as guarantee for credit enhancement. The borrowers of these disputes were substantial shareholders generally and credit guarantee was offered by listed companies and its actual controller. Mr. Li always kept track of property and controlled clients' risks.
- **Ping An life insurance:** Mr. Li represented Ping An Insurance and Ping An Insurance Shanghai as defendant for disputes over savings contracts and won the case eventually. The plaintiffs of the case were financial customers, they claimed that the fraud of Ping An's employees constitute apparent agency. Thus, the insurance company should bear corresponding responsibilities of compensation. Winning the case had significant meanings to insurance even finance industry, it distinguished boundaries between risk management of financing company and duty of care of financial customers. In addition, it gave an important warning to vast financial customers.
- **Haitong Securities Assets Management:** Stock pledged repo disputes have been a hot topic in the financial industry, Mr. Li represented Haitong Securities Asset Management in a number of stock pledged repo disputes with the amount in controversy was approximately RMB 3 billion, the total amount is more than 3 billion yuan, related securities including Netposa [300367, SZ], Ji Yao [300108, SZ], GOSING [300478, SZ], Xi Wang Food [000639, SZ], Kingnet [002517, SZ], Red Sun [000525], Sino-Crystal Diamond project [300064, SZ] and Huayu mining project [601020.SH]. When he dealt with stock pledged repo disputes, he can

combine judicial practices and policies related to high-holding reduction of directors, supervisor, and executives effectively to help clients foreclose as soon as possible.

Activities and Affiliations

- Invited lawyer mediator” of Pudong New Area
- Part-time Master Mentor of East China University of Political Science and Law, teaching “Legal Writing of Business Negotiations”
- Visiting Professor of Shanghai University Law School, teaching “Dispute Resolution Practice and Analysis”

Prior and Present Employment

- Senior Partner, Dentons Shanghai office, 2010 to date
- Senior Partner, Shanghai Diligence Law Firm, 2007 to 2010
- Associate, Shanghai City Development Law Firm, 2003 to 2007

Areas of focus

Practices

- Environment and Natural Resources
- Restructuring, Insolvency and Bankruptcy
- Litigation and Dispute Resolution

Industry sectors

- Real Estate
- Construction
- Manufacturing
- Financial Institutions

Education

- East China University of Political Science and Law, 2003, Master of Laws, in Civil and Commercial Law
- Shanghai University of Foreign Language, 2000, Bachelor of Arts in English

Admissions and qualifications

- China, 2005

Languages

- Chinese

- English