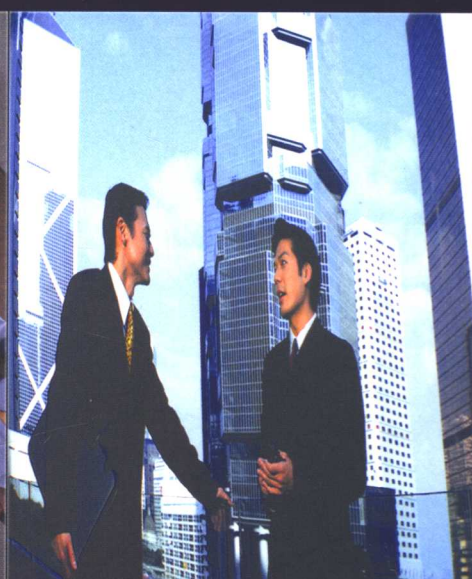


CHINESE LAWYERS

ENGAGED IN INTERNATIONAL PRACTICES

中国涉外律师



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中国国际经济贸易仲裁委员会



China International Economic and Trade Arbitration Commission (CIETAC)

从20世纪90年代起,中国国际经济贸易仲裁委员会的年受案量在世界各大仲裁机构中一直名列前茅。1994年《中华人民共和国仲裁法》颁布前,中国所有的涉外经贸仲裁案件均由中国国际经济贸易仲裁委员会受理,目前国内绝大多数的涉外案件仍然由当事人提交中国国际经济贸易仲裁委员会审理并裁决。截至2004年底,中国国际经济贸易仲裁委员会已经受理并审结各类案件逾万件,案件当事人遍及世界40多个国家和地区。

应商界的请求,中国国际经济贸易仲裁委员会不断励精图治、开拓创新,分别于1998年、2000年两度修订《仲裁规则》,将受案范围最终扩大到所有国际、涉外及国内争议。仲裁委员会设立的域名争议解决中心,是中国国内唯一一家通用网址争议解决机构和.CN域名、中文域名争议解决机构;其与香港国际仲裁中心合作成立的“亚洲域名争议解决中心”是全世界第四家解决通用顶级域名争议的机构,负责处理国际通用顶级域名争议。2003年5月,首度推出专门的行业仲裁服务——金融争议仲裁。根据《金融争议仲裁规则》的规定,仲裁委员会将以更快捷、更便利的仲裁程序解决金融领域的争议。

目前,中国国际经济贸易仲裁委员会共有国内外仲裁员共814名,其中港、澳、台地区仲裁员和外籍仲裁员198名。设立的仲裁员名册中除经贸争议方面的资深专家外,还有各个行业领域的高级专业人士。此外,仲裁委员会还设有专门行业的仲裁员名册,如《中国、澳大利亚和新西兰羊毛格式合同争议案件仲裁员名册》、《金融专业仲裁员名册》和《证券争议仲裁员名册》等。

Since the 90s of the 20th century, the number of cases accepted by China International Economic and Trade Arbitration Commission(CIETAC) has been on the top among world arbitration institutions. Before Arbitration Law of People's Republic of China was enacted in 1994, all Chinese trade arbitration cases concerned with foreign parties were dealt by CIETAC. By the end of 2004, CIETAC has accepted and finished over ten thousand of cases, in which the involved parties cover more than 40 countries and areas.

Upon the demand of business community, CIETAC has been keeping its efforts and making innovations continuously. It revised Arbitration Rules in 1998 and 2000 respectively and expanded its jurisdiction to all international, domestic and foreign-related cases. CIETAC Domain Name Dispute Resolution Center is the only dispute-solving institution in China of general web address and of the domain name with .CN as well as Chinese domain names. Asian Domain Name Dispute-Solving Center, which was set up cooperatively by CIETAC and Hong Kong International Arbitration Center, is the fourth dispute-solving institution of general top domain name around the world, responsible for dealing with top international general domain name disputes. In May 2003, special sector arbitration service, Financial Dispute Arbitration was put forward for the first time. According to Financial Dispute Arbitration Rules, CIETAC will solve financial disputes through more expeditious and convenient proceedings.

Presently, CIETAC has 814 arbitrators in total and 198 of them are from Hong Kong, Taiwan, Macao or foreign countries. Besides experienced experts on trade disputes, CIETAC also has panels of arbitrators from other particular sectors, such as Panel of Wool Dispute Arbitrators, Panel of Financial Dispute Arbitrators and Panel of Securities Dispute Arbitrators.

