

Quan Yuan Partner

Expertise: Corporate, Civil and commercial dispute resolution, Financial Markets

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Mr. Quan Yuan possesses a unique combination of judicial, financial compliance, and legal practice experience. He previously served as a judge handling civil and commercial matters in Beijing, where he participated in the adjudication of numerous complex disputes involving corporate governance, commercial real estate, equity investments, valuation adjustment mechanisms (VAMs), and PPP projects. His experience includes matters concerning the restructuring and acquisition of projects owned by a Hong Kong-listed real estate company, large-scale homebuyer litigation against a well-known property developer, urban redevelopment and relocation projects involving state-owned enterprises, and construction materials supply disputes. This background has provided him with a keen ability to identify legal risks arising in the establishment and investment of asset management products.

Mr. Yuan subsequently held legal and compliance positions at a financial institution, where he was responsible for project compliance reviews, legal risk assessments, and investment strategy support. He participated in the establishment and regulatory framework development of both the Real Estate Division and the Inclusive Finance Division of a trust company, and independently issued more than 400 compliance review opinions for trust projects. He is highly experienced in the structuring, regulatory requirements, and risk management of asset management products, and is particularly skilled in transaction negotiations and investment risk control.

Since entering private practice, Mr. Yuan has represented clients in a wide range of complex commercial disputes, including equity acquisitions, shareholder capital contribution disputes,

corporate liquidation matters, and construction-related claims. He also maintains a strong interest in cutting-edge developments in company law and commercial law. He has been invited to participate in annual academic conferences organized by the China Law Society's Case Law Research Association and Civil Procedure Law Research Association, where he delivered academic presentations, and has organized and conducted a number of practical training programs on company law. He combines solid academic foundations with extensive practical experience.

Education background

- China Youth University of Political Studies (now University of Chinese Academy of Social Sciences), LL.M.
- China University of Political Science and Law, LL.B.

Work Experience

- Beijing Dongcheng District People's Court, Judge.
- Shaanxi International Trust Co., Ltd. Assistant, General Manager of Internal Control and Legal Compliance Department.
- Beijing Celue Law Firm Associate.
- Chance Bridge Law Firm Associate.

Representative Matters

Trust Practice

- Represented a leading trust company in financial loan dispute litigation and enforcement proceedings, successfully sealing properties under the respondent's name and imposing measures such as blacklisting and restrictions on high consumption;
- Represented a leading trust company in an arbitration case concerning a BSP ticket receivables asset-backed special plan;

- Represented a Jiangxi trust company in enforcement proceedings for a notarized debt instrument (Beijing Third Intermediate People's Court), assisting the client in reaching an enforcement settlement;
- Represented a listed trust company in a series of investor lawsuits, winning all cases concluded to date;
- Represented Wu, an investor of a commercial bank, in litigation where the court of first instance dismissed all claims of the plaintiff;
- Participated in due diligence and review of over 100 trust financing projects for well-known domestic developers, including Times Property, Sunac, Sino-Ocean, Yango, Tahoe, Evergrande, Shimao Construction, and Zhenro Group; participated in the review of securities investment trust plans involving stocks and bonds;
- Represented a trust company in a securities margin dispute with Shanghai Pudong Development Bank and a natural person investor (Beijing Second Intermediate People's Court);
- Issued legal opinions for innovative trust business (cooperation with bank wealth management plans).

Fund Practice

- Represented a large leading domestic internet finance platform in a series of investor lawsuits involving fund distribution; in these cases, the private fund manager, custodian, and distributor were all sued, and the court dismissed all claims, with the remaining cases seeing investor withdrawals granted by the court;
- Represented a large leading domestic internet finance platform and its affiliates in a series of investor lawsuits involving asset management product advisory services;
- Represented a Shanghai securities company in a batch of investor lawsuits involving over 50 cases, winning all judgments at first instance and second instance.

Commercial Dispute Resolution

- Represented a leading trust company in a series of creditor interest liability disputes;
- Represented a leading trust company in a series of contract disputes with secondary creditors;
- Represented a Shanxi trading company in a financial loan case against a pawnshop;

