

DIANE PENG

Partner

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PRACTICE AREAS

MS. DIANE PENG SPECIALIZES IN DISPUTE RESOLUTION, PARTICULARLY INTERNATIONAL AND FOREIGN-RELATED COMMERCIAL ARBITRATION, COMMERCIAL LITIGATION MATTERS AND FAMILY LAW.

REPRESENTATIVE MATTERS AND CASES

ARBITRATION

- Representing a Chinese mobile advertising company and its majority shareholders in two arbitration proceedings before the Hong Kong International Arbitration Center (HKIAC) against the company's minority shareholder in a share transfer dispute involving complicated VIE structuring and Chinese governmental approvals
- Representing an energy-development enterprise listed on the TSX Venture Exchange in an arbitration proceeding under the UNCITRAL rules against its Chinese partner in a gas development project with claims over RMB 2 billion
- Represented a Chinese textiles company before the SIAC in two arbitration claims worth over USD 26 million against two affiliates of an American US textiles company
- Represented a Chinese carbon manufacturer in arbitration proceedings before the HKIAC against its foreign joint venture partner in commercial disputes arising out of the performance of the JV contract between the parties
- Successfully represented Nokia in CIETAC arbitration proceedings under the ICC rules against a state-owned Chinese company in share transfer disputes worth over RMB 300 million

- Obtained a favorable settlement for an energy company listed on the TSX Venture Exchange in a series of arbitration proceedings before CIETAC against its Chinese partner, gas sales agent, and down-stream customer. The value of the dispute was over RMB 1 billion
- Obtained a favorable award for two HK companies in arbitration proceedings before CIETAC against their Chinese partner (a state-owned company) in disputes on the transfer of highway operation rights, with the value in dispute over RMB 300 million.
- Obtained a favorable award for a UK Steel trader in arbitration proceedings before CIETAC in a product quality dispute with its US seller
- Represented a subsidiary of a major Indian wind turbine manufacturer in arbitration proceedings before CIETAC against a Chinese wind farm owner in a product quality dispute worth more than RMB 60 million
- Represented a car manufacturer in a CIETAC arbitration proceeding against its Canadian supplier in a dispute over almost RMB 35 million
- Obtained a favorable award for a Swiss Company in a CIETAC arbitration proceeding against its Chinese sales agent in a dispute over almost RMB 3 million
- Reached a favorable settlement for a major global leader in water, fluid and thermal equipment in arbitration proceedings before CIETAC against its Chinese JV partner in a dispute worth over RMB 20 million
- Obtained a favorable award for a major global retailer at the CIETAC arbitration proceeding against its Chinese lessor
- Obtained a favorable award for a Singapore Steel trader in arbitration proceedings before CIETAC against its Hong Kong seller
- Obtained a favorable award for a major global real estate group in arbitration proceedings before CIETAC against its Chinese partner
- Reached a favorable settlement for a Chinese individual in BAC arbitration proceedings against his BVI partners concerning an investment dispute for over USD 60 million
- Reached a favorable settlement for a major Chinese wind turbine manufacturer in arbitration proceedings before the Beijing Arbitration Commission with its American supplier in a product quality dispute for RMB 1.2 billion

LITIGATION

- Represented and representing several companies in contract litigation proceedings before the Chinese courts, including: four HK companies in litigation proceedings against their state-owned Chinese partner before the courts in Shandong and in Hong Kong; a Chinese-French JV in litigation proceedings before the Beijing courts against its Chinese equipment vendor; certain subsidiaries of a global leader in high-productivity mining solutions in litigation proceedings before the Chinese courts; an energy-development enterprise listed on the TSX Venture Exchange in litigation proceedings before the Zhejiang courts against its downstream customer; a consulting company in litigation proceedings before the Inner Mongolian courts; a Shandong company in litigation proceedings before the Shandong courts involving disputes related to a share transfer agreement
- Represented and representing several banks in litigation proceedings before the Chinese courts in disputes over financial loan agreements and related guarantee agreements
- Represented and representing several companies in tort-related litigation proceedings before the Chinese courts, including: a world-leading manufacturer of aviation products before the Beijing courts in claims brought by multiple Chinese individuals in relation to air transportation damages, the co-defendants of which include the carrier, aircraft manufacturer and insurer from different jurisdictions; a well-known manufacturer before the Liaoning courts in relation to products liability disputes; a French Fund before the Sichuan courts in a creditor's subrogation disputes
- Represented several companies in Chinese court proceedings for the recognition and enforcement of international arbitral awards
- Representing individuals in family law disputes before the Chinese courts, including divorce and inheritance disputes

OTHER INFORMATION

Education

- Peking University, German Linguistics and Literature, B.A. 2008
- Peking University, International Politics, B.A. 2008
- Peking University, Commercial Law, LL.M. 2011
- Berlin Free University, Commercial Law, Exchange Student 2010

Professional Qualification

- Admitted to practice in the PRC

Professional Background

Ms. Peng joined the Beijing office of Fangda Partners in 2014. Before that, Ms. Peng worked in Global Law Offices from July 2011 to October 2014.