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“因本合同引起的或与本合同有关的任何争议,应提交中国国际经济贸易仲裁委员会”。

Please put CIETAC Model Arbitration Clause into your contract, which is:

“Any dispute arising from or in connection with this Contract shall be submitted to China International Economic and Trade Arbitration Commission for arbitration.”

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陈幻中博士为环球律师事务所合伙人，国际商会中国分会（ICC CHINA）国际惯例委员会委员。他分别持有中华人民共和国执业律师资格，美国犹他州以及华盛顿特区律师资格；并先后获得美国杨伯翰大学法学院法律博士（JD，1995年），杨伯翰大学管理研究生院管理硕士（EMPA，1992年），对外经济贸易大学经济学学士（1984年）学位。

陈幻中博士具有跨国和跨行业的综合专业经历。大学毕业后曾任职于中共北京市委以及北京市政府驻香港代表机构等；长期在北京和海外工作执业，具有国际性法律经验和背景。陈幻中博士曾任国有的中信律师事务所主任。在国办律师事务所脱钩改制之后，成为改制后的环球律师事务所创始合伙人之一。

陈幻中博士在学业和执业两方面均中西贯通，致力于将国外法律经验和知识同中国法律环境相结合，建树于多个法律领域，包括国际投资，贸易法和竞争法，公司法，知识产权法，航空法，行政法，WTO法规，国际诉讼和仲裁等。其中在国际诉讼和仲裁以及反倾销法方面，屡屡创造开拓性案例和局面。例如，陈幻中博士多次以中华人民共和国律师名义在美国、欧洲直接出庭诉讼和仲裁，不仅维护了中国企业权益，更拓展了中国律师的国际空间和国际声誉。其本人亲自在国外出庭诉讼并获胜的代表性案件包括：代理中化天津分公司在美国纽约南区联邦地区法院出庭诉讼并击败5家美国本国原告；代理中国惠通集团同德国大众/斯柯达集团的ICC仲裁；代理中国葛洲坝三联公司同美国罗宾逊直升机公司在美国加州仲裁等等。在代理加拿大北电网络公司的斯德哥尔摩商会仲裁案中，陈幻中博士成功地令斯德哥尔摩商会仲裁院破例接受和使用国际商会仲裁法院仲裁规则，在该仲裁院历史上首次打破了其规定和传统。

陈博士创造的其他中国律师执业突破包括：首次由中国律师全程代理中国企业海外反倾销应诉和出庭而无任何国外律师参与（韩国硅锰应诉案）；代表中国企业在历史上首次到南美地区反倾销应诉、并首次获得零税率（阿根廷草甘膦应诉案），等等。在航空法领域，陈博士在所代理的巴林海湾航空公司空难理赔案中，创造了中国公民国际空难赔偿最高金额的新纪录，为争取中国公民在国际理赔中的平等权实现了重要突破。

在中国国际经济贸易仲裁委员会和各级中国法院，陈幻中博士代表通用汽车海外公司，德国宝马汽车公司在内的大批国内外客户进行了诉讼和仲裁。陈幻中博士同时成功代理大量跨国公司直接投资和并购业务等非诉业务，多起有影响的复杂知识产权争议，以及大量航空融资租赁和国际空难理赔案件等，是富有创造性的一线律师。

Dr. Chen HuanZhong

Dr. Chen is senior partner of Global Law Office. He is member of the International Practice Committee of ICC China, and member of the WTO Affairs Committee of ACLA (All China Lawyers Association).

BAR ADMISSION: China, Utah, and Washington DC

EDUCATION: JD (Juris Doctor), Brigham Young University; EMPA, Brigham Young University; Bachelor of Economics, University of International Business & Economics, Beijing, China.

Dr. Chen Huanzhong has a comprehensive career background arranging from China government official in charge of international trade in Beijing and Hong Kong, to practicing lawyer in China and USA. He has been the managing partner of the former major Chinese state-owned law firm of C&C Law Office, and currently he is one of the founding partners of the Global Law Office which was transferred into a private partnership in 2001 from its state-ownership under CCPIT.

