



**ZHANG Daming**  
**张大鸣**

Senior Partner

**Name:** ZHANG Daming 张大鸣

**Position:** Senior Partner

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**Language:** Mandarin, English

**Practice Area:** M&A AND RESTRUCTURING、REAL ESTATE AND CONSTRUCTION、CIVIL AND COMMERCIAL LITIGATION、SPECIAL ASSETS

## Professional Experience

### Litigation of Financial Institutions and Restructuring of Bank-Enterprise Debts

For a long time, Mr. Zhang has provided legal services for the banks in Shenzhen and Hong Kong and for state-owned assets management companies, and has valuable experience in the field of the litigation of financial institutions and the restructuring of bank-enterprise debts. The nearly 1000 cases he has handled for these financial institutions cover commercial loans, offshore loans, letters of credit, note discount, and other financial litigation cases and non-litigation cases involving the restructuring of bank-enterprise liabilities. The more influential cases include serial cases of litigation and debt restructuring that involved Sanjiu Group and Shenzhen Materials Group. His services have won the favorable comments of customers.

### Corporate Governance

His rich experience in internal corporate governance enables him to provide customers with legal services that cover the architectural design of corporate power structure, commercial flow of primary business, legal standard for documents, employment systems and legal training.

### Corporate Merger/Restructuring

Proficient in the laws and regulations for domestic merger, acquisition and reorganization as well as the regulatory practices of related government agencies, Mr. Zhang can provide customers with all-round legal services related to projects of merger, acquisition and reorganization that cover due diligence, legal opinions, negotiations and preparation of legal documents.

### Foreign Investment

With years of experience in the field of foreign investment, Mr. Zhang provides legal services that cover all aspects of foreign investment projects, including the planning of legal architecture and due diligence prior to project implementation and drafting of and negotiations over legal documents. He excels in designing optimal legal operation plans according to the specific project.

### Real Estate

In the field of real estate, Mr. Zhang is good at designing the overall architecture of legal plans for projects. The legal services he provides cover the whole process from land grant and transfer, development and sales, to property management.

### Common Commercial and Infringement Lawsuits

Mr. Zhang was agent in a large number of common commercial and infringement lawsuits. He is skilled in analyzing case evidence and the crucial issues in legal relations to provide his clients with accurate risk assessment and feasible solutions and to win for them the most favorable judgment result in lawsuits.

## Representative Performance

- Litigation of Financial Institutions and Restructuring of Bank-Enterprise Debts  
He represented the Industrial and Commercial Bank of China Co., Ltd. Shenzhen Branch in a series of loan contract cases versus Sanjiu Enterprise Group (38 cases involving RMB 1.4 billion yuan). This was one of the largest case objects in the financial community of Shenzhen, and also had significant influence in the whole country. Through effective and timely due diligence and property preservation measures, he became the first to secure sufficient acquittal guarantee for our client in the large number of financial creditors and provided an important basis for the successful debt reorganization of the entire Sanjiu Enterprise Group.

He represented Shenzhen Office of China Orient Asset Management Corporation in a series of loan contract cases versus Shenzhen Materials Group (24 cases involving RMB 700 million yuan). By masterminding an overall lawsuit scheme and a plan for the reorganization of bank-enterprise liabilities, he finally settled 440 million yuan worth of creditor's rights for the client and, meanwhile, the Materials Group successfully completed reorganization of both liabilities and the company.

- Corporate Governance

Represented the state shareholder of a group company in drawing up and successfully implementing an all-round legal solution to address its dispute with other shareholders over the control power of the company (involving 4 billion yuan worth of assets). The result was the successful reorganization of the shareholders' meeting and board of directors of the group company and its important subsidiaries, which vested the state shareholder with complete control over the group.

- Corporate Merger/Restructuring

Represented Huaqiang Group in restructuring Shenzhen Huaqiang Real Estate Development Co., Ltd. and Shenzhen Huaqiang Electronic World Co., Ltd.

- Foreign Investment

Represented Cathay International in acquiring two subsidiaries under Sanjiu Group; assisted Cathay in successfully completing the full-scale acquisition of two target companies when Sanjiu itself was in the complicated situation of a major reorganization by drawing up an overall solution for a blanket transfer of the creditor's rights, debts and equity between the two companies and Sanjiu

- Common Commercial and Infringement Lawsuits

Represented Hubei Gezhouba Sanlian Industrial Co., Ltd. as the Chinese lawyer in suing Robinson Helicopter Company Inc. in a dispute over infringing helicopter product. The case involved a dispute over the casualty caused by the quality problems of a helicopter. Through arbitration and judicial proceedings at Stockholm International Commercial Arbitration Court and the California Supreme Court, he won the case finally for the client in mainland China and received a judgment for 10 million USD of compensation.

Represented Bank of China Shenzhen Branch in a dispute over damages with the liquidation team for Beihai Company of Pubei County Materials Corporation and Dongxing International Travel Service. The plaintiff claimed for RMB 25.8 million yuan on grounds of the bank's fault in account creation and account transfer. The claim of the plaintiff was rejected in both instances and the client won the case.

- Legal Counsel to:

Mr. Zhang is the legal counsel of such big-name clients as the Industrial and Commercial Bank of China, Shenzhen Branch, Bank of China, Shenzhen Branch, China Minsheng Banking Corporation, Shenzhen Branch, the Shenzhen Office of the China Orient Assets Management Corporation, Shenzhen Office of China Huarong Assets Management Corporation, Huaqiang Group, China Great Wall Wine, Cathay International, Times Fortune Group, Coastal Greenland Limited, Vanke Property Management Co., Ltd., Shenzhen Residential Property Management Co., Ltd., Shenzhen Tongji Zhongji Industrial Co., Ltd., Shenzhen Sware Software Technology Co., Ltd. and Fuyuan Real Estate Co., Ltd.

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## Education Background

- Southwest Politics and Law University in 1995, LL.B
- Xiamen University in 2001, LL.M

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## Publications

- Lawyer's Practices in High Technology Transactions (edited by Zheng Zhibin, Jilin People's Press)