

Name: Sun Wei
Working Language: Chinese, English
Tel: +86 10 59572176
Mobile: +86 13911096360
Fax: +86 10 65681022
Email: sunwei@zhonglun.com



Education:

| | |
|--|-------|
| New York University School of Law | LL.M. |
| SOAS of University of London - Dispute and Conflict Resolution | LL.M. |
| China University of Political Science and Law | LL.B. |

Working Experience:

| | | |
|------------------|------------------------------|-------------------|
| 2004/02 till now | Zhong Lun Law Firm - Beijing | Attorney, Partner |
| 2001/07-2004/2 | Grandall Law Firm - Beijing | Attorney |

Practice Area:

Mr. Sun has extensive experience in complex dispute resolution and enforcement of judgments and arbitral awards. His expertise in dispute resolution covers the following areas: corporate equity dispute, finance, real estate, construction, international sale of goods.

Recent Representative Cases

Acting as Arbitrator

- Sitting as the presiding arbitrator in a construction contract dispute between a Russian mining company and a Chinese construction company before CIETAC;
- Sitting as the presiding arbitrator in a dispute under a decoration-designing service agreement before CIETAC;
- Sitting as the sole arbitrator in a consultancy contract dispute between a domestic designing company and a consulting company before CIETAC;
- Sitting as the sole arbitrator in a construction contract dispute between a domestic technology

- company and a Chinese SOE before CIETAC;
- Sitting as the sole arbitrator in a dispute over a limited partnership agreement between a Chinese national and a domestic investment company before CIETAC;
 - Sitting as the presiding arbitrator in an equipment procurement dispute between a Chinese SOE and a domestic technology company before BAC;
 - Sitting as the presiding arbitrator in a private loan dispute before SZAC;
 - Sitting as the presiding arbitrator in a construction contract dispute between two domestic companies before SZAC;
 - Sit as the emergency arbitrator appointed by BAC in the first arbitration case involving emergency arbitration proceedings of Mainland China, and the decision rendered was enforced by Hong Kong High Court;
 - Sit as the sole arbitrator in a construction contract dispute between the employer and a domestic construction company before CIETAC;
 - Sit as the sole arbitrator in a private loan dispute before SZAC and issued the mediation statement based on the settlement agreements concluded between the parties;
 - Sit as the presiding arbitrator in a dispute under a lease agreement between a catering corporation and a commercial corporation before SZAC;
 - Sit as the presiding arbitrator in a designing contract dispute before SZAC;
 - Sit as the presiding arbitrator in a corporate control and share dispute between a noble metal trading company and the person in charge of a previous company branch before CIETAC;
 - Sit as the sole arbitrator in an agent service contract between a real estate sales agent company and a real estate developer before CIETAC;
 - Sit as the sole arbitrator in a dispute arose under a supply contract between a gas supply company and a technology company before CIETAC;
 - Sit as the sole arbitrator in a construction and operation contract dispute between a Hong Kong supercar company and a domestic racing circuit operator before CIETAC;
 - Sit as the sole arbitrator in a dispute arose under a construction consultancy service contract between a construction consultancy company and a tourism development company before CIETAC;
 - Sit as the presiding arbitrator in a dispute under several agreements regarding a fixed annual

yield fund between a Chinese individual and an investment fund management company before BAC;

- Sit as the presiding arbitrator in a dispute under a contract for assignment of the land use right between an industrial park operation company and an investor before BAC;
- Sit as the presiding arbitrator in a share transfer dispute between an investment company and a mining company before BAC;
- Sit as the presiding arbitrator in a factoring contract dispute between a factoring company and a financing company before BAC;
- Sit as the sole arbitrator in a dispute arose under a subcontracting agreement between an electricity engineering company and a construction company before BAC;
- Sit as the sole arbitrator in a sales and distribution agreement dispute between two technology companies before BAC;
- Sit as arbitrator in a financial leasing dispute between a financial leasing company and a travel car rental company before CIETAC;
- Sit as arbitrator in an investment agreement dispute before CIETAC;
- Sit as arbitrator in an intellectualization engineering construction project between an engineering technology company and a catering company before CIETAC;
- Sit as arbitrator in a lease dispute between an international franchise supermarket and a domestic real estate developer before CIETAC;
- Sit as arbitrator in an engineering construction contract dispute between an engineering enterprise and a hotel management company before BAC;
- Sit as arbitrator in two sales contract disputes between a wind power equipment producer and a wind power operator before BAC;
- Sit as arbitrator in a dispute arose under an agreement regarding entrusted loan and financing between two investment companies before BAC;
- Sit as arbitrator in a legal service fee dispute between a major mainland law firm and a construction enterprise before BAC.