With a profound career background and training in China, Hong Kong and USA, Dr. Chen practices and cultivates in several legal areas where he is recognized as one of the leading experts for international business and complex commercial litigation & arbitration, covering FDI, M&A, IPR, competition laws, broad trade laws including antidumping and WTO regulation, as well as aviation law. Dr. Chen has set several milestone cases or transactions in all those areas. The civil courts and arbitral forums he presented include all level of courts in China, as well as federal courts across the United States. He represents clients of both China and foreign in major arbitral forums including ICA, SCC of Stockholm, and CIETAC, where the large number of cases handled making Dr. Chen one of the most experienced Chinese practicing lawyer. The clients he represented at various civil courts or arbitral forums including many of the top 500 companies of the world.

On trade law practice, Dr. Chen represents various clients in antidumping investigation in China, United States, EC, and dozen of other countries and regions. He represents clients in various administrative and policy issues under review of Ministry of Commerce and other executive branches of China government. He also advises on those newly merged legal areas in China including antitrust law and WTO regulations. In the recent issues of Asia Legal 500, Dr. Chen was rated one of the top trade lawyers in China.

Dr. Chen has written several articles on broad legal areas including: The PRC Foreign Trade Law and Its Potential Influence with US Exporters (1993); China's New Company Regulation and a Comparison with US Corporation Laws (1995); Antidumping Practice for Lawyers (1997); The New Thinking to Defend and Prevent Foreign Antidumping (1998), How to Defend in the Foreign Antidumping Investigation (2001), Anti-Money Laundry laws in China (2004), How the Antitrust Law Serve and Survive in China (2004).

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徐国建 一级律师
德国法学博士
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徐国建博士1962年出生于江苏省如东县，曾在重庆西南政法大学法律系学习，获法学学士学位。后考入武汉大学，攻读国际法专业硕士和博士学位。1988年徐国建博士赴欧洲留学，曾先后就读于洛桑瑞士比较法研究所、荷兰海牙国际法院国际法夏季讲习班、德国汉堡马

克斯—普朗克外国和国际私法研究所，以及德国弗莱堡阿尔博特—路德维希大学。1994年他完成了在德国汉堡大学的法学博士学位学业，并获得德国法学博士学位。

徐国建博士有长期从事律师业务的工作经验：1989年他曾在德国杜塞尔多夫的一家著名的律师事务所工作，1991至1994年曾在德国汉堡的一家律师事务所供职。1995年初，他负责为一家德国律师事务所在上海开设了办事处，并在该办事处工作至1997年底。在这一段时间里，他为很多外国企业，尤其是德国和其他德语国家的企业在中国投资和进行贸易提供法律方面的服务。从1998年1月至12月他在一家中国律师事务所工作。1998年发起成立邦信阳律师事务所。

近年来，徐国建博士领导和负责完成了一些在国内外均十分有影响的法律服务项目，如：2001年完成的中芯国际金额高达40亿元人民币和美元银行联合贷款项目；2001年中国首批开放式基金银行托管项目；2003年中国国际航空集团公司收购山东航空公司项目；2004年汇丰银行入股交通银行项目、交通银行120亿次级债发行项目以及两家分别在北京和重庆的中外合资保险公司设立项目。

徐国建博士被聘为上海市人大常委会立法和咨询专家，并担任中国国际私法学会副会长、中华全国律协WTO专门委员会委员、中国国际经济贸易仲裁委员会仲裁员、上海仲裁委员会仲裁员。此外，他还是中国法学会、中德法学家协会的会员及南通市仲裁委员会的仲裁员。他也是上海交通大学法学院、上海外贸学院、湖南师范大学等高校的法学客座教授。

徐国建博士的主要业务领域包括：外国在华投资、中国企业在外国投资、公司法、国际贸易法、保险法、企业跨国兼并和收购、房地产法、国际金融法、技术转让、知识产权法、建筑法、国际仲裁以及海商法。

徐国建博士精通德语和英语，并具有日语和法语的基础知识，他是上海外事翻译工作者协会的会员，具有英语和德语翻译资格。

徐国建博士以中文、德文和英文在中华人民共和国、德国、瑞士、英国和荷兰出版和发表了40多（部）篇的法律专业方面的著作和论文。

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Born in Jiangsu Province, China, 1962. Dr. Xu Guojian studied law at Southwest China University of Politics and Law, in Chongqing, and Wuhan University, in Wuhan, China. After getting the Master & Doctor degree, he went to Europe in 1988 to pursue further legal education. Dr. Xu has pursued advanced studies at the Swiss Institute of Comparative Law, Lausanne, Switzerland; the Academy of International Law, International Court of Justice, the Hague, Netherlands; the Max-Planck-Institute for Foreign and International Private Law, Hamburg, Germany; and Albert Ludwig University, Freiburg i.Br., Germany. He concluded his doctoral studies at Hamburg University, and was awarded the title Dr. Juris in 1994.

