

YUNSOO SHIN


Partner

B.S. LL.B. LL.M. M.B.A. S.J.D. FSI Arb



Bar admission: Republic of Korea, 2008;
New York (US), 2015
Nationality: Korean
Languages: Korean, English

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AREAS OF EXPERTISE

- > Arbitration / Litigation
- > Financial Disputes
- > Commercial Contracts
- > M&A
- > Shareholder Disputes

INDUSTRY SECTORS

- > Finance
- > Construction & Engineering
- > Corporate Governance
- > Automotive & Heavy Industry

PROFESSIONAL PRACTICE

Dr Yunsoo Shin is a well-experienced specialist in international disputes and complex corporate matters. She is a Specialist Mediator at the Singapore International Mediation Centre, a Fellow of the Singapore Institute of Arbitrators, and one of the youngest Korean arbitrators active in the ICC International Court of Arbitration. She has also acted as an international arbitrator at KCAB, SIAC, and HKIAC and counsel in various international arbitration cases conducted under the rules of the ICC, SIAC, LCIA, HKIAC, or KCAB.

Her expertise covers both the common law and civil law traditions and a broad range of business transactions and commercial disputes involving M&As, general contract law, share purchase and asset purchase agreements, distribution agreements, construction, automobile manufacturing, OEM contracts, and license agreements, among various other subject matters. In particular, she is one of the most experienced young lawyers in Korea who has handled many multi-billion-dollar post-M&A disputes involving Korean chaebols.

The Global Arbitration Review describes Dr Shin as a “*top-notch advocate that will be one to watch in the coming years at the top of the Korean market.*” She has been nominated as a ‘Rising Star’ under 45, a ‘Leading Lawyer’ in the field of international arbitration in Korea by the Legal Times, and a finalist for the “Female Lawyer of the Year” by Asia Legal Business in 2021 and 2022.

Shin is double licensed in the New York Bar and the Korean Bar, with in-depth knowledge and expertise in M&A disputes, finance, and corporate valuation. She is a graduate of Seoul National University (B.S., LL.B.), the Wharton School (MBA, in finance and business analytics), and Harvard Law School, where she earned her doctoral degree (SJD, in corporate governance and finance). Prior to joining Peter & Kim, Dr Shin practiced law at Bae, Kim & Lee LLC for 10 years, served as a fellow at Harvard Law School Program on Corporate Governance, and published journal articles on corporate governance and shareholder disputes in Delaware and Korea.

CAREER

- > Partner, Peter & Kim (2021–Present)
- > Arbitrator, International Chamber of Commerce, Court of Arbitration (2021–Present)
- > ICC Advanced Arbitration Academy for Asia (2023–Present)
- > List of Arbitrators, Hong Kong International Arbitration Centre (2023–Present)
- > International Arbitrator, KCAB International (2021–Present)
- > Reserve Panel of Arbitrators, Singapore International Arbitration Centre (2023–Present)
- > FSI Arb (Fellow), Singapore Institute of Arbitrators (2023–Present)
- > Specialist Mediator, Singapore International Mediation Centre (2022–Present)
- > Task Force Member, Korea Construction Engineers Association (2022 – 2023)
- > Advisor, Special Committee on ESG, Seoul Bar Association (2022 – 2023)
- > Planning Advisor, Construction Vision Forum (2022–2023)
- > Fellow, Harvard Law School Program on Corporate Governance (2014 – 2020)
- > Academic Fellow, Wharton School, University of Pennsylvania (2019 – 2020)
- > Associate and Senior Associate, Bae, Kim & Lee LLC (2008 – 2018)
- > Teaching Fellow & Summer Academic Fellow, Harvard Law School (2017 – 2018)
- > Judicial Clerk, Judicial Research & Training Institute, Supreme Court of Korea (2006 – 2008)
- > Passed the New York Bar (2014) and the Korean Bar (2005)

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EDUCATION

- > Harvard Law School (SJD in corporate governance and finance, 2020)
- > The Wharton School, University of Pennsylvania (MBA in finance and business analytics, with honours, 2020)
- > Harvard Law School (LL.M., corporate governance concentration, dean's scholar, requirements fulfilled, degree waived, 2014)
- > School of Law, Seoul National University (LL.B., cum laude, 2006)
- > Architectural Engineering, Seoul National University (B.S., summa cum laude, 2003)

PROFESSIONAL ASSOCIATIONS

- > Korean and Seoul Bar Associations
- > New York State Bar
- > Panel of International Arbitrators, KCAB International
- > Specialist Mediator, Singapore International Mediation Centre
- > List of Arbitrators, HKIAC
- > HK45, HKIAC
- > FSI Arb (Fellow), Singapore Institute of Arbitrators
- > Reserve Panel of Arbitrators, SIAC
- > International Council for Commercial Arbitration