- Represented an asset management company in a share buyback arbitration against the de facto controller of a well-known listed company (CIETAC);
- Represented a shareholder in a series of disputes with a mining group involving shareholder inspection rights, confirmation of shareholder qualification, and harm to shareholder interests, a complex and typical case spanning a long timeframe with multiple parties since the new Corporate Law took effect;
- Represented a shareholder in a series of disputes with a food company and its creditors involving corporate resolutions and accelerated maturity;
- Represented a well-known internet financial leasing platform supplier in a series of recovery cases;
- Represented a real estate company in a repurchase dispute for a large-scale affordable housing project;
- Provided legal services for a real estate company in a financial loan dispute, with the retrial procedure successfully docketed at the Beijing High Court;
- Represented Yan and Jing in a series of creditor revocation disputes against a Jiangsu technology company, winning all final second-instance judgments;
- Represented an investment company in a series of debt assignment disputes, winning all final second-instance judgments;
- Represented a leading trust company in a decoration and renovation contract dispute;
- Represented a large real estate company in a series of property service contract disputes;
- Participated in adjudicating the merger and reorganization of a real estate project of a Hong Kong-listed developer;
- Participated in adjudicating a series of vacate-and-relocate cases for a Beijing municipal state-owned enterprise's old city renovation;
- Participated in adjudicating a series of collective homebuyer withdrawal cases against a well-known developer;
- Participated in adjudicating a false litigation case involving a large state-owned bank;
- Participated in adjudicating a building material supply dispute between a Henan state-owned enterprise and a developer;

- Represented a large decoration company in a series of renovation works disputes involving long-term rental apartments, educational and training institutions, and office buildings;
- Represented a shared e-mobility enterprise in a share acquisition dispute;
- Represented Su and others in a mass financial loan case, successfully overturning the judgment on appeal (Beijing First Intermediate People's Court);
- Represented a Nanchang auto parts market in a land-related lawsuit against the local government.

Legal Counsel

- Provided special legal services on financing, debt situation analysis, and organizational restructuring for a Beijing healthcare group;
- Served as general counsel for a leading domestic bank wealth management subsidiary;
- Provided special legal services on equity incentive plans and review of financing transaction documents for a Beijing SRDI enterprise;
- Provided special legal services including new Company Law training and suitability obligation compliance training for a leading internet finance platform and a large securities firm;
- Served as general counsel for a Beijing digital map company;
- Served as general counsel for a Beijing medical technology company and a Xiamen medical technology company;
- Served as general counsel for a Beijing security technology company;
- Served as general counsel for a Beijing property management company.

Specialized Legal Services

- Provided special legal services for a PPP project in Hulunbuir, Inner Mongolia;
- Provided special due diligence and review services for the financing projects of a Hebei state-owned enterprise group;
- Provided special legal services on investor disputes and product compliance advisory for a Shanghai securities company;
- Provided special legal services on financing contract review for a Shenzhen technology company;

- Participated in the review and due diligence of a convertible bond project for a Hebei state-owned enterprise group;
- Provided special legal services for the outbound investment business of a Hebei local platform enterprise;
- Provided special legal services for the establishment of a family trust;
- Provided special legal services on mortgage registration for a Beijing technology company;
- Provided special legal services on equity change review for a Beijing small loan company;
- Provided special legal services on goodwill protection for a dairy company;
- Provided special legal services on administrative penalty defense for a sporting goods company;
- Participated in the due diligence and review of China Fortune Land Development's new industry city financing projects;
- Participated in the institutional design and risk control review during the establishment of an inclusive finance business unit;
- Participated in the preliminary review of Jiangxi Copper Factoring ABN projects;
- Participated in due diligence and review of real estate equity investment projects for Zhongcheng Times, Yuzhou Group, and Poly Fund;
- Participated in the disposal of assets in projects such as CITIC Guoan;
- Provided special legal services for the restructuring of a Hebei local state-owned enterprise;
- Provided special legal services for the business cooperation between a leading domestic consumer finance company and an insurance company;
- Provided special legal services for a foreign-related marriage will notarization.

Publications

- Conducted in-depth research on cutting-edge legal issues in the financial industry and authored articles including "Interpretation and Compliance Guidance on the Measures for the Administration of Suitability of Financial Institution Products" and "Article-by-Article Interpretation of the Measures for the Administration of Trust Companies," the latter of which has been printed as a booklet for internal study.

- "On the Construction of the Action of the Person Subject to Enforcement — With Comment on Article 88 of the Draft Civil Compulsory Enforcement Law" was selected for the proceedings of the 2024 Annual Conference of the Civil Procedure Law Research Association of the China Law Society.
- "New Company Law: Promoting Entrepreneurship and Unleashing Entrepreneurs' Potential" in China Business Daily on 11 November 2024.
- "Case Observations on the Duties and Liabilities of Financial Product Managers," "Substantive Discussion on the Due Diligence Obligations of Distribution Banks and Trust Companies for Trust Products," "The Scope of Liability of Custodian Banks for Trust Funds in Trust Plans," and "Can Trust Beneficiary Rights Be Transferred as 'Non-Performing Assets'?" and other financial law articles
- "Judicial Determination Standards for Shareholder Capital Contribution under the New Corporate Law" and the "Business Stories in Corporate Law" series.

Language

Chinese, English