Southeast Asia Practice

Aligned with your business.
Hunton Andrews Kurth represents Southeast Asia clients in significant global and local business transactions. Resident in Bangkok, our lawyers possess the global perspective, regional understanding, practical knowledge and creative problem solving skills necessary to assist clients in achieving their business and legal objectives within the region and beyond.

Hunton Andrews Kurth’s full-service practice advises Southeast Asia clients on energy and infrastructure project development and finance, banking and commercial lending, financial services, mergers and acquisitions, telecommunications and regulatory, tax and arbitration and litigation. Our more than 30 international and locally qualified practitioners have represented multinational corporations, financial institutions, governments and individuals as well as a broad array of other entities on a wide range of commercial transactions and dispute resolution matters in Thailand, Singapore, Philippines, Laos, Vietnam, Myanmar, Indonesia, Malaysia and Cambodia.

**Global Network**

Frequently partnering with our firm’s lawyers in Tokyo and Beijing, as well as our worldwide network of lawyers in 15 other cities across the world, lawyers in our Southeast Asia practice provide highly customized and timely international legal and consulting services.

In Thailand, we are licensed to provide the full range of commercial and corporate law services under Thai law, drawing upon our team of Thai law-licensed lawyers in our Bangkok office. Our lawyers are also experienced in a wide range of matters pertaining to other jurisdictions in Southeast Asia. Where knowledge of US and UK laws are required, we draw on the strengths of our international lawyers in Bangkok and elsewhere in Asia who are highly skilled in providing opinions on those matters as well as on myriad cross-border issues.

**Southeast Asia Practice Experience**

Hunton Andrews Kurth is an accomplished firm with a richly diverse Southeast Asia practice. The practice is particularly strong in the following areas:

- Mergers and acquisitions
- Energy and infrastructure (including thermal power, renewables and water projects)
- Banking and commercial lending
- Oil and gas, LNG and petrochemicals
- Capital markets and corporate finance
- Real estate finance and development
- Telecommunications law and regulatory
- Tax
- Arbitration and Litigation

**Mergers and Acquisitions**

We regularly act on mergers and acquisitions across all industry sectors and have more than 20 years of experience representing regional and international investors in their purchase and disposal of equity interests in enterprises in Southeast Asia. In addition to our acting in a large number of investments into, and disposal of interests in, energy and telecommunications assets across Southeast Asia, we are instructed on cross-border M&A transactions by both inbound foreign investors looking to benefit from Southeast Asia’s explosive growth and Southeast Asian companies seeking access to other markets in the region, including China, Mongolia, all of Southeast Asia, and other nearby markets.

We are considered in the uppermost tier of infrastructure M&A law firms in Asia, having been recognized as a leading firm for Thailand in the Corporate/M&A category by *Chambers Asia Pacific*, 2018; a leading firm for Thailand in the Corporate/M&A (including Capital Markets) category by *The Legal 500 Asia Pacific* 2018, and as a leading firm in Capital Markets and Mergers and Acquisitions by the *IFLR 1000* in 2014, 2016 and 2018. We are recommended repeatedly for our legal
and commercial know-how, responsiveness, and market awareness. Leading global and regional companies investing in the region have sought our services in managing due diligence, bid preparation, and documentation and negotiation for competitive tenders. Our advice has also extended to all aspects of contested and negotiated acquisitions of Asia assets, including tender offers, proxy contests, takeover defenses, leveraged buyouts, corporate spin-offs, holding company formations, joint ventures and strategic alliances, corporate auctions, mergers and strategic acquisition and divestiture programs.