International Dispute Resolution

- Acting as counsel for a Chinese company in a construction dispute against a Trinidad and

Tobago company before ICC;

- Assisting a state-owned enterprise in successfully setting-aside in part an ICC arbitral award in Singapore, thus having prevented its financial loss up to several million RMB; acting as counsel for the state-owned enterprise in its follow-up dispute before ICC;
- Acting as counsel for a state-owned construction enterprise in a construction dispute against an Iranian company before ASA;
- Assisting local attorneys in representing a Chinese solar company to appeal a court ruling which denies the recognition and enforcement of a CIETAC arbitral award before the Supreme Court of Justice, Austria;
- Acting as counsel for a Chinese solar company concerning a joint venture dispute in an *ad hoc* arbitration in Germany;
- Assisting local attorneys in representing a Chinese enterprise in an ownership dispute before the court of Bulgaria;
- Assisting local attorneys in the enforcement of CIETAC arbitral awards in Germany and Bulgaria;
- Acted as expert witness regarding Chinese law for a state-owned enterprise in an ICC arbitration conducted in London.

Domestic Litigation

- Representing an internationally renowned accounting firm in a dispute regarding the validity of the arbitration agreement in an investment consultancy agreement before the Supreme People's Court;
- Representing Peking university Science and Technology Development Center in an appeal regarding an equity transfer dispute before the Supreme People's Court;
- Represented Jiangsu Jiaying Property Investment Company in an appeal regarding a judgement of a share transfer dispute involving Taiwan elements made by Jiangsu High People's Court before the Supreme People's Court;
- Representing Zhongrui Investment (Dalian) Co., Ltd. as plaintiff in a loan dispute before Liaoning High People's Court;
- Representing Hainan Zhengnan Investment Co., Ltd in an infringement dispute against

Jiangsu Wuxing Assets Appraisal Co., Ltd. before Hainan High People's Court;

- Representing Beijing Shougang International Engineering Technology Co., Ltd. in two EPC contract law suits before the Sichuan High People's Court;
- Representing Beijing Shougang International Engineering Technology Co., Ltd. in a EPC contract law suit before the Shanxi High People's Court;
- Represented the municipal government of Ji'an, Jiangxi in an administrative action initiated by the French company POMA S.A.;
- Represented Inner Mongolia Mengniu Dairy (Group) Co., Ltd. in two retrials before the Supreme People's Court;
- Represented a Taiwanese investor in a dispute arising out of share acquisition before Jinhua Intermediate People's Court and Zhejiang High People's Court.

Domestic Arbitration

- Representing a Chinese provincial government in a franchise contract dispute before CIETAC;
- Representing a coal producer to claim indemnity under a construction contract against a construction company before BAC;
- Representing an export & credit insurance company in several insurance claim disputes before BAC;
- Representing a Singaporean real estate developer in multiple commercial housing sales contract disputes before TJAC;
- Represented a Chinese producer to claim payment against respectively an American purchaser and a Chinese purchaser before CIETAC;
- Represented a beverage packaging company wholly owned by a German multinational company in a CIETAC arbitration in which all proceedings are conducted in English.

Domestic Enforcement

- Represented ED&F Man (Hong Kong) Limited in proceedings regarding the recognition and enforcement of Award No.158 rendered by the Sugar Association of London. The monumental reply made by the Supreme People's Court confirmed that those violating

statutory laws of China do not necessarily violate the principle of public order and good social customs;

- Representing China Jianyin Investment in the enforcement of Judgment No.1705 (2010) rendered by the Shandong Jinan Intermediate People's Court;
- Representing a Dutch cotton trading company in enforcement proceedings of an arbitral award made by the International Cotton Association before Shandong Liaocheng Intermediate People's Court;
- Representing Inner Mongolia Mengniu Dairy (Group) Co., Ltd. in the enforcement of BAC Arbitral Award (2011) No.0833;
- Represented China State Construction Engineering Corporation in proceedings regarding non-recognition and non-enforcement of Award NO.070/2008 rendered by Arbitration Institute of Stockholm Chamber of Commerce;
- Represented Sony China in the enforcement of CIETAC Arbitral Award (2013) No.0008;
- Representing a nationally renowned trust company before Anhui High People's Court, Guizhou High People's Court, Qinghai High People's Court and Supreme People's Court in enforcement proceedings against several debtors regarding credit documents made enforceable by notary offices;
- Representing China Life Insurance (Group) Company in eight enforcement supervision cases before the Supreme People's Court.

