

Addressing Legal Issues and Challenges for Chinese Enterprises Investing in the United States

Presented by:
The Beijing Arbitration Commission
Baker Hostetler
Broad & Bright

After more than thirty years of reform and opening up, China has become the world's second largest economy. In the process of accomplishing this achievement, there have been an ever-increasing number of Chinese State-owned and private enterprises going abroad to invest. When going abroad, these enterprises have been encountering a litany of legal problems and challenges that are unlike anything they have seen before. One notable country that has captured the curiosity of Chinese enterprises in this regard is the United States. In order to help these enterprises gain a deeper understanding of the legal problems that may arise while investing in the United States, the Beijing Arbitration Commission, Baker Hostetler and Broad & Bright are coming together to present a seminar on this pertinent issue.

Time: November 15, 2012, 2:00-5:00pm

Location: Beijing Arbitration Commission, Conference Room (16th Floor China Merchants Building, No. 118 Jianguo Road, Chaoyang District)

Topic: Addressing legal issues for Chinese enterprises investing in the United States

Presenter: Dr. Elliot Feldman, Partner at Baker Hostetler (the presentation will be given in English and accompanied by simultaneous interpretation), and Mr. David Murphy, First Secretary and Commercial Officer at the United States Embassy in Beijing

Moderator: Mr. Hongchuan LIU, Managing Partner at Broad & Bright

Seminar participants: Individuals from investment and legal departments in medium to large state-owned and private enterprises that are contemplating or are already investing in the United States, members of the Beijing Arbitration Commission, and other relevant industry professionals

Cost: Complimentary

As this seminar will occur shortly after the results of the United States presidential election have been released, Dr. Feldman will also provide analysis on the impact that the newly elected presidential administration will likely have on Chinese investment in the United States. In addition, Dr. Feldman has invited Mr. David Murphy to present on the United States' policies regarding US-bound investments made by Chinese enterprises.

Presenter and Organizer Profiles:

Dr. Elliot J. Feldman (*Presenter*) is Senior Partner and the National Leader of the International Trade Practice of Baker Hostetler, an 850-lawyer firm with eleven offices across the United States. Dr. Feldman represents foreign governments (including MOFCOM and the Government of Canada), international organizations (such as the International Boundary Commission), major corporations, and trade associations in treaty negotiations and disputes involving international trade, borders, and foreign investments. He writes often on China-U.S. trade relations (at www.chinaustradelawblog.com), and has appeared frequently in the media (including CNN, Bloomberg, Fox, MSNBC, NPR, Radio-Canada) as an expert on China and on Free Trade Agreements. Dr. Feldman holds a Ph.d. from the Massachusetts Institute of Technology and his law degree from Harvard University. He has taught at leading American universities, and is the author of eight books, including most recently *Mergers & Acquisitions in the United States: A Practical Guide for Non-U.S. Buyers*.

Beijing Arbitration Commission (*Organizer*), the (“BAC”) (www.bjac.org.cn), is a not-for-profit permanent organization devoted to providing a forum for impartial and efficient alternative dispute resolution including arbitration and mediation. The BAC focuses on contractual and property-related disputes, both commercial and international, among citizens, legal persons and other organizations. The BAC currently has 391 arbitrators, 310 at home and 81 oversees, who are all professional elites with fair and integral personality, proficient expertise and abundant experiences. Over the 17 years since its establishment, The BAC has rapidly developed into an arbitration institution enjoying extensive domestic reputation and considerable international status and influence. The BAC has established Beijing Arbitration Commission Mediation Center on August 1, 2011 which is committed to providing high-end mediation services in line with international standards. Embracing "independence, impartiality, professionalism and efficiency" as its value concept, the BAC is endeavoring to become a center of ADR, including arbitration, mediation, and construction dispute board, a center of information exchange, training, research, publicity and promotion related to alternative dispute resolution, and an important force to accelerate the development of ADR. Economist Intelligence Unit considers the BAC as ‘The only local arbitration commission which meets or surpasses global standards’.

Baker Hostetler (*Organizer*) (www.bakerlaw.com) is one of the top 100 U.S. multidisciplinary law firms with more than 800 attorneys serving clients around the country and throughout the world. Established in 1916, the firm now has offices in 11 U.S. cities.

Broad & Bright Law Firm (*Supporting Sponsor*) (www.broadbright.com) is a well known full-service Chinese law firm with offices in Beijing and Shanghai. We provide a broad range of specialized legal services with particular expertise in cross-border business transactions including financing, infrastructure, etc.

All of our partners were educated at top American, Japanese and Chinese law schools and have experience working in the US, Japan and at other international law firms. We were recognized by Asia Legal Business as one of the 10 fastest growing law firms in China and one of the 30 fastest growing law firms in Asia for two consecutive years. With our rich international experience and local knowledge, we take pride in being one of the most professional local firms in China.

Broad & Bright translates Baker Hostetler's "Mergers & Acquisition in the United States: A Practical Guide for Non- U.S. Buyers"

On October 10, 2011 the Chinese version of Mergers & Acquisition in the United States: A Practical Guide for Non- U.S. Buyers, which was translated by 23 lawyers from Broad & Bright, was released for sale. The translation work was a vast project that spanned over eight months and involved the diligent work of Broad & Bright partners, associates, and other team members.

The original English text was written by Baker Hostetler's partners and associates. One of the writers is Michael G. Oxley, the chief drafter of Sarbanes-Oxley. Moreover, this book can be considered a complete, authoritative source regarding American Mergers and Acquisitions law for both legal scholars and practicing lawyers.

We hope that you will join us for what will surely be an informative presentation and lively discussion.

Your reply is greatly appreciated by the close of business on November 14, 2012

If you are guest of the *Beijing Arbitration Commission*, please reply to one of the following individuals:

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If you are a guest of *Broad & Bright*, please reply to one of the following individuals:

Bin LI: 010-8513-1823; bin_li@broadbright.com

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Please note:

The Beijing Arbitration Commission has video conference equipment available that makes it possible to view the seminar online. If you are unable to attend the seminar in person but would still like to view it online, please contact the Beijing Arbitration Commission for further information.

Beijing Arbitration Commission Video Conference Contact Information:

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