Key representative M&A and investment transactions in Asia in which we are now or have been recently involved include:

- Represented Tencent Holdings Limited (SEHK 700) in the investment in Ookbee Company Limited to establish a new company, Ookbee U Company Limited.
- Advised a Thai company for the sale of its 49 percent stakes in five solar power plant project companies with a value THB 1.3 billion, having an electricity generating capacity of 48 MW in total, to a listed company on the Stock Exchange of Thailand investing in several solar power.
- Represented venture capitalist in acquiring shares from Thai food and lifestyle review portals provider. This transaction was the first Series B financing round for a start-up in Thailand.
- Representation of Dawei SEZ Development Co., a joint venture between the Government of Thailand and the Government of Myanmar, regarding its acquisition of the Dawei Project in Myanmar from Italian Thai Development Co., Ltd. for subsequent full development.
- THB 700m (US$21 million) acquisition by Ratchaburi Electricity Generating Holdings (Ratch), Thailand’s largest private power producer, of a 50 percent ownership in Tri Energy Co. Ltd. (TECO).
- US$ 669m divestment of coal mine interest in China by Banpu PLC to a Hong Kong listed company. Awarded 2011 Large M&A Deal of the Year – Asia Pacific M&A Atlas Awards.
- US$390 million acquisition of interest in 460 MW Quezon power project in the Philippines by Thai-listed EGCO PLC, with affiliates of Intergen and Covanta Energy Corporation. EGCO also acquired the operations and maintenance, and management company of the project.
- US$420 million acquisition of 78.4 percent equity interest in Asian-American Coal, Inc. (AACI) by BP Overseas Development Co., Ltd., a subsidiary of Banpu PLC. AACI owns significant stakes in the Daning and Gaohe mining concerns in Shanxi Province, China.
- JPY 21bn (US$256 million) divestment of Thai-listed power company interest by CLP Holdings Ltd. to joint venture formed by Tokyo Electric Power Company and Mitsubishi Corporation.
- THB 28.5 billion (US$883 million) acquisition of France’s MWBrands by Thai Union Frozen Products from Trilantic Capital Partners – one of the largest cross-border M&A transactions ever conducted by a Thai company.
- Investment in a Canadian chrysotile asbestos mining operation by the Oranvanich group, a leading tile distributor.
- THB 17.2 billion (US$570 million) total in two sales of holdings—6.24 percent and 7.9 percent—in Shin Corporation PLC by Cedar Holdings Limited (an affiliate of Temasek Holdings) to institutional investors through the Stock Exchange of Thailand board.
- 20 percent interest acquisition by Chubu Electric Power Company Inc. in First Korat Wind Co., Ltd. and K.R. Two Co., Ltd., project companies for wind power facilities with a collective generating capacity of 180 MW – first commercial scale grid-tied wind power project developed in Thailand.
- US$120 million divestment of 6.12 percent interest in BTS Group Holdings PLC—the owner of the Bangkok Skytrain system—by Thai Rail Investments Co., Ltd., to a Thai individual.
- Corporate restructuring and joint venture arrangements by a Thai-listed company in respect of an onshore holding company for several coal mines in Mongolia.
- Establishment of AIG’s general and life insurance operations in India in a joint venture with Tata Group—one of AIG’s largest insurance business investments overseas.
- Bids for acquisitions of two major US businesses by Crompton Greaves.
- Investment and dispositions in the Indian software technology sector by Deutsche Bank.
- Acquisition of Italian government-owned steel business and acquisition of real estate in the US by Essar.
- Disposition of assets in Indian telecommunications sector by Lockheed Martin.
- Prospective hospital project in India by a large healthcare organization.

**Energy and Infrastructure**

We are widely recognized in the market as one of the leading international law firms for infrastructure project development and finance in Southeast Asia. We have more than 20 years of experience representing developers, sponsors and offtakers in Southeast Asia on a variety of major independent power...
projects (IPPs) and their financings and re-financings. In addition, we have advised governments and multilateral organizations with respect to their power sector reform efforts. We have also represented clients on other large infrastructure projects such as water facilities and toll roads.

Lawyers in our Southeast Asia practice are keenly attuned to market developments and have achieved significant recognition on numerous project financings in Southeast Asia. We have the depth of experience to structure projects in all Southeast Asian jurisdictions, and our lawyers are knowledgeable in tailoring documentation and regulatory strategies to address project risk in regional infrastructure projects.

We have achieved particular renown with renewable energy projects, where we have executed transactions of varying complexities for businesses throughout the region. Our lawyers are frequently called upon to provide insights and directions on cutting-edge strategies and market-driven solutions.