Mediation and Negotiation

- Representing a state-controlled enterprise in negotiations with the owner over disputes in relation to a pelletizing factory in a Middle Eastern country;
- Represented a Jiangxi state-owned enterprise in the negotiation with a French equipment supplier in a multi-round negotiation regarding products quality dispute and successfully reached a settlement;
- Provided consultancy service to Hebei Iron & Steel Group Ltd. regarding legal risks in its investment to an overseas iron ore;
- Assisted Qingdao Ludowici Mineral Processing Co., Ltd. in its dispute with a Shandong enterprise and successfully reached a settlement;

- Assisted FLSmidth A/S in its negotiation with a Jiangsu enterprise and successfully claimed payments for supplies.
-

Publications:

- China Construction Law Review [J], General Editor, Law Press China;
- United Nations Convention on International Settlement Agreements Resulting from Mediation – Legislative Background and Articles Interpretation, Law Press, November 2018 (to be published);
- First Emergency Arbitrator Proceeding in Mainland China: Reflections on How to conduct an EA Proceeding from Procedural and Substantive Perspectives, Kluwer Arbitration Blog September 2018;
- International Commercial Court in China: Innovations, Misunderstandings and Clarifications, Kluwer Arbitration Blog, July 2018;
- Annual Report on Recognition and Enforcement of Foreign Arbitral Awards in China (2017), Kluwer Arbitration, April 2018;
- Recent Development of Ad hoc Arbitration in China: Interpretation of the *Opinion on Providing Judicial Protection for the Development of the Pilot Free Trade Zones* and the *Ad hoc Arbitration Rules of (Guangdong) Pilot Free Trade Zone Hengqin Area of Zhuhai*, Beijing Arbitration Quarterly, Vol.101, 2017.
- Non-existence of Contract: an Often Raised Challenge at Recognition and Enforcement Stage in China, Kluwer Arbitration Blog, December 2017;
- Recent Development of Ad hoc Arbitration in China: SPC Guidance and Hengqin Rules, Kluwer Arbitration Blog, 2017;
- Construction Lien Under PRC Law (co-author), Law Press China, June 2017;
- Arbitration in China—A Practitioner’s Guide (co-author), Kluwer, 2015;
- SPC Instruction Provides New Opportunities for International Arbitral Institutions to Expand into China [J], Journal of International Arbitration, Wolters Kluwer, 2014;
- 2013 Annual Review of Real Estate Dispute Resolution, published on China Commercial Dispute Resolution – An Annual Review and Preview, Beijing Arbitration Commission, China Legal Publishing House, 2014;

- The Handbook of Chinese Commercial Lease (coauthor), China Legal Publishing House, October 2012;
- The Impact of the Financial Crisis and European Debt Crisis on Cross-Border M&A of Chinese Enterprises, www.chinalawinfo.com, January 2012 ;
- The Features of Cross-Border M&A of Chinese Enterprises, www.chinalawinfo.com, January 2012;
- The Motive of Rapid Growth of Cross-Border M&A of Chinese enterprises in recent years, www.chinalawinfo.com, January 2012;
- China Commercial Arbitration: Law and Practice [M], Peking University Press, September 2011;
- China Construction Law Report 2009-2010 [R], Chief Editor, Law Press China, 2011;
- How Chinese Investors go out? – The Introduction of Domestic Approval Process, www.chinalawinfo.com, 2011;
- The Risks of Cross-Border M&A, www.chinalawinfo.com, 2011;
- Civil & Commercial Litigation and Arbitration Step-by-Step Guide [M], Law Press China, 2007.

Conferences and Speeches:

- Gave speech titled “The Belt and Road Initiative and Construction Projects in CIS Countries and Caucasus Region” at the ICC-FIDIC Conference in Tbilisi, Georgia, September 2018.
- Gave speech titled “Wise Choice or Pitfall — Testing the Boundary of Emergency Arbitration in Construction Disputes” at the 4th conference of “International Arbitration Without Frontiers” held by CIETAC and ICC, Beijing, China, June 2018;
- Gave speech on “How Arbitration can Help on Prevention of Legal Risks for Chinese Enterprises” at the Chinese-invested enterprises seminar, Sydney, Australia, April 2018;
- Gave keynote speech at the conference of “One Belt One Road Construction and China-Poland Arbitration Practice”, Warsaw, Poland, March 2018;
- Gave speech titled “Issue Conflict in Challenge to Arbitrators: Current Standards and Reflections” at the “International Commercial Law and Commercial Arbitration Annual Conference” in Vienna, Austria, March 2018;

- Gave speech on “Recognition and Enforcement of ICA Awards in China” at International Cotton Association, Liverpool, United Kingdom, November 2017;
- Participated in the discussion at 34th session of Work Group III (Investor-State Dispute Settlement Reform) of UNCITRAL Conference as the observer representing BAC/BIAC, Vienna International Center, Vienna, November 2017;
- Participated in the discussion at 67th session of Work Group II (Arbitration and Conciliation) of UNCITRAL Conference as the observer representing BAC/BIAC, Vienna International Center, Vienna, October 2017;
- Participated in the discussion at 64th session of Work Group II (Arbitration and Conciliation) of UNCITRAL Conference representing CIETAC, and gave speeches regarding the situations for non-enforcement of conciliation agreements and the signature requirements of conciliators, United Nations Headquarters in New York, February 2016;
- Participated in the discussion on the Enforceability of Mediation Agreement in International Commercial Mediation at the 63th session of Work Group II of UNCITRAL Conference as the observer representing CIETAC, Vienna International Center, Vienna, September 2015;
- Participated in the deliberation of UNCITRAL Notes on Organizing Arbitral Proceedings at the 48th UNCITRAL Conference as the observer representing CIETAC, Vienna International Center, Vienna, July 2015;
- “Annual Report on the Development of China Real Estate Legal System 2013” at the “2014 Paris Annual Summit on Commercial Dispute Resolution in China” held by the ICC International Court of Arbitration and Beijing Arbitration Commission, Paris, June 2014;
- “Development in Chinese Infrastructure Law and Practice” at the “2014 London Annual Summit on Commercial Dispute Resolution in China” held by Queen Mary, University of London, Institute of Advanced Legal Studies and the Beijing Arbitration Commission, London, June 2014;
- “The Impact of Chinese Parties to the International Dispute Resolution” at the forum of “London’s Prospects as a Centre for the Resolution of China-related Disputes” held by China Britain Law Institute, UK Ministry of Justice, UK Trade & Investment and City of London, London, 2012;
- “The Analysis of Current Situation of China Construction Industry from the Perspective of a

Chinese Lawyer” at the conference of “China Construction Engineering Legal Status and Development Trend” held by British Construction Engineering Law Association, London, 2011;

- “The Nationality of an Arbitration Award” at the conference of “International Dispute Resolution –Theory and Practice” held by Cambridge University, Cambridge, 2010;
- “The Expectation to Chinese Adjudication” at the forum of “2010 China Construction Dispute Adjudication Seminar” held by China Construction Law Review, Beijing, 2010.

Memberships and Honors:

- Adjunct Professor of Law at China University of Political Science and Law;
- Arbitrator of China International Economic and Trade Arbitration Commission (CIETAC);
- Arbitrator of Beijing Arbitration Commission (BAC);
- Arbitrator of Guangzhou Arbitration Commission (GZAC);
- Arbitrator of Shanghai Arbitration Commission (SHAC);
- Arbitrator of Tianjin Arbitration Commission (TJAC);
- Arbitrator of Shijiazhuang Arbitration Commission;
- Arbitrator of Shenzhen Arbitration Commission (SZAC);
- Arbitrator of China Chongqing Arbitration Commission (CQAC);
- Secretary-General of the Permanent Forum of China Construction Law (PFCCL);
- Member of ICC China Commission on Arbitration & ADR;
- Representative of observer of UNCITRAL Working Group II;
- Chinese Expert of China Academy of Arbitration Law;
- Member of the Expert Advisory Committee of the Shijiazhuang Arbitration Commission;
- ICC Young Arbitrator Forum (ICC YAF) China Representative;
- Mediator of China Council for the Promotion of International Trade (CCPIT) and China Chamber of International Commerce (CCOIC) Mediation Center;
- Mediator of Beijing Arbitration Commission (BAC);
- Consultant of Beijing University Information Center on Rule of Law;
- Member of All-China Youth Federation;
- Member of the Youth Federation of Central State Organs.