Dr. Xu also has extensive experience as a practicing attorney. In 1989 he worked as an assistant lawyer in Dusseldorf, Germany, and from 1991 to 1994 was employed at a firm in Hamburg. At the beginning of 1995 he returned to China to establish a representative office for a German law firm, where he subsequently worked till the end of 1997. During this period, he provided legal services for many foreign enterprises, especially enterprises from Germany or other German-speaking countries, for their investments in and trade with China. From January to December 1998 he practiced at a Chinese law firm in Shanghai, China. At the end of 1998, he initiated the establishment of Boss & Young.

In recent years, Dr. Xu has led and been responsible for the completion of a number of projects that have had significant impact in legal circles, both domestically as well as internationally. For example, in 2001, he successfully completed a RMB4 billion RMB-USD joint bank loan project for SMIC, and in mid-2001, he successfully completed the legal service relating to first open fund in China. In addition, in 2003, he led the team to completed the acquisition of Shandong Airlines by Air China Group. Further, in 2004, he has been involved in many significant projects such as The Hong Kong and Shanghai Banking Corporation's purchase of shares in the Bank of Communications, the issue of RMB12 billion subordinate debt by the Bank of Communications, as well as the establishment of two Sino-foreign joint venture life insurance companies in Beijing and Chongqing respectively.

Dr. Xu has been appointed a legislative and consultative expert to the Standing Committee of the People's Congress of Shanghai. He is also the Vice Chairman of the China International Private Law Association, and an initiating member of the WTO Sub-committee of the National Bar Association. In addition, he is a member of the China Law Association and the Sino-German Jurists Association. Further, he has been appointed an arbitrator of CIETAC, the Shanghai Arbitration Commission and the Nantong Arbitration Commission. He is also a guest professor of law at Shanghai Jiaotong University, Shanghai Institute of Foreign Trade, Hunan Normal University, and other institutions of higher learning.

Dr. Xu's main fields of practice include foreign direct investment in China, overseas investment by Chinese companies, corporate law, international trading law, insurance law, international merger & acquisition, real estate law, international commercial and financial law, technology transfer, intellectual property law, construction law, international arbitration and maritime law.

Dr. Xu is fluent in German and English, as well as having a grounding in French and Japanese. He is a member of the Shanghai Interpreters' Association and is a qualified translator of both English and German.

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刘小林, 1943 年生, 工程物理学士, 德国汉堡大学法学博士, 高级律师和高级经济师。

1978 年任职于国务院新技术引进领导小组办公室 (国家计委), 参加了《1979 年中华人民共和国中外合资经营企业法》的起草和制定, 后任职于国家进出口委和外经贸部条法局。1985 年和邢路、王殿国、孙文启、武晓骥创办和运行了著名的长城对外经济律师事务所。

在政府部门工作期间, 刘律师参与了政府间投资保护协定的谈判, 承担过翻译中国和德国之间的投资保护协定中文本的任务; 在与东欧国家间经济、科学和技术合作的谈判中担任法律顾问。

在中国改革开放的初期, 刘律师起草和创新了一系列中国第一批大型工业项目包括合作开发、合资经营、技术转让、项目融资、房地产抵押贷款多种类型的合同文件, 并将其成功实践于谈判和办理中美安太堡平朔煤矿、富康轿车、捷达轿车、中英特雷克斯重型矿用汽车、四川川维英国 BP 合资经营、中国国际贸易中心贷款、北京花园公寓抵押贷款等项目。甚至多年不能谈判成功的外国投资项目, 经过刘律师和她的团队的努力工作, 均能在短时间内取得成功。

刘律师关怀客户利益, 对案件研究深入细致。她担任过中国化工、中国纺织、江苏华电、北方工业公司、湖北二汽、长春一汽、中国联通、中国农机、中国电子等大公司的项目律师, 以及担任过美国格雷斯 W & R、德国西门子、德国电信、德国大众、德国普鲁士格、德国 EDAG 等著名大公司的法律顾问, 为客户解决了所承办的全部疑难项目和案件, 得到客户赞扬。

基于良好的知识结构、理解和语言能力, 擅长于谈判和促进外国投资和技术合作项目, 善于办理各类非诉业务; 基于理论功底, 善于诉讼案件的策划和进行。

出版了中、外文法律著作、译作大约 200 万字。曾被聘为中国国际经济贸易仲裁委员会仲裁员、中国法律咨询中心顾问、中国海商法学会理事等。

刘律师善于学习, 在工作和学习中从不放过任何疑问, 作风严谨细致, 因此, 通过种类繁多的涉外业务, 成功培训了一批年轻的涉外业务的律师。



Dr.jur. Liu Xiaolin

Born in 1943, bachelor of Physics Engineering of Harbin Engineering University, China, and PH.D of law of Hamburg University, Germany, and lawyer practicing Chinese law since 1982.

