

Marshall MA_{Partner}

Special Assets, Restructuring and Insolvency | Banking and Finance Dispute Resolution



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Marshall MA is a partner at Merits & Tree. Marshall MA has over ten years of experience in dispute resolution and risk mitigation across the fields of finance, commercial and shipping. Marshall MA has provided comprehensive legal services for many leading enterprises, including dispute resolution planning, court pleading, enforcement, due diligence, risk asset disposal, pre-litigation risk prevention, settlement negotiation and daily legal risk management. Marshall Ma also has extensive experience in handling international cases. Marshall MA has provided legal services for cross-border projects of many financial institutions and represented numerous enterprises in handling foreign-related litigation, arbitration and the risk disposal cases of overseas assets, involving dozens of overseas judicial jurisdictions. Additionally, Marshall MA has also served as counselor-at-law for many outstanding enterprises and is familiar with the legal practice of enterprise operation, internal governance and compliance risk control.

Prior to joining Merits & Tree, Marshall MA had the experience of more than ten years in King & Wood Mallesons and a well-known shipping central enterprise.

Achievements

Special assets and bankruptcy reorganization

- Represented a domestic financial institution in providing legal services for the default and restructuring of a lease financing project involving three A330 aircraft of a Hong Kong airline.
- Represented a domestic financial institution in bankruptcy proceedings of the Singapore-listed offshore engineering company Swiber, handling the default and restructuring arrangements of the leaseback financing transactions of two offshore drilling platforms.
- Represented a domestic financial institution in managing the risk disposal of an overseas financing project caused by the bankruptcy of India's Reliance, coordinating with Indian lawyers on the risk disposal of cross-border financing projects.
- Represented a domestic financial institution in managing the risk disposal of an overseas financing project caused by the bankruptcy of South Africa's CELL-C, coordinating with South African lawyers to participate in the local bankruptcy proceedings, and conducted recovery efforts.
- Represented the Shanghai branch of a Taiwan bank in a financial loan contract dispute with a Shandong paper-making enterprise, assisting in promoting the debtor's transition from bankruptcy liquidation to bankruptcy reorganization, helping the enterprise to be reborn from the ashes.
- Represented a Wuhan group enterprise in providing legal services for the risk resolution and liability isolation of its investments in Hong Kong and the British Virgin Islands (BVI).
- Represented Asset Management Company (AMC) in the bankruptcy reorganization and dispute resolution of major, difficult, and complex projects such as Shanxi Liansheng, Jindadi, and Hene.
- Represented an asset management company in dealing with the risk resolution involving Evergrande Real Estate projects.
- Represented a Chongqing asset management company in bankruptcy actions for affirmation among construction creditors.
- Represented Asset Management Company (AMC) in the bankruptcy reorganization of a real estate project in Guizhou.

Dispute Resolution

- Represented the Hong Kong sales subsidiary of a domestic petrochemical enterprise in a CIETAC arbitration concerning a rubber purchase contract dispute with a Singaporean seller.
- Represented an international company in Anhui in handling the CIETAC arbitration cases of the sale contracts for 550HP and 750 drilling rigs between an Indonesian buyer (2 cases).
- Represented an international company in Anhui in coordinating with Indonesian lawyers to apply for the recognition and enforcement of CIETAC arbitration awards in Indonesia.
- Represented a Taiwan group company and its invested companies on the mainland in handling a series of disputes over investment attraction and recruitment with the local government and urban investment company.
- Represented a Taiwan OEM enterprise in handling international goods sales contract disputes triggered by battery cell quality issues.
- Represented a Hong Kong financial company in filing a lawsuit for an offshore loan contract at the Fourth Intermediate People's Court of Beijing Municipality (applicable Hong Kong law).
- Represented Itochu Corporation of Japan in applying for the enforcement of CIETAC arbitration awards at the Third Intermediate People's Court of Beijing Municipality.
- Represented a Canadian citizen in handling the second instance and enforcement of a share transfer contract dispute involving land use rights, successfully recovering approximately CNY 240 million.
- Represented a Hong Kong investment company in handling highway franchise contract disputes and related judicial disposal procedures for highway toll rights, confirmation of arbitration clause effectiveness, and other procedures.

- Represented a financial leasing company in litigation involving a metro finance leasing contract dispute with a city metro group.
- Represented a trust company in handling the first-instance and second-instance litigation of contract disputes with urban investment company, real estate company and others.

Shipping and Finance

- Represented a domestic financial institution in bankruptcy proceedings of the Singapore-listed offshore engineering company Swiber, handling the default and restructuring arrangements of the leaseback financing transactions of two offshore drilling platforms.
- As the lead lawyer for a financial institution, coordinated with lawyers from the UK, Cyprus, Singapore, Russia, and Liberia to provide legal opinions on nearly ten ship finance lease projects.
- Represented a Singaporean shipowner in conducting due diligence on a Zhejiang petrochemical project and provided legal advice on the acquisition of ethane transport vessels.
- Represented a domestic car import company in handling the port detention of over five thousand parallel imported BMW vehicles, assisting the client in applying Maritime Injunction, and processed import verification procedures.
- Represented a Tangshan ship company in handling the voyage charterparty dispute with a foreign shipowner, coordinating with British barristers to issue legal opinions on legitimate last voyage and counter the claims from the foreign shipowner.
- Represented a domestic company in handling the port detention of 5,300 tons of copper concentrate for its mining investment in Australia, assisting the client counter the claims from foreign creditors.
- Provided routine legal consultations and litigation services for maritime disputes for the international trade and maritime businesses of COFCO, Taiyuan Iron and Steel International Trade, Benxi Iron and Steel International Trade, Sinopec, and other companies.
- Represented a domestic steel trade company in handling the LMAA charter arbitration initiated by a Greek shipowner, and the 1782 Discovery Proceeding and RuleB Seizure Order Proceeding initiated in the United States to achieve the purpose of the arbitration.
- Provided shipbuilding contract review services for two fuel vessels for a Guangdong shipping company.
- Represented a domestic financial institution in providing legal due diligence opinions on the export of two VLGC vessels from Jiangnan Shipyard to Belgium.
- Represented a central enterprise in providing legal services for the overseas transportation and transshipment contracts related to its investment in the Guinea Aluminum Project.
- Represented cargo owners or shipowners in filing or responding to a series of port and the contract of carriage of goods by sea disputes.

Social Positions

Arbitrator, China Maritime Arbitration Commission

Education

LL.M., Dalian Maritime University

LLB, Shandong University

Admissions

PRC Bar

Language

Chinese、English