

SOPHIA FENG

Partner·Shanghai

+86 21 2208 1164

sophia.feng@fangdalaw.com

PRACTICE AREA

MS. FENG SPECIALIZES IN COMMERCIAL DISPUTE RESOLUTION, COMPLIANCE AND REGULATORY ENFORCEMENT MATTERS.

Education

- Shanghai Jiao Tong University, LL.M
- University of Wisconsin-Madison, LL.M
- Shanghai Jiao Tong University, LL.B

Professional Qualification

- Admitted to practice in the PRC

Work Language

- Chinese Mandarin
- English

Professional Background

- Ms. Feng joined Fangda in 2013.

Ms. Feng specializes in commercial dispute resolution, including litigation and arbitration, and compliance and regulatory enforcement matters, with expertise in the "pan-asset management" industries such as securities, futures and derivatives, private equity and other financial disputes. In areas of compliance and regulatory law enforcement, Mr. Feng regularly acts as advisor or counsel in challenging regulatory and enforcement cases against A-share listed companies, their controlling persons, senior management personnel, and securities intermediaries, and provides clients with comprehensive legal services for clients to resolve disputes.

REPRESENTATIVE MATTERS AND CASES

Financial Regulatory Law Enforcement Actions

- Representing a domestic subsidiary of a well-known US hedge fund in dealing with a multi-billion dollar securities transaction investigation by the China Securities Regulatory Commission (CSRC) and successfully secured an administrative settlement
- Representing the controlling person of a private fund manager in dealing with the CSRC's investigation into the alleged violation of the "slow walking rule", including applying for administrative hearings and application of the administrative law enforcement parties' undertaking system
- Providing comprehensive legal services to a well-known domestic listed equipment manufacturing company, in connection with a CSRC investigation into its alleged information disclosure misconducts
- Representing a well-known domestic listed pharmaceutical and chemical company in dealing with the stock exchange's investigation into its alleged information disclosure misconduct involving hot-button issues, and providing comprehensive crisis management legal services
- Representing a well-known domestic accounting firm in dealing with the CSRC's investigation into its alleged lack of due diligence of a well-known listed company in relation to financial fraud, and providing comprehensive crisis management legal services
- Representing the controlling person of a well-known private equity fund in connection with the investigation by the CSRC Shanghai Branch into the alleged illegal use of non-public information for trading purposes
- Providing legal analysis and risk prevention advice to a well-known asset management company on insider trading violations

- Representing a well-known group company in dealing with the investigation initiated by the CSRC Zhejiang Branch on the alleged information disclosure misconducts
- Representing a leading domestic asset management company in dealing with the regulatory supervision measures imposed by the CSRC Shenzhen Branch for its alleged failure to exercise due diligence when acting as a sponsor

Financial disputes

- Representing the syndicate of banks in a dispute with an offshore investment company over a US$1 billion syndicated loan default, involving extensive multi-jurisdictional coordination and handling of remedies
- Representing a well-known private equity fund in a dispute with a target company and its controlling persons in connection with a share buyback dispute involving approximately CNY300 million
- Acting for a leading private equity fund in a dispute with its limited partner over excess returns and the exit of the fund's investments, and representing the fund in related arbitration proceedings
- Representing a leading joint venture securities company in a series of securities litigation cases brought by several investors before the Intermediate People's Court of Guangzhou, with a total value in excess of CNY7 million, for alleged misrepresentation in the independent financial advisor's reports issued by the company for a major restructuring project of an A-share (main board) listed company
- Advising the controlling person of a listed company in a series of securities misrepresentation lawsuits brought by multiple investors before the Beijing Financial Court for the company's alleged fraudulent listing and years of falsified financial reports involving approximately CNY4.6 billion in dispute
- Representing a well-known domestic accounting firm in a series of securities misrepresentation liability disputes brought by investors in the Shanghai Financial Court for alleged misrepresentations in audit reports issued by the firm as auditor of a well-known listed company
- Representing a joint venture securities company in a series of securities misrepresentation liability disputes brought by investors in the Shanghai Financial Court for alleged misrepresentations in the supervision reports issued by the firm during its supervision period of a resumed listed company, two of which were model cases for the series of cases identified by the Shanghai Financial Court
- Representing a leading domestic asset management company and its affiliates in a dispute with the investors in a fund managed by the company after the fund's underlying assets (of more than CNY3 billion) were involved in criminal fraud
- Representing a foreign affiliate invested in and managed by a renowned alternative investment institution in the arbitration of an onshore guarantee contract dispute following the default of an offshore bond in excess of CNY650 million in dispute
- Representing a renowned domestic bank and its branch before the Shanghai Financial Court in a letter of credit fraud litigation involving over CNY150 million, and dealt with related matters in the associated litigations in Singapore and criminal proceedings in China
- Representing a real estate investment company in Dalian and its controlling person in a contractual dispute against the purchaser of shares in an equity investment cooperation involving nearly CNY100 million in dispute
- Advising a domestic rural commercial bank on its participation as a creditor holding claims under trust loan agreements and equity pledge agreements in US Chapter 11 proceedings for the restructuring of an individual debtor
- Advising a well-known joint venture securities company on its compliance management of its EB business
- Advising a Hong Kong subsidiary of a state-owned bank in its dispute over an overseas bond arising from bond contracts

Other Commercial Disputes

- Representing a well-known foreign company in the field of air treatment solutions in a payment dispute with its main component supplier and in a dispute over damages to the company's interests by its executives, involving CNY100 million

- Representing a leading global manufacturer of passenger cars and their component systems in a series of product quality claim disputes with a buyer arising from the assembly of equipment, and representing the company in the related civil litigations
- Representing a leading US-based energy commodity trading company in its dispute with bitumen storage companies regarding the loss of commodity inventory valued at CNY300 million
- Representing the PRC subsidiary of a leading supply chain group in its litigation with a German retail and wholesale company over disputes arising from a sales contract
- Representing the PRC cooperative partner of a renowned German automobile brand in its arbitration and litigation over disputes arising from automobile sales contracts and provided legal services for its general corporate business, including contract review and legal compliance training
- Representing the PRC subsidiary of a famous Italian automobile manufacturer in its arbitration with its supplier in a dispute arising from a service contract
- Representing the PRC subsidiary of a famous US automotive parts supplier in its arbitration with its supplier in a dispute arising out of a service contract
- Representing a renowned Canadian circus company in its dispute with a domestic cultural company arising out of a service contract
- Representing a famous French skin care company in its arbitral dispute with its distributor arising out of a distribution agreement
- Representing the PRC cooperation partner of a famous Italian menswear company in its dispute over warehouse leasing, store cooperation and debt collection matters
- Representing an energy technology company in its disputes with an electrical equipment company over a sales contract

Publications/Articles

- The Legal 500: Country Comparative Guides - ENFORCEMENT OF JUDGMENTS IN CIVIL AND COMMERCIAL MATTERS, The Legal 500
- GIR Guide to International Enforcement of the Securities Laws, Global Investigations Review