In 1978, she worked in the Bureau for New Technology Transfer under the State Council, and was a member of the Drafting Panel of the Law on Chinese-Foreign Equity Joint Venture of the People's Republic of China of 1979. She also worked in the State Commission on Import and Export and the Treaty & Laws Department of the Ministry of Foreign Trade and Economic Cooperation in 1982. In 1985, she established and operated, together with Mr. Xing Lu, Wang Dianguo, Sun Wenqi, Wu Xiaoji, the famous Great Wall Foreign Economic Law Office.

During the period of working for the governmental departments, she involved in the negotiations relating bilateral agreement on the protection of investment between governments; especially worked on the Chinese and German versions of that Agreement between China and Federal Republic of Germany. Also, she acted as legal counsel for negotiations of agreements between governments on the scientific and technological cooperation between China and East European countries.

During the beginning years of China's opening and reform, when basic legal instruments are in urgent shortage, she creatively drafted a series of contracts applying to such large-scaled projects of Chinese-foreign joint ventures, especially industrial projects, technology transfer, real estate mortgage loans, pledging shares, etc., which have developed into model contracts. Also, they were used in projects dealt with by her such as the An-Taibao Surface Coal Mine (Occidental-CNCDC), Yangtze River Acetyls (BP-CWC), Citroen ZX Cars (Citroen-SAW), Terex Hauler (NORINCO-GM), Jetta Cars (VW-FAW), and Huafei TV Color Tube (Philips-Huadian), financing documents for China World Trade and Beijing Villa Garden. Dr. Liu has promoted successfully many big projects, even those could not reach agreements for a long time.

She concerns deeply interests of clients and studies each case in details. She acted as attorney-at-law on behalf of China Textile, China Chemicals, China Electronics, China UNICOM, China Agricultural Machinery, NORINCO, Hubei-Saw, Changchun-FAW etc., and also worked as the legal consultant for the Grace W & R Co. (USA), German companies including Siemens AG, VW AG, Deutsche T-Mobil, Preussag AG, EDAG, etc.. Her clients have given their acknowledgements.

She specializes in promoting industrial JV projects by virtue of her strong understanding and language (Chinese, English, German) abilities, and in non-contentious cases. Thanks to her solid theoretical basis, she specializes in the analysis and strategy making of lawsuits. She had successfully acted in many civil, maritime, copyright, trademark, medical accident lawsuits, etc..

She has published works and translations of laws about 2 million Chinese characters.

In 1989, she was listed as an arbitrator of the China International Economic and Trade Arbitration Commission, advisor to the China Law Consulting Center, and director of China Maritime Law Society.

She dedicates herself to studies constantly whereby never left any doubt, she works with enthusiasms. She has successfully trained many young lawyers especially for foreign economic affairs through variety of cases practiced by her in the Great Wall Law Office.

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王新民 律师

Simon Wang partner

As a qualified PRC lawyer, Simon Wang is specialized in advising on issues related to foreign investment in China. He has assisted more than 100 companies and projects with foreign investments over the past decade.

With years of experience working with leading international law firms both in London and Milan, Simon Wang knows how to professionally serve his international clients.

Simon Wang is also head of the litigation team of the firm and is well known in legal circles as "Mr. Procedures" for successfully pleading complex cases in Chinese courts.



王新民 律师

Simon Wang partner

This wealth of experience in a wide range of legal matters has enabled him to carefully protect the interests of his multinational clients.