Our experience includes a wide variety of power projects in a number of different host countries, key examples of which are given below. This ample experience has earned our lawyers a number of accolades, including consistent and current recognition in Chambers Global, Chambers Asia Pacific, Asia Pacific: The Legal 500, and the IFLR 1000.

- THB 20.8 billion (US$717 million) bridge acquisition facility granted to BTS Group Holdings for the acquisition units offered by the fund to maintain a minimum prescribed ownership level. This was the largest IPO in Thai history and the first ever infrastructure fund in Thailand
- A large-scale power contract that will allow APR Energy PLC to build a 100-megawatt power plant in Kyaukse, in the central Mandalay Region of Myanmar. This is the first power generation agreement signed by a US-based company with the Myanmar government since government sanctions were lifted in 2013
- US$900 million financing of GNPower project, the largest Philippine IPP in over a decade and the first non-recourse overseas power project financing for the China Development Bank and Sinosure. Awarded 2010 APAC Deal of the Year – Project Finance
- US$ 1 billion financing and development of a 660 MW coal-fired power station in Thailand by GDF Suez subsidiary GHECO-One Co., Ltd., awarded as part of the 2007 IPP Solicitation conducted by Thailand’s Ministry of Energy - Up to US$ 476.9 million refinancing of Philippine IPP’s Eximbank-backed term debt, US bonds and Philippine notes, by issuance of new secured debt to Philippine Banks led by Banco De Oro and working capital and standby letter of credit facilities from Bank of Tokyo Mitsubishi UFJ
- Development and US$ 250 million project financing for Southeast Asia’s first commercial large-scale solar farm (73 MW(DC)) by Natural Energy Development Co., Ltd., a joint venture of CLP Holdings Ltd., EGCO, and Mitsubishi Corporation. Awarded 2010 APAC Solar Deal of the Year – Project Finance
- Development and financing for a 100 MW Shihanoukville coal-fired facility and approximately 125 km 230 kV transmission line and related substation system in Cambodia
- Joint venture development and financing of the Nam Theun 1 hydro-facility in Laos by EGCO
- Thai government IPP solicitations – counsel to Ministry of Energy in 2007 and Energy Regulatory Commission in 2012 on model power purchase documents, solicitation documentation, goals and risk allocations and solicitation procedures up through the launch of the two IPP solicitations
- Development and financing of a portfolio of wind farms by Wind Energy Development Co., Ltd., including a 50 MW SPP, an 8 MW VSPP and a 2 MW VSPP in Thailand, and a separate bridge financing facility for land and associated facilities acquisition
- Global Green Energy wind energy project by Glow Energy PLC, consisting of up to 54 wind turbine generators in Thailand with an initial stage of 19 MW in maximum generating capacity
- Project and financing counsel to Theppana Wind Farm Co., Ltd., for its 6.9 MW wind farm in Thailand, including loans provided by the Asian Development Bank as part of its Clean Technology Fund
- Development, construction and financing of US$ 100 million, 136,380 m3/day desalination plant by a project company of Singapore Stock Exchange-listed Hyflux Ltd. – the first desalination facility to supply potable water in Singapore. Awarded 2003 APAC Water Deal of the Year – Project Finance
- US$ 2.2 billion project financing by US Eximbank and Indian financial institutions for a 2,140 MW power generation plant in Maharashtra State, India
- US$ 2.18 billion financing of Sasan Power Ltd.’s Ultra
Mega Power Project with Reliance Power Ltd. as sponsor, recognized as 2011 Indian Deal of the Year by Project Finance International, and original US$ 4.2 billion financing of the 4,000 MW project, awarded 2009 Project Finance Indian Deal of the Year

Banking and Commercial Lending
We have a highly active banking and commercial lending practice in Southeast Asia, with extensive experience representing lenders and borrowers, including for the provision of acquisition finance, project finance, property finance and refinancings. We were recognized as a Leading Firm for Thailand in the Banking & Finance categorized by Chambers Global 2018, Chambers Asia Pacific 2018, Asia Pacific: The Legal 500 2018, and as a Leading Firm in Banking and Project Finance by the IFLR 1000 in 2014, 2016 and 2018.

