



## → Hwan Kim

### Partner

2099 Pennsylvania Avenue, N.W.  
Suite 100  
Washington, DC 20006-6801

T: +1.202.747.1949

hkim@sheppardmullin.com

Hwan Kim is a partner in the Corporate Practice Group in the firm's Washington, D.C. office. He also serves as a leader of the firm's International Arbitration Team.

### Areas of Practice

Hwan advises public and private companies and investment funds in the U.S. and abroad on corporate and transaction matters, including on cross-border merger and acquisitions, joint ventures, securities offerings, and financings. He is highly experienced in structuring global holdings and operations of multinational corporations.

Hwan is experienced in advising clients in the pharmaceutical, chemical, petrochemical, telecommunications, and construction industries. In addition to advising them on corporate and transaction matters, he represents these clients in a broad array of cross-border disputes with sovereigns and state-owned enterprises. He has successfully resolved high-profile international disputes, including by use of investor-state arbitration and by obtaining the support of investor's government on behalf of his clients.

He also serves as the International Liaison for STAT, the firm's Saudi Arabian affiliate.

A native of Korea, Hwan previously served as the Assistant General Counsel for Samsung Group, where he was in charge of international legal affairs. He also served as General Counsel for Samsung Chemical Group and the Chief Legal Counsel for Samsung's Olympic Task Force Team.

### Honors

Real Estate and Construction, *Legal 500*, 2016, 2018 and 2019

Mergers and Acquisitions, *Legal 500*, 2016

### Experience

#### International Transactions

- Represented pharmaceutical companies list on Nasdaq and NYSE.
- Represented an international investment fund take over control of a publicly traded pharmaceutical company.
- Represented one of the Big Four audit firms in connection with restructuring and consolidating its operations in Saudi Arabi, Dubai, Oman, Jordan and Lebanon.

- Represented a Korean investment fund from its investment fund in the United States.
- Advised the Korean National Pension Service, one of the largest sovereign funds, in connection with establishment of its U.S. operations in New York.
- Advised Samsung Asset Management Co., Ltd. in connection with capital investments from one the largest Middle Eastern sovereign funds.
- Represented Samsung SRA Asset Management Co., Ltd. in connection with investment in real estate assets in the U.S.
- Advised POSCO, one of world's largest steel producers, in connection with its investments in the United States.
- Advised U.S. oil shale developer in connection with the financing of its petrochemical refinery by international investors.
- Represented several international power generation companies, including EDF EN, in connection with procurement of wind equipment from overseas, including turbines, towers, and power generation related equipment.
- Advised a major international steel producer in connection with its negotiations of the global supply agreement with GM and Chrysler.
- Represented Samsung in connection with overseeing the structure and drafting of its global supply agreements and supply chain.

#### **International Disputes:**

- Represented the European Union in connection with a sovereign immunity lawsuit filed in the U.S. (successfully dismissed).
- Represented Samsung Engineering Co., Ltd. in an ICSID arbitration against the Sultanate of Oman in connection with a \$2 billion petrochemical plant expansion project (successfully settled).
- Represented Samsung Heavy Industries Co., Ltd. in connection with its dispute with Nippon Steel and Bechtel (successfully settled).
- Represented Samsung C & T in connection with its dispute with Qatar Railways Company.
- Represented Samsung Engineering Co., Ltd. in a \$200 million lawsuit against Alcoa, Inc. arising from a \$1 billion construction project in Saudi Arabia (successfully settled).
- Represented Samsung Engineering Co., Ltd. in connection with a \$500 million construction disputes with Saudi Aramco (successfully settled).
- Represented the Export-Import Bank of Korea in connection with a sovereign immunity defense over \$2.6 billion judgment enforcement proceeding in Washington, D.C. (*Peterson, et al v. Islamic Republic, et al*) (successfully dismissed).
- Represented Asiana Airlines before the U.S. Department of Transportation in connection with the crash of Flight 214 to San Francisco International Airport.
- Represented Samsung Group in connection with a certain U.S. Department of Justice investigation (successfully dismissed).

## Special Representations:

- Represented Samsung Electronics Co., Ltd. in connection with its Olympic sponsorship and matters relating to the International Olympic Committee.
- Represented Korea International Trade Association in connection with the ratification of the Korea-US Free Trade Agreement.

## Articles

### International Arbitration Law Blog Posts

- "Sovereign Wealth Funds – Preserving Sovereign Immunity," July 11, 2019
- "Pursuing Parallel Arbitration Under an Investment Treaty," June 12, 2019

### Construction and Infrastructure Law Blog Posts

- "EPC Contractors Procuring from Foreign Companies need to Reconsider their Contracts," June 11, 2018
- "Contractors May Benefit by Taking Equity in the Project They are Constructing," January 17, 2018

### Corporate and Securities Law Blog Posts

- "Contracts with Foreign Companies May Require a Rewrite," June 13, 2018

### Global Trade Law Blog Posts

- "Seeking foreign investors for your tech startup? Congress says, "not so fast." January 10, 2018

## Media Mentions

Contracts with Foreign Companies May Require a Rewrite  
*General Counsel News*, 06.27.2018

Sheppard Mullin Forges New Ties in Middle East  
*The Recorder*, 01.23.2018

Samsung, Oman Reach Deal On Refinery Bidding Row  
*Law 360*, 01.22.2018

Samsung, Alcoa Settle \$200M Saudi Metal Plant Dispute  
*Law360*, 08.29.2016

Samsung Slams Alcoa's Bid To Pause Discovery In \$200M Row  
*Law360*, 08.15.2016

Driverless Vehicle. Swaying Regulation Guidelines  
*Mainichi*, 07.22.2016

, FCC  
*JoongAng Ilbo (Joins)*, 04.17.2016

*ChosunBiz*, 04.17.2016

Samsung Unit Claims Alcoa Interference Stymied Saudi Project  
*Law360*, 03.30.2016

Samsung Engineering files for arbitration with Oman  
*The Korea Times*, 07.23.2015

Sheppard Mullin Adds Ex-Samsung Chemical GC To Corporate Group  
*Law360*, 06.09.2015

...  
*The Korea Economic Daily*, 03.08.2005

## Practices

Corporate  
International Arbitration  
International Reach  
Korea  
Saudi Arabia  
Government Contracts, Investigations & International Trade  
International Trade and Investment  
Technology Transactions

## Industries

Construction  
Energy, Infrastructure and Project Finance  
Life Sciences and FDA

## Education

J.D., Georgetown University Law Center, 1989  
B.A., Economics, Yonsei University, 1984

## Admissions

District of Columbia  
U.S. Court of Appeals for the District of Columbia Circuit  
U.S. District Court for the District of Columbia

## Languages

Korean