



Dongmin HE

Partner

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Position: Partner

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Practice Area: ARBITRATION, INTERNATIONAL TRADE AND WTO, CIVIL AND COMMERCIAL LITIGATION, CROSS-BORDER DISPUTE RESOLUTION

Professional Experience

Dr. He Dongmin, a Partner at Jincheng Tongda & Neal Law Firm, holds a Ph.D. in International Economic Law from China University of Political Science and Law. With a robust theoretical foundation and extensive practical experience in corporate governance, Dr. He excels in providing legal services, ranging from equity structure design to risk management in investment and financing. His expertise extends to compliance system construction and legal support for diverse commercial transactions, bidding processes, and negotiations.

As a legal advisor, Dr. He caters to a diverse array of enterprises, including central enterprises, state-owned entities, listed companies, and multinational corporations in industries like finance, insurance, mining, telecommunications, healthcare, real estate, hotels, the internet and new technologies.

Specializing in commercial disputes, labor disputes, international disputes, international investment arbitration, and sports arbitration, Dr. He possesses a wealth of experience in socially impactful dispute resolution cases. His proficiency lies in proposing creative and decisive legal strategies in complex cases, resulting in groundbreaking victories for clients.

In a notable case involving a pledge of mineral assets repurchase contract, Dr. He represented a state-owned enterprise in retrial proceedings before the Supreme Court, securing a comprehensive victory. Similarly, in a shareholder qualification confirmation case, he played a pivotal role in assisting a leading cloud computing company, which was on the verge of listing, in countering a shareholder's equity challenge. This intervention effectively removed the final hurdle before the company's IPO, facilitating a successful listing on the Beijing Stock Exchange. Additionally, in a corporate control dispute, Dr. He assisted a listed company's founding shareholder in overcoming opposition, successfully restructuring the board of directors, and regaining control.

With an exceptionally high success rate, Dr. He is highly recommended by colleagues, frequently representing clients in major, challenging, and complex cases, consistently delivering satisfactory litigation outcomes.

Recognized as an expert in resolving intricate civil and commercial disputes, Dr. He has been invited by the internationally renowned legal service platform Lexology to lead the Complex Commercial Litigation section and collaborate on the M&A Litigation section. Through Lexology, he shares practical experiences from mainland China with over 730,000 legal professionals around the globe.

Representative Performance

• General Specialized Permanent Consultant Unit

- People's Property and Casualty Insurance Company of China Ltd.
- China Harbor Engineering Co.
- China Mobile Communications Corporation Beijing Ltd.
- Auclean Medical Devices (Chengdu) Co., Ltd. (the world's largest cochlear implant company)
- Beijing Xinhua Fushi Asset Management Co.
- Wuhan Meilian Real Estate Group
- CCCC Industrial Investment Holding Co.

• Specialized Consultant on Corporate Equity Governance

- Specialized consultant on control of Jiangsu Guangsheng Jianfa Renewable Resources Co.,

Ltd. assisted the company's founder shareholders in convening the shareholders' meeting on their own to reorganize the board of directors and recover the control of the listed company.

- Equity structure design and equity transfer project of Beijing Extreme Secret Technology Co.
- Equity investment in Shengtang Jiaye (Beijing) Education Technology Co.
- Equity structure design and escrow project of Beijing Walker World Technology Co.
- Equity incentive program of Beijing Yicosel Technology Co.
- Capital increase and share repurchase project of Beijing InnoGreen Technology Co.
- Equity M&A and corporate governance project of Dongguan Jiaming Refrigeration Technology Co.
- Founder's exit and equity acquisition program for Beijing Tanjin Technology Co.