Dedicated lawyers within our Southeast Asia practice have successfully completed several billions of US dollars of secured and unsecured commercial lending transactions in the region. These lawyers have significant experience in syndicated and club commercial loans, single and multi- currency facilities, hedging transactions, and innovative financial products, such as multiple-option facilities. Our lawyers are knowledgeable in a wide range of financing techniques, swaps and commodities dealings, performance bonds, documentary credits and general trade finance. They have also acted as counsel for a variety of multilateral and export credit-supported project financings, and other governmental and multinational export credit and political risk programs.

The representative transaction summaries presented below illustrate the strength and diversity of our Southeast Asian banking and commercial lending practice:
- Lender counsel to a Thai bank and a foreign bank for the financing of payments in relation to solar roof top projects, the expansion of warehouses, the increase of production capacity for the borrower’s AW model compressors and the repayment of an outstanding of letter of credit facility, and the reimbursement of the relevant borrower’s maintenance CAPEX in the year 2012 to 2015.
- Counsel to a Thailand-based low-cost airline operator in connection with the sale and leaseback transactions for two Boeing 737-8 Max aircrafts.
- Counsel to a Thailand-based low-cost airline operator in connection with the sale and leaseback transactions for two Boeing 737-8 Max aircrafts.
- Counsel to sponsors/project companies on bids for power purchase agreements with the Thai government for the development of waste-to-energy power plants and, if awarded, the development and financing of the projects.
- Counsel to Thai commercial banks with respect to amendments to THB 2.151 billion of credit facilities agreements provided for a project company.
- Counsel to Thai commercial bank for the financing of the development, design, engineering, procurement, construction, commissioning, operation and maintenance of two solar power plants with a total installed capacity of 5 MW located in Samutsakorn Province, Thailand.
- Counsel to China-based commercial bank with respect to taking security of over 893,000,000 shares in a Thai listed company and registering with a depository agent.
- Counsel to a commercial Thai Bank as the lenders, in providing financing to Iconsiam group companies with respect to the purchase of advertising media transactions entered into with The Krungthep Thanakom Company Limited in connection with the MRT Gold Line project.
- US$160 million financing of acquisition and construction of Thaicom 6 Satellite by KASIKORNBANK PLC as lead arranger. Awarded 2011 APAC Communications Deal of the Year – Project Finance
- Project financing of over ten solar power projects by affiliates of SPCG PLC – lenders counsel to KASIKORN PLC, Thanachart Bank PLC and Bank of Ayudhya PLC
- THB 4.6 billion (US$150 million) loan provided to six hotel owners in Hua Hin, Thailand, by Krung Thai Bank PLC, to refinance existing debts owed to Lehman Brothers Commercial Corporation Asia Limited and Merrill Lynch
- THB 3.1 billion (US$100 million) syndicated facilities granted to Siam Gas Petrochemicals PLC for the acquisition of BP Zuhai LPG Limited in China
- THB 8 billion (US$275 million) loan to a joint venture of Italian-Thai Development PLC and Sahakol Equipment Co., Ltd. by Krung Thai Bank PLC to refinance existing debts and procure new equipment for their lignite mining project developed to supply fuel to a nearby power plant
- THB 742.5 million (US$23 million) property financing by KASIKORNBANK PLC principally secured by leasehold rights over an office building which was originally owned and financed by Lehman Brothers entities
- Transfer of participation rights for 100 percent of interests related to or under a US$262.7 million facility agreement to two British Virgin Islands companies
- US$400 million financing of Ford Motor Thailand Co., Ltd.’s new production plant by Bangkok Bank PLC
Oil and Gas, LNG, Pipelines and Petrochemicals

Our Southeast Asia practice has expanded in recent years to handling multiple upstream oil and gas, LNG, pipeline and related corporate mergers, facility financing and debt issuance matters.

We have significant experience with upstream oil and gas transactions, as well as the issues raised by oil and gas well operations. Our attorneys advise clients from both a legal and business perspective to safeguard client interests and maintain successful operations. We routinely draft and negotiate all of the agreements of interest to oil and gas well operators, from farmouts, leases and exploration agreements to contracts for the sale of oil and gas. Our work assists oil producers small and large in taking their prospects from conception to completion.