REPRESENTATIVE CASES

- > Arbitrator in an ICC arbitration seated in Seoul governed by Korean law over a dispute concerning a Singapore-based private equity's exercise of the put option.
- > Arbitrator in a KCAB International arbitration seated in Seoul governed by Korean law over a dispute concerning a consultancy agreement between Chinese and Korean companies.
- > Counsel in a high-profile series of ICC arbitration cases with the underlying dispute valued at multi-billion dollars seated in Seoul governed by Korean law over a dispute concerning multiple financial investors' exercise of the put option and unlisted stock's valuation.
- > Counsel for the Respondent in a successful ICC arbitration seated in Singapore governed by Korean law arising under a joint venture and the multi-billion-dollar real estate development plan and project financing in Northeast Asia, where 100% of the opposing party's claims were dismissed with the full reimbursement order for the entire arbitration fees and costs
- > Counsel in an ICC arbitration seated in London arising from a joint venture between Korean and American biosimilar companies, after which the client entered into a successful settlement agreement for over USD 1 billion assets.
- > Counsel in a successful, high-profile ICC arbitration involving a dispute among shareholders for control over a major Korean oil refining and marketing company, with the underlying claims valued at over USD 3 billion (or USD 5 billion, including counterclaims). The arbitration award won GAR's "Arbitration Win of the Year" in 2011.
- > Counsel in a high-profile KCAB International arbitration seated in Seoul arising out of the License Agreements and patents regarding the nuclear power plants.
- > Counsel in a SIAC arbitration seated in Singapore arising out of the Settlement Agreement over the recalls of the luxury German-brand automobiles and the supply of the automotive parts by the Korean manufacturer.

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- > Counsel in an ICC arbitration seated in Paris involving 30 separate claims arising from a multi-billion-dollar M&A transaction between Korean and American automobile manufacturers.
- > Counsel in an HKIAC arbitration seated in Hong Kong arising out of the joint venture company between a Hong Kong-based global cryptocurrency exchange service provider and a Korean FinTech provider.
- > Counsel in an ICC arbitration seated in Zurich arising from a joint venture in China agreed between Korean and English welding product manufacturers.
- > Counsel in an ICC arbitration seated in Singapore arising under a distributorship agreement between one of the world's largest manufacturers of medical products and Korea's prominent pharmaceutical companies.
- > Counsel in several ICC arbitrations seated in London and Zurich, under English law and Swiss Law, arising out of several power plant and water treatment projects in the Middle East.
- > Counsel in an HKIAC-administered arbitration under the UNCITRAL rules involving a dispute over a sugar by-product purchase agreement between Korean and Chinese companies.
- > Counsel in an ICC arbitration and subsequent enforcement litigation in Korea resulting from a product recall of a major international brand baby formula.
- > Counsel in the first case known in Korea, which used the Dispute Resolution Board under the US Federal Acquisition Regulation, involving a dispute over the relocation of a major US military base in Korea.
- > Counsel in an ICC arbitration seated in Poland regarding a dispute concerning an alleged breach of representation and warranties of a private equity firm.
- > Counsel in an ICC arbitration seated in Tokyo over a dispute over a joint venture between Korean and European multinational automobile part manufacturers.
- > Counsel in an ad hoc arbitration in London governed by English law over a dispute concerning delays and defects in constructing an offshore oil platform.
- > Advised a municipal government engaged in an ICC arbitration seated in Singapore following an alleged breach of contract for the construction and operation of a rapid light railway.
- > Advised two of the largest Korean financial institutions in their defence in a class-action lawsuit in the U.S. District Court, Southern District of New York, involving allegations of securities fraud and seeking damages over US\$ 600 million.
- > Advised a Korean IT company involved in a Singapore litigation on the infringement of patents, breach of contract, and torts claims.

PUBLICATIONS

- > Co-Author, *Application of Korean Law in International Disputes*, in SNU LAW REVIEW (*Beophakpyungron*) Vol. 12, Seoul National University (Korean) (2022)
- > Reviewer, *Commentary on the revised text of the 2020 IBA Rules on the Taking of Evidence in International Arbitration* (official Korean translation) (International Bar Association, 2022)

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- > Reviewer, *2020 IBA Rules on the Taking of Evidence in International Arbitration* (official Korean translation) (International Bar Association, 2022)
- > Author, *Legitimate Business Purpose of Freeze-outs*, 34 KOREAN BUSINESS LAW REVIEW 87-118 (Korean) (2020)
- > Author, *MFW Standard and Business Judgment Rule in Delaware*, 39 KOREAN COMMERCIAL LAW REVIEW 185-218 (Korean) (2020)
- > Author, *Why Did Shareholder Activism Fail in South Korea?*, S.J.D. Dissertation, Harvard Law School (2020)
- > Co-Author, *Korea Chapter*, in INTERNATIONAL HANDBOOK ON COMMERCIAL ARBITRATION (International Council for Commercial Arbitration, Kluwer, 2012–2016)
- > Co-Author, PRACTICE OF KOREAN COMMERCIAL ARBITRATION, 2nd Ed. (Korean) (Pakyoungsa, 2016)
- > Author, *Breach of Trust: Corporate Governance Enforcement in Korean Criminal Courts*, LL.M. Dissertation, Harvard Law School (2014)
- > Co-Author, ARBITRATION LAW OF KOREA: PRACTICE & PROCEDURE (Juris, 2012)
- > Co-drafter, *IBA Rules on the Taking of Evidence in International Arbitration* (official Korean translation) (International Bar Association, 2010)

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