The following list is part of the Multinationals Simon Wang is presently advising:

- 1) Armstrong - USA
- 2) BOSCH - Germany
- 3) Comer - Italy
- 4) Datacraft - Singapore
- 5)

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谢佳佐 律师

谢佳佐律师，四川元绪律师事务所主任，民商法研究生，成都市十佳律师、四川省政协特邀委员、四川省人大法工委法

律咨询中心立法调研员、成都市律师协会副监事长、宜宾仲裁委员会仲裁员。



1965 年出生，毕业于西南政法大学法律系，具有司法部和国家计委确认之律师从事国家基本建设招标投标法律业务资格和律师介入国有资产产权法律事务资格。

从业十余年来在社会各界建立了广泛的社会网络，在业界树立了良好的口碑，具有极高的知名度和信誉度。以办理民商事案件、刑事诉讼案件和公司法律事务见长。

在民商诉讼领域，为当事人挽回了上亿元经济损失；在刑事诉讼领域，担任过上百件特、重大刑事案件的辩护人，并以其丰富的经验、扎实的理论功底以及敬业精神使数十位当事人在法律允许的范围内获得了从轻、减轻处罚或无罪释放。

在轰动全国的“红蝙蝠”一案中，其以罪法定原则据理力争，不仅令当事人无罪获释，而且为完善我国的刑事立法作出了自己的贡献；在公司法律事务方面，率旗下律师为国有、私营、外商投资等各类企业提供公司设立、法人治理、税务安排、决策咨询、政企协调以及证券发行、本土及海外上市等各项法律服务，目前担任十余家大、中型企业的法律顾问。

在其带领下，本所已走上了在综合发展中突出专业特色的良性发展道路。

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Mr. Xie Jiazuo

SICHUAN YUANXU LAW OFFICE

*Originating in Integrity and Honesty,
and Carrying on an Infinite Mission*

Mr. Xie Jiazuo, director of YuanXu Law Office, LLM in Civil & Commercial Law, is one of the Top. 10 Lawyers in Chengdu as well as a special member of Sichuan People's Political Consultative Conference, and legal researcher with Legal Affairs Advisory Centre Legal Work Committee of Sichuan Provincial People's Congress. Deputy Chief Supervisor of Chengdu Bar Association and arbitrator with Yibin Arbitration Commission.

Born in 1965, Mr. Xie graduated from Southwest University of Politics & Law. He was granted by the Ministry of Justice of China and China State Commission of Planning the license to handle legal affairs concerning state infrastructure construction projects and state-owned assets.

Over the 10 years of practice Mr. Xie has built an extensive network of social connections, and has won a remarkable reputation in both the general public and in the professional circle. He is especially experienced in dealing with civil & commercial cases, criminal proceedings and corporate legal affairs.

In the field of civil & commercial actions, he has recovered as much as RMB 100 million yuan for his clients; and in more than 100 criminal cases he defended of significant importance and influence, he has successfully secured lighter or mitigated punishment or acquittal for his clients within the limits of law. These all are due to his rich experience, solid theoretical grounding as well as high professionalism.

In the Case of "The Red Bat" that arose a stir in the country, Mr. Xie not only secured the acquittal of the accused under the principle of legally prescribed punishment for a specific crime by his persuasive defense, but also contributed a bit to the refinement of China's criminal legislation. In corporate legal affairs, he has led his team in providing such legal services as incorporation, corporate governance, insurance arrangement, strategy advice, conciliation between the government and the business as well as issuing of securities, listing of stocks on domestic and overseas markets. He is now serving as the legal adviser for dozens of large or medium-sized enterprises.

Under his leading, Yuan Xu Law Office has grown quickly and healthily with an emphasis on specialized services while enhancing development in an all-round approach.

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浙江金汉律师事务所 (LC & CO.)
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中国海商法协会会员
浙江省律师协会涉外与 WTO 业务
委员会委员
宁波市青年联合会常委
(法律界唯一代表)



华东政法学院毕业, 在大连海事大学修完海商法研究生课程。大学毕业后, 进入宁波海事法院, 成为浙江省最早一批海事法官之一, 从事海事审判工作前后跨度十年, 先后在海事庭、海商庭、温州庭工作。

尚为书记员时李道峰已是宁波海事法院主要办案骨干, 先后被晋升为初任法官、审判员, 审理过众多重大疑难案件, 尤其对涉外、涉港澳台等案件的处理具有比较丰富的经验和较高的理论水平。不论是全院业务考评, 还是全院法律文书撰写评比, 均为第一名, 全院初任法官综合考核亦为第一。主审案件上诉后, 从未被改判, 为全法院唯一。更有其意见被审判委员会否定后, 上诉法院按其意见予以改判之案例。

主审或参与审理的案件约千起, 案例类型几乎涉及海事法院全部受案范围: 货物运输、提单、货运保险、船舶建造、船舶买卖和融资、船舶租赁、船舶抵押、船舶保险、船舶碰撞、油污、海难救助、港口作业、共同海损、海运欺诈等等。任职法官期间, 丰富的办案经验为日后从事律师业务打下了扎实基础。