In Southeast Asia, we have acted on behalf of international energy companies, government entities and financial institutions in several projects throughout the region, including:

- Gas sales agreements, operating agreements and commercial contracts for drilling and seismic testing by APICO LLC
- Construction and supply contracts for the development of an integrated acrylonite and methyl methacrylate project in the Eastern Industrial Estate of Map Tha Put, Thailand, by PTT Asahi Chemical Co., Ltd.
- GS Caltex Corporation’s potential acquisition of a strategic interest in an operating oil field in the Gulf of Thailand
- US$820 million amalgamation and merger of Thai Olefins PLC and National Petrochemical PLC to form PTT Chemical PLC
- Bilateral treaty negotiations by the Government of Cambodia with Thailand for joint development of petroleum resources in the Gulf of Thailand
- Resale of Malapaya gas to National Power Corporation by Credit Suisse First Boston as fuel source for privatized projects in the Philippines
- US$312 million financing of a 70,000 pta, seven-facility caprolactam production plant in Thailand by TPI Polene PLC, UBE Industries Limited and Marubeni Corporation, including export credit backed by the entity now known as the Japanese Bank for International Cooperation
- Subordinated US$115 million loan facility for a major petrochemical company and its parent for the construction of Indorama’s chemical plant in Thailand
- Financing for 2.5 MMTPA Dabhol LNG receiving, storage and regasification terminal facility by international commercial banks and Indian financial institutions involving cofinancing for the LNG vessels
- US$1.6 billion Reliance Industries 13MTA Jamnagar Oil Refinery project, one of the largest grassroots single-stream petroleum refineries to have been constructed in the world
- US$2.2 billion development, structuring and financing of the 5MMTPA Petronet LNG receiving, storage and regasification facility by five major oil and gas companies, involving codependent financings for the LNG tankers and the liquefaction facility, and domestic IPO and bond issuance guarantee by the Asian Development Bank. **Awarded Project and Infrastructure Super Deal of the Year – Asia Legal Business**
- Development and construction of the Vadinar oil refinery in India by Essar, among the largest single-location refineries in the world

Capital Markets and Corporate Finance

In Southeast Asia, we advise on transactions ranging from financings by private equity firms to initial public offerings and follow-on offerings. During the past 15 years, we have structured and negotiated more than US$160 billion of equity and debt financing on behalf of underwriters, issuers, equity investors, sponsors, multilateral institutions and lenders for transactions around the globe. We are familiar with the latest trends in cross-border equity and debt offerings in Asia and, together with lawyers in our US and UK offices, can advise on securities regulations in the US and UK. We are recognized as a Leading Firm in Corporate/M&A by *Chambers Global* 2018 and *Chambers Asia Pacific* 2018, a Leading Firm in the Corporate/M&A (including Capital Markets) category by *Asia Pacific: The Legal 500 2018* and as a Leading Firm in Corporate Markets and Mergers and Acquisitions by the *IFLR 1000* in 2014, 2016 and 2018.

- Issue of THB 11.64 billion (US$363.75 million) of convertible debentures by Bangkok Mass Transit System PLC, owner and operator of Bangkok Skytrain system, to an initial subscriber under its rehabilitation plan, and investors’ purchase of said debentures, including acquisition financing
- THB 10 billion (US$330 million) standby letter of credit-backed convertible debentures by Bangkok Bank PLC for BTS Group Holdings PLC
- THB 7 billion (US$230 million) senior unsecured bonds issued by Don Muang Tollway PLC
- Issuance and private placement of SGD 50 million in convertible debentures by Solartron PLC, a Thai-listed solar equipment producer, to a Singaporean investor
- Public offering and listing on the Stock Exchange of Thailand by a major Southeast Asian pharmaceutical manufacturing and distribution company
• Divestiture of shares in Bangkok Mass Transit System PLC by Siam Capital Developments (Hong Kong) Ltd. and Siam Rail Transport and Infrastructure Co., Ltd. as part of the THB 36 billion reverse listing of Tanayong PLC as BTS Holdings PLC on the Stock Exchange of Thailand
• Documentation for a SGD 10 million convertible bond issue by ThreeSixtyFive PLC, a Thai-listed company
• US$500 million offering of floating rate notes under Regulation S by the Industrial Development Bank of India
• Rule 144A/Reg S offering by Pentasoft Technologies

Real Estate Finance and Development

We are poised to tackle the challenges that complex, Southeast Asia-based, cross-border real estate development and financing transactions bring. Our deep transactional experience in this region means that we can quickly land people on the ground where required and bring adequate resources to bear on any issue that might arise during the course of completion of any engagement.