• **Complex Corporate Disputes**

- Represented an A-share listed company in Shanghai in an unjust enrichment and potential shareholders' liability for damages to the company's interests dispute arising from the alleged misappropriation of funds (bankruptcy derivative litigation, in progress, amounting to RMB 1.705 billion).
- Ltd. and Mr. Huang, a former shareholder and senior executive, Mr. Huang suddenly filed a lawsuit on the eve of the listing of Parallel Technology, Dr. He represented Parallel Technology to successfully reject all the other party's litigation requests, clearing the obstacles for the company's listing, and Parallel Technology has successfully landed on the Beijing Stock Exchange.
- Represented the founding shareholders of Jiangsu Guangsheng Jianfa Renewable Resources Co., Ltd. in a case against the controlling shareholders for the revocation of the board of directors' resolution, winning the case in full and assisting the founders in regaining the control of the company (the market value of the company involved in the case was approximately RMB 818 million).
- Beijing Jindai Bio-technology Co., Ltd. shareholder equity transfer contract disputes, ruling in favor of all the client's litigation requests.
- Series of cases of entrusted financial management contract disputes between an investor and an investment fund management limited company (TDC won the case, successfully dissolved the Partnership Agreement, and ruled that the manager should return all the investment money and compensate for the interest).

• **Labor Disputes**

- Handled a number of labor disputes involving PICC on behalf of the People's Property and Casualty Insurance Company of China Limited throughout the year.
- Represented Tongcheng Bing Technology Co., Ltd. in the second trial of a labor dispute with Mr. Li, a flash delivery worker. The case was lost in the first trial, and the case was successfully settled by mediation at a lower price, avoiding the possibility of the labor relationship between flash delivery and more than 500,000 flash delivery workers being recognized as a labor relationship, which was widely noticed by the Internet industry.
- Represented Zhejiang Tianyi Film and Television Co., Ltd. in a labor dispute with Du, the financial officer, and rejected all of the other party's more than 3 million yuan of arbitration requests.
- Represented Beijing Kaichen Real Estate Co., Ltd. (headquarters of Jinmao Group) in a labor arbitration case against Mr. Xu, a senior executive, and rejected all of the employee's arbitration requests.
- Represented Guangdong Midea Intelligent Robotics Co., Ltd. in a labor dispute with Li, helping the company successfully determine the legal termination of the labor contract, rejecting the employee's arbitration request of more than 600,000 yuan and supporting only the wage difference of more than 7,000 yuan.
- Represented Zhongshan Longcheng Qihang Trade Co., Ltd. in the second trial of a labor dispute with Mr. Wang and achieved a successful outcome of the second trial, with the court of

second instance supporting all of the company's appeal requests.

- Represented a company's executives in labor disputes and stock option disputes with a foreign company in Shanghai, recovering more than 1.2 million yuan in losses for the executives through settlement.

- **Foreign-related Disputes**

- Dispute concerning fraudulent foreign insurance contracts of AXA Insurance, a well-known international insurance company
- Ltd. and China Export and Credit Insurance Corporation, Tianjin Branch, Import and Export Credit Insurance Contract Dispute Case
- Unfair Competition Dispute between Hassan Shoes (Shenzhen) Company, Hassan Trading (China) Company Limited, Hassan Trading (China) Company Limited Beijing Branch No. 1 and Christian Louboutin Simplex Company Limited (International First-Level
- Brand Christian Louboutin), Lanboutin Shanghai Trading Co.
- International Sale of Goods Contract Dispute between DMLUX Verlichtingsarmaturen of the Netherlands and Guangdong Huizhou Hengtu Optoelectronics Technology Co.
- International Sale of Goods Contract Dispute between Predicine, Inc. and Zhejiang Shuo Hua Life Science Research Co.
- International Sale of Goods Contract Dispute between Neutrovis Malaysia and Haggard Biotechnology (Shenzhen) Co.
- Special legal adviser on human rights and labour treatment compliance for Goldwind New Energy South Africa Proprietary Ltd.

Honorary Titles

- The A-list Rising-Star 2023 by the China Business Law Journal in China's Elite lawyers
- LexisNexis? 40 UNDER 40 2024 Asia List
- LexisNexis? UNDER 40 2024 Greater China List

Education Background

- Ph.D. in International Law, China University of Political Science and Law