



Shuai GUO

Partner

Name: Shuai GUO

Position: Partner

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Language: Mandarin, English

Practice Area: ARBITRATION, PRIVATE EQUITY AND VENTURE CAPITAL INVESTMENT, CIVIL AND COMMERCIAL LITIGATION, CROSS-BORDER DISPUTE RESOLUTION

Professional Experience

Lawyer Guo Shuai is a Partner at BEIJING JINCHENG TONGDA & NEAL LAW FIRM. His primary practice areas cover litigation and arbitration, cross-border dispute resolution, and perennial legal advisory services. Prior to engaging in legal practice, Lawyer Guo Shuai worked for a long time at an intermediate people's court in Beijing, focusing on the trial and research of civil and commercial cases. He has participated in hearing over one thousand cases of various types, enabling him to gain an in-depth grasp of the adjudication rules governing civil and commercial cases in judicial courts. He has published more than ten academic articles in authoritative legal publications, including Guide to Commercial Adjudication of the Supreme People's Court, Law Application, People's Judicature and People's Court Daily. Several cases he presided over have been selected into the Annual Typical Cases of Chinese Courts. He has been conferred numerous honors, such as the title of "Model Professional Talent for Judicial Competency of Beijing Courts", the Second Prize of the National Court Academic Symposium, and "Excellent Communist Party Member". He also concurrently serves as a Part-time Lecturer of the Beijing Court System. Additionally, he was seconded to a central political and legal authority, where he took part in high-level policy research for the political and legal system. Backed by his comprehensive and profound professional experience, Lawyer Guo Shuai is capable of providing clients with integrated one-stop legal solutions that combine litigation and non-litigation legal services.

Representative Performance

• Private Equity and Wager Buyback

- Provided perennial legal services for China Poly Group Corporation Limited, Sunac Real Estate Group Co., Ltd., China Civil Engineering Construction Corporation, CITIC Construction Co., Ltd., China Machinery Industry Federation, etc.
- Represented a central state-owned enterprise in an equity repurchase dispute against an investment company with a disputed amount of over RMB 60 million, and secured a complete victory in the litigation.
- Represented a venture capital partnership in an equity repurchase dispute arbitrated by CIETAC, and facilitated a successful settlement between the parties.
- Represented an investment management company against a PE company in a BAC arbitration
- Provided legal services for the actual controller of a company in handling a series of equity repurchase dispute cases, with CIETAC serving as the arbitral institution.
- Provided legal services for a state-owned PE institution in handling an equity repurchase dispute concerning a company in Shandong Province.
- Provided legal services for a company in relation to its equity repurchase and achieved a successful settlement.
- Provided legal services for a company in Shandong regarding its VAM-based equity repurchase matters.
- Participated in hearing the contract dispute case of Xiaoma Pentium, a renowned film and television company; properly handled the issue of marital joint debts in the exit process of PE/VC institutions, which garnered widespread public attention.
- Participated in hearing the VAM-based equity repurchase case of Beijing Sifang Automation Co., Ltd.

- **Cross-border Dispute Resolution**

- Represented a company registered in the Cayman Islands and listed on the NASDAQ in the United States as well as its actual controller in handling multiple disputes with shareholders registered in the British Virgin Islands. The main case is under the jurisdiction of the Second International Commercial Court of the Supreme People's Court, with an amount involved of approximately 100 million yuan, and achieved a full victory.
- Represented a liquidator from overseas in handling disputes over the control of a domestic company, involving a series of cases such as requests for alteration of company registration, disputes over liability for damage to shareholders' interests, and tort disputes. The cases were distributed in Beijing, Shanghai, Guangzhou, Jinan, and other locations.
- Represented a property management company under a Hong Kong listed company in a corporate control dispute; successfully reached a settlement by filing a lawsuit for modification of company registration.
- Provided legal services for a research institute, a publishing house and other entities in handling joint venture disputes between their subsidiaries and foreign capital investors.
- Represented a South Korean enterprise in a counter-guarantee contract dispute arbitrated by CIETAC, with an amount in dispute exceeding RMB 160 million. Conducted foreign law ascertainment on relevant Korean laws and achieved significant loss mitigation for the client.
- Represented a listed company in a sales contract dispute with a U.S. importer arising from the administrative review of anti-dumping measures conducted by the U.S. Department of Commerce, with CIETAC as the arbitral institution.
- Represented a subsidiary of a well-known automotive group in a Sino-foreign shareholder joint venture contract dispute arbitrated by CIETAC; the case was successfully settled through amicable negotiation.

- **Domestic Litigation and Arbitration**

- Represented a subsidiary of a well-known automotive group in a Sino-foreign shareholder joint venture contract dispute arbitrated by CIETAC; the case was successfully settled through amicable negotiation.
- Represented a central state-owned enterprise in a factoring contract dispute. The case was heard by a financial court at the first instance and the Higher People's Court of Beijing at the second instance, involving an amount of RMB 160 million, with a full victory obtained for the client.
- Represented a central state-owned enterprise in enforcement objection and enforcement objection litigation for adding and modifying persons subject to enforcement against another central state-owned enterprise. With the disputed amount exceeding RMB 70 million, the court successfully dismissed the opposing party's application for adding a person subject to enforcement.
- Represented Beijing New Poly Mansion Real Estate Development Co., Ltd. in a cross civil-criminal case involving an amount of over RMB 60 million, and successfully compelled the opposing party to withdraw the lawsuit.
- Represented a subsidiary of a central enterprise in handling cases of objections to execution and lawsuits regarding objections to the addition and alteration of the person subject to execution with an enterprise, with a disputed amount of over 350 million yuan.
- Represented a commercial real estate company under ESR in a lease contract dispute with the tenant and secured a full victory in the litigation.
- Represented a central state-owned enterprise in a housing lease contract dispute.
- Represented a client in a private lending and guarantee case involving an amount of over RMB 15 million and obtained a favorable judgment.
- Represented Guangzhou Hunyuan Real Estate Management Co., Ltd. in defending against an application for bankruptcy liquidation, and successfully opposed and had the application dismissed.
- Represented a listed company in the energy industry in filing an application for administrative

reconsideration with the National Development and Reform Commission (NDRC) regarding the non-performance of tax and other preferential terms under an administrative agreement signed with the Development and Reform Commission of a certain province.

- Provided legal services to China Construction Seventh Engineering Bureau Co., Ltd. in a series of construction contract disputes.
- Provided legal services for a well-known PE company concerning the withdrawal of the default bonds.
- Provided legal services for an investment management company in handling disputes over misrepresentation of securities with a certain securities company, a certain accounting firm, and a certain rating company.
- Provided legal services for the China Machinery Industry Federation in handling civil-criminal cross disputes involving its subordinate subsidiaries.
- Provided legal consulting services for a wholly-owned subsidiary of a listed company in relation to a fire accident incident.
- Provided legal services for a company based in Jiangsu in connection with a fire accident incident.
- Provided full-process legal services for the exit of a private bond project of Sunac.
- Provided legal services for the listed company Kangde Xin Composite Group Co., Ltd. and its subsidiaries in handling disputes with Bank of Beijing.
- Provided legal consulting services for a well-known parking lot asset operation enterprise.
- Provided legal services for Ant Group (formerly Ant Financial) in cases involving trademark infringement and unfair competition disputes.
- Participated in the trial of a contract case involving China New Energy Automobile Co., Ltd., fully responsible for property preservation work, and conducted on-site preservation of more than 400,000 battery cells with a value of RMB 260 million.
- Participated in the trial of the financial leasing case of China Kangfu International Leasing Co., Ltd., and properly handled issues such as acceleration of maturity, mortgage of under-construction projects, equity pledge, and guarantee.
- Participated in the trial of a series of enforcement objection lawsuits involving Agricultural Bank of China and China Construction Bank, and properly handled issues such as whether the lease right can preclude the realization of the mortgage right.
- Participated in the trial of bankruptcy liquidation cases involving Huafu Technology Co., Ltd. and other entities.

Social Status

- part-time teacher, Beijing court system
- Director, Beijing Association of Banking Law
- Conciliator, China Association of Small and Medium Enterprises Mediation Center

Honorary Titles

- The Legal 500 Recommended Lawyer for Dispute Resolution
- China Business Law Journal 2024 Deals of the Year
- Courts Judicial Professional Skills Model
- Advanced Individual and Personal Merit Commendation, Beijing Intermediate People's Court, 2016-2018
- Beijing Outstanding Graduate

Working Experience

- JT&N Law Firm

- Beijing Intermediate People's Court
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Education Background

- Renmin University of China LLM
 - China Youth University of Political Studies BA
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Publications

- Practice Manual of Civil Procedure Law, published by China Legal Publishing House (Second Edition, September 2023)
- Practical Litigation and Recovery in the Disposal of Non-performing Financial Assets, published by China Legal Publishing House (March 2023)
- Setting Out Again at Thirty - 90 Highlights of the New Company Law, published in Wolters Kluwer (January 2024)
- Interpretation of the Regulations on the Supervision and Administration of Private Investment Funds from the Perspective of Litigation, published in LexisNexis (July 2023)
- The Dilemma of Change Registration after the Departure of Legal Representative, published in LexisNexis (2021)
- One-year Review of Bond Disputes Judicial Interpretation, published in Wolters Kluwer (2021)
- Unveiling Beijing Financial Court - Guidance on Jurisdiction, published in LexisNexis (2021)
- Shareholder Determination under the Guarantee of Equity Transfer, published in People's Judicature (2021)
- Public Law Norms in the Civil Code, published in the Fifth Edition of People's Court Daily (December 18, 2020).
- Report on Disputes in relation to Companies, published in People's Court Daily (2020)
- The Past and Present of the Interest Rate of Private Lending, published in the 5th Edition of People's Court Daily (August 28, 2020)
- White Paper on Corporate Dispute Trials by the First Intermediate People's Court of Beijing Municipality (2010–2019), included in Guiding Cases on Commercial Trials of the Supreme People's Court, Vol. 51, February 2020 (Co-authored)
- VAM under Chinese Law, published in Democracy and Legal Times (2020)
- Judicial Path of Company Dissolution, published in Faren Magazine (2019)
- Dualistic Distinction in Legal Governance of Lending Behaviors, in Journal of Law Application, Issue 9, 2019 (Co-authored)
- White Paper on Trial of Private Lending Cases by the First Intermediate People's Court of Beijing Municipality (2011–2018), Chief Writer
- Where the Transferee Fails to Fulfill Reasonable Duty of Care in the Transfer of Equity with Defective Capital Contribution, It Shall Be Jointly and Severally Liable to Creditors, included in China Court Cases 2019 (Co-authored)
- Judicial Review of Denial of Shareholder Qualification in Disputes over Shareholder Right to Information, in People's Judicature, Issue 17, 2018
- Relief of Rights of Outsiders in Actions against Objections to Enforcement, Second Prize of the 29th National Court Symposium (2017)