Our capabilities extend to all aspects and phases of real estate and property development, from joint venture establishment, structuring, feasibility studies, site acquisition, construction, and operations, to alternative dispute resolution, litigation, restructuring, workouts, in-court rehabilitation and divestiture. In light of our significant experience representing foreign investors from North America and Europe, as well as Asia-based investors with Southeast Asia projects, we are well-versed in commercially sound risk mitigation techniques for the types of issues that are likely to arise and fundamentally understand the concerns of such investors, enabling us to prospectively identify and solve issues through appropriate documentation plan resolution mechanisms.

We have highlighted below some key representative foreign investment projects on which we have been engaged:

• Represented a US private equity firm on the acquisitions of significant equity interest in Thai companies operating a 77-story multi-use hotel, residential, and commercial tower project in Bangkok, Thailand, and on debt financing, project and construction, and collateral arrangements.
• Negotiation of a hotel operating agreement for a six-star resort in French Polynesia and joint venture documents for Hotel Investment Partners for US$60 million operator equity participation.
• Legal due diligence relating to three five-star resorts in Phuket and Krabi, Thailand, worth US$154 million for a Lehman Brothers affiliate.
• Due diligence, structuring and debt financing in respect of a US$40 million acquisition of land in Phuket, Thailand, by a Lehman Brothers affiliate, for a Board of Investment-promoted six-star resort.
• Acquisition, finance and development of a US$150 million housing project in central Bangkok – covering over 1.12 sq km – by a Lehman Brothers affiliate as part of a debt restructuring.
• Consumer finance initiative for a Lehman Brothers affiliate with a credit line of up to US$46.5 million to provide timeshare financing for a prominent luxury resort property in Phuket, Thailand.
• Documentation of a US$44 million acquisition and renovation loan for a Lehman Brothers affiliate for financing of five luxury serviced apartments in Bangkok.
• Ongoing matters affecting Al Raya Ltd.’s Sofitel Sukhumvit Hotel in Bangkok.
• Financing and acquisition of the Millennium Residence condominium project in downtown Bangkok.
Telecommunications

Lawyers in our Southeast Asia practice have advised foreign investors on matters related to the introduction of competition in the increasingly competitive telecommunications markets in Southeast Asia. Our work for these clients is extensive and includes structuring of finance and investments; trademark, copyright and trade secrets advice; licensing and regulatory advice; and general corporate and contract advice. Our Thailand office has been recognized as a leading firm in Technology/Media/Telecoms (TMT) by *Chambers Asia Pacific 2018*.

- Acquisition of a majority stake in Advanced Info Service PLC, Thailand’s largest telecommunications business, by Temasek Holdings and its Thai partners
- THB 16.45 billion (US$530 million) term loan and working capital facility by KASIKORNBANK PLC and Krung Thai Bank PLC extended to Samart PLC to fund its concession for the installation of Thailand’s 3G network
- Acquisition of a significant stake in CP Orange, a Thai mobile phone carrier, by Advised Orange PLC
- US$250 million aborted acquisition of a 25 percent stake in Total Access Communication PLC (DTAC), a major Thai mobile carrier, by Telstar
- THB 6.3 billion (US$210 million) acquisition financing by Siam Commercial Bank PLC for the purchase of Hutchison Telecom assets in Thailand by Real Future Co., Ltd., a subsidiary of True Corporation
- Acquisition of a strategic stake in DTAC by Telenor Group and its Thai partners
- Negotiation and documentation of a global applications management transaction with UST global by a Fortune 300 automobile parts manufacturer
- Simultaneous competitive negotiations with three Indian-heritage outsourcing firms by Genworth Financial in order to implement their global application development and management solution

Tax

Comprising highly experienced and qualified lawyers who provide comprehensive advice on all aspects of taxation within Thailand and the rest of Southeast Asia, our firm has built a reputation as one of the most respected in Thailand. Our tax work includes structuring cross-border investments, complicated M&A transactions with tax-efficient structures, and outbound investment from Thailand. We provide clients with sound, reliable advice in all tax-related aspects of their diverse transactions.