2001 年成为执业律师后, 主要服务领域为海商法、国际商法、国际投资法、保险法。组建了浙江省第一支海事律师团队, 填补了空白, 使得浙江省作为海洋大省, 在法律服务领域在全国范围内有了应有的地位。带领团队常年为多家进出口企业、航运公司、船东互保协会、各大保赔协会、中国人民财产保险股份有限公司、太平洋保险、太平保险、平安保险、大地保险、大众保险等提供法律服务, 处理商务经营中的合同起草、风险防范、商业谈判、诉讼仲裁, 承办了大量案件, 部分案件在全省乃至全国都有影响。

坚持理论联系实际, 积极撰写论文, 曾在《法学》、《人民司法》、《政法学刊》、《中国海事审判年刊》、《中国海商法协会通讯》等国家一级期刊、核心期刊及出版物上发表论文、案例三十余篇, 有些内容还被司法机关制定司法解释、立法机关起草法律时采纳。参与完成浙江省九五规划社科项目一个, 并且先后获得过市、省、全国的各项论文奖。有三篇论文被《日本海事法研究会志》刊载。历年多次参加全国海事法院审判工作研讨会、中国海商法协会的年会、《海商法》修改研讨会等、连续十年在第一至五届海商法国际研讨会上交流论文。

Mr. Dolphin Lee

Director of Management Committee, Zhejiang LC & CO. Law Office
Member of China Maritime Law Association
Member of WTO & Foreign-Related Affairs Committee of Zhejiang Bar Association
Standing Member of Youth Association of Ningbo City

Experience

Dolphin Lee graduated from East China University of Politics and Law and completed a postgraduate maritime programme at Dalian Maritime University.

After graduation from college, he worked at Ningbo Maritime Court and was lucky to be among the first maritime judges, and conducted maritime adjudication for a span of 10 years in the Maritime Court, Business Affairs Court and Wenzhou Court in succession. He was a backbone member of the Maritime Court and handled various important and complicated cases, being particularly experienced in cases involving foreign or Hong Kong, Macao or Taiwan parties. He won the 1st places at Court-wide Competency Assessment & Appraisal Examinations and Legal Documents Writing Contests, and also won No.1 prizes at Court-wide Comprehensive Calibre Contests for Preliminary Judges. He acted as the chief judge or judge in 1,000 cases or so involving almost each and every aspects of affairs that a maritime court might undertake, e.g. cargo transportation, bill of lading, cargo insurance, ship-building, ship sales & purchases and financing, chartering, insurance, collision, oil pollution, and so on.

Ever since he started practice in 2001, Dolphin Lee has been providing legal services mainly in the fields of law concerning maritime affairs, international business, international investment, insurance, etc.. He founded the first team of maritime lawyers, and thus the Bar of Zhejiang Province got an appropriate position in the area of maritime legal service as the bar of a major coastal province in China. He has led the team to offer legal services for a number of import & export companies, shipping companies, shipowners mutual protection associations as well as PICC Property and Casualty Company Ltd., China Pacific Insurance Corporation, the Taiping Insurance Company, Ltd., Ping An Insurance (Group) Company of China, Ltd., China Continent Property & Casualty Insurance Company Ltd., Dazhong (The General Public) Insurance Co., Ltd and undertaken a large number of cases which had a big influence in the whole province, even all over the country.

Dolphin Lee has been incorporating what he has gained in theories with his practice as a lawyer and has been prolific in turning out theses in respect of legal studies, and has contributed more than 30 articles and case analyses in state-level periodicals, kernel periodicals or publications such as *Jurisprudence*, *The People's Justice*, *Journal of Political Science and Law*, *Annual of China Maritime Trial*, *CMLA Newsletter* and so on, some of which has been referenced by some judicial organs in drafting judicial interpretations or laws. He has participated in one of the 9th Five-Year Planned Social Science Projects of Zhejiang Province, and has been awarded with prizes for excellent theses at the municipal, provincial and national-level. Furthermore, 3 of his theses have been published in *Journal of Japanese Maritime Law Studies Institute*. Over the years he has participated in Symposiums of National Maritime Courts Adjudication, annual meetings of China Maritime Law Association (CMLA), Symposiums on Amendment of The Maritime Law, etc., and submitted theses for 10 years in succession from the 1st to 5th session of International Symposiums on Maritime Law.

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Ms. Jessica Aijun Liu, Attorney-at-law, English spoken, Horwath & Partners Shanghai

Spanish & English as working language
Practicing Certificate No.: 091502212362

Graduated from the well-known bilingual school, Shanghai Foreign Language School, LL.B, Law school of Fudan University. Ms. Liu is able to provide services for her clients in fluent English and Spanish. Rich in overseas working experiences, Ms. Liu spent several years serving big overseas companies in Centro America in the areas such as project investment, import & export trading, project financing, legal issues on Labor Law, etc..

Ms. Liu maintains close connections with several Spanish-spoken entities in the region. She has abundant experiences in handling non-litigation legal issues for public-listing companies, and acting as the attorney practicing cases such as loan contract conflicts, guaranteed contract conflicts, foreign investment conflict, etc..

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上海市浩信律师事务所律师

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毕业于著名的上海外国语学校英文班, 继续进入复旦大学法学院学习法律, 1989 年以优异成绩获得法学学士学位。英文、西班牙文流利, 并能熟练以两种外语工作。

刘律师, 有多年海外工作经验, 曾在拉美国家常驻, 为大型企业从事项目投资、进出口贸易、融资、劳资事务等法律服务。从海外回国后, 曾在外资企业董事会担任重要职务。

刘律师与西班牙语国家驻沪机构及企业有着密切联系, 在上市公司非讼法律事务、合同纠纷、借款担保纠纷、外商投资法律服务等方面具有丰富的办案经验。

Abogada Jessica Aijun Liu, habla español e inglés

La abogada Liu Aijun, de Horwath & Partners Shanghai, maneja fluidamente el español e inglés. Durante su larga estancia en países latinoamericanos de habla hispana, trabajó en grandes empresas locales, dedicándose a servicios jurídicos en materia de inversión en proyectos, comercio de importación y exportación, financiamiento, relaciones entre empleados y empleadores, administración de recursos humanos, etc. Después de regresar a China de ultramar, ha asumido importante cargo en la junta directiva de una empresa de inversión extranjera y participado en el proceso de financiamiento de su corporación en ultramar. Tiene estrechas relaciones con organismos y empresas de países hispanohablantes acreditados en Shanghai. Es una de los contables abogados de Shanghai que pueden trabajar en español.

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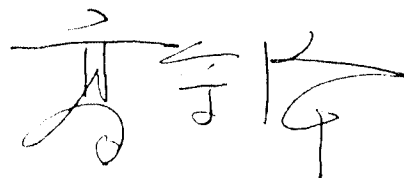
中国在1979年恢复律师制度时，律师业已是万木凋零，百废待兴。25年过去了。经过复苏、发展、壮大，时至今日，中国律师业已是枝繁叶茂，春色满园。当然，这首先要归功于国家推动法制建设，依法治国，为律师业的发展带来了难得的历史机遇；但是，也离不开中国律师界几代同仁们的拼搏和努力。

中国正在迅速崛起，改革日益深入，开放逐步扩大，经济高速发展，社会繁荣稳定，中国与世界的联系越来越紧密，特别是在中国加入WTO后，中国经济已经成为世界经济的重要组成部分。这一历史进程，不但为中国律师业涉外律师业务的发展提供了广阔的空间和舞台，也造就了一批优秀的中国涉外律师人才。他们忠诚履行职守，通晓国际规则，掌握各种语言，专业技能精湛，正在活跃于世界的舞台。

当然，中国涉外律师还是一支年轻的队伍，处在成长阶段，面临紧迫的学习任务；世界政治、经济、科学技术的高速发展，各种新事物的不断涌现，国际规则的不断变化，也需要他们努力研究、探索、学习、充实。中国迅速崛起在为中国涉外律师带来难得的发展机遇的同时，也赋予了他们巨大的社会责任。他们首先应该认清自己肩上的重担。

中国涉外律师在发展壮大自己的时候，很重要的一点，是要与外界交流，要善于运用各种现代资讯手段，向外界特别是向世界推介自己，在我的记忆里，至今还没有一部专门介绍中国涉外律师的图书，因此，得知在国际法律专业出版领域享有盛誉的CCH和内地的法律出版社将合作出版第一部专门介绍中国涉外律师的图书时，我欣然撰文，是为序。

中华全国律师协会第四届/第五届会长



中国涉外律师

CHINESE LAWYERS ENGAGED IN INTERNATIONAL PRACTICES

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