Our group works closely with clients not only to ensure their satisfaction but also to help them achieve their objectives with the most effective and practical solutions. Apart from our advisory work, we have also assisted our clients in handling matters with the relevant tax authorities. Since we understand our clients’ business, not only can we provide practical advice, but we also help our clients to implement and undertake our advice. We advise and assist with:

- General taxes under the Thai Revenue Code – Tax implications of Thai regulation; tax planning for M&A; interpretation and planning, using double taxation agreements; transfer pricing and cost allocation; and inbound and outbound tax planning.
- Customs and excises laws – Issues, including import restrictions and tax and customs liabilities; providing and implementing customs and excise tax planning.
- Tax dispute resolution – Settlement of, customs and excise tax cases; customs and excise tax audits.
Arbitration and Litigation

The business litigation practice at Hunton Andrews Kurth has the collective knowledge, background and extensive trial experience required to help businesses and individuals identify and manage potential risks, respond to existing or threatened litigation, and pursue resolution in every available venue. In disputes where the effect on company stakeholders is just as important as the “courtroom story,” we regularly draw on the experience of our in house and external public relations professionals. In developing effective risk-avoidance and litigation strategies, we work closely with lawyers from the firm’s key commercial practices, including corporate, securities, environmental, labor and employment, and intellectual property law, to deliver issue- and industry-focused counsel.

We represent clients in virtually every sector of the economy, including financial services, energy and natural resources, health care, pharmaceuticals, retail, telecommunications, technology, e-commerce, manufacturing and more. The representative transaction summaries presented below illustrate the strength of our litigation practice:

- We have worked on highly sensitive dispute matters pertaining to two class action lawsuits: (i) an environmental class action against a gold mine operator with allegations of supposed wrongful acts causing environmental and health impact on the people living near the gold mine, and (ii) a product liability class action against a global automotive producer with allegations of supposed wrongful acts in relation to the defective and unsafe products.
- We work on a sensitive civil dispute matters pertaining to one of the biggest and most complicated wrongful act claim in relation to the business reorganisation of a leading petrochemical company.
- We work on all aspects of employment disputes and employment law issues, including advising on necessary changes to employment conditions, work rules and regulations and employment benefit schemes for many diverse organizations.
- We work on matters pertaining to the Thai cabinet’s resolution on Asbestos ban, specifically, disputes against the Office of Consumer Protection Board.
- We act for investors in telecoms in respect of ongoing disputes/proceedings taken or threatened in respect of foreign ownership/foreign dominance.
- We are active in respect of both the FCPA and the Bribery Act, including local law compliance issues and investigations.
Edward B. Koehler, Partner
With 23 years residency in Asia and over 30 years of practice experience in infrastructure development, finance and M&A transactions, Ed advises a wide range of US, European and Asian sponsors, lenders, investors, government enterprises and other project participants in all aspects of the development, acquisition, financing and divestiture of power and renewables, water, telecom and other infrastructure projects and the formation of wholesale market energy systems and capital markets, commercial and structured financings in the US, Europe and Asia. Ed also advises a wide range of domestic and cross-border companies and consortia in joint venture, shareholder, strategic and financial partnering arrangements. He is recognized by Chambers Global and Chambers Asia Pacific as a leading individual for his work in Projects, and by the IFLR 1000 as a leading lawyer in Banking and Finance.

Stephen John Bennett, Partner
Resident in Thailand since 1994, Stephen focuses his practice on corporate, mergers and acquisitions, securities offerings, acquisition financing and project development, including in the telecommunications, finance and energy sectors. He has served as counsel for both private and public entities, and has completed some of the largest M&A transactions in Thai history, including the US$ 7 billion acquisition of Thailand’s largest mobile telecommunications provider by an Asian investment company. In addition, he recently advised on the THB 35 billion rights offering by a Thai bank under Rule 801; the largest ever rights offering by a Thai company, and the largest equity raising by a Thai bank since the 1997 Asian financial crisis. He is recognized by Chambers Global and Chambers Asia Pacific as a leading individual in Thailand for his work in Corporate/M&A, and by the IFLR 1000 as a leading lawyer in Capital Markets and Mergers and Acquisitions.

James P. Bradley, Partner
Jim focuses on electric power projects in Southeast Asia, advising on finance, project side issues such as power sales, construction, fuel supply and operations, and acquisitions and sales. He has been engaged recently on projects in Thailand, the Philippines and Cambodia, including renewable energy plants (solar and wind energy) and base-load thermal facilities. Also, he was part of the team representing the borrower in a completed US$ 477 million multi-facility financing for a power project in the Philippines. He is recognized by Chambers Global and Chambers Asia Pacific as a leading individual for his work in Projects, and by the IFLR 1000 as a leading lawyer in Banking and Finance.

Manida Zimmerman, Partner
Manida focuses on banking and corporate finance, in addition to mergers and acquisitions. Representing all four of Thailand’s largest commercial banks, KASIKORNBANK, Siam Commercial Bank, Bangkok Bank and Krung Thai Bank, Manida has advised on some of the largest finance transactions in Thailand, culminating with her winning Project Finance’s Asia-Pacific Communications Deal of the Year 2011 for her role in advising KASIKORNBANK on its financing of the Thaicom 6 satellite. Having recently acted for AIS, Thailand’s largest mobile operator in respect of 3G bidding, and before that for Siam Commercial Bank in the financing of True Corporation’s acquisition of Hutchison Telecom in Thailand, Manida has extensive telecommunications experience. She is recognized by Chambers Global and Chambers Asia Pacific as a leading individual in Thailand for her work in Banking & Finance, and by the IFLR 1000 for her work in Capital Markets and Mergers and Acquisitions.
Key Contacts: Bangkok

Chumbhot Plangtrakul, Partner
Chumbhot focuses his practice on infrastructure, traditional and renewable energy, joint ventures, structured finance and private M&A transactions. Maintaining both a cross-border and a Thai-centered law practice, Chumbhot has advised on projects in Thailand, Australia, Cambodia, China, Indonesia, Japan, Laos, Mongolia, Myanmar, the Philippines, Singapore and Vietnam. He concurrently advises on solar rooftop, wind, hybrid power, battery and other alternative energy solutions. Recently, his team represented investors on a US-style leverage buy-out of Thai solar power projects and a preferred equity investment in a pan-Asia portfolio of rooftop and other solar assets.

Richard Savage, Counsel
Richard has been resident in Thailand since 1996. His practice focuses on energy and infrastructure projects, mergers and acquisitions, joint ventures, and informal dispute resolution. He represents clients in the development, acquisition, financing and disposition of power, petrochemical, and infrastructure projects; in negotiating and documentation of EPC, off take and other major project contracts; and in the acquisition of interests in renewable energy projects. He regularly advises energy sector and other clients on a wide variety of corporate, regulatory, contract, employment and other business matters. He is recognized by Chambers Asia Pacific as an individual to watch in Thailand for his work in Corporate/M&A.

Apichart Phankeasorn, Counsel (Head of Litigation)
Apichart specialises in dispute resolution and represents clients in all levels of the Thai court system. His practice centres on class action petition, administrative cases, reorganisation / restructuring, and employment disputes. Apichart has been recognized as one of Thailand’s leading practitioners in dispute resolution, restructuring, and insolvency-related matters by international legal researchers and various directories. Apichart also specialises in alternative dispute resolution. He has extensive experience in arbitration matters administered under various arbitral institutions including the Thai Arbitration Institute, Office of the Judiciary.

Wongsakrit Khajangson, Counsel
Golf’s practice focuses on corporate, financial services, and mergers and acquisitions. Golf has advised and represented on a number of transactions involving mergers and acquisitions and debt restructuring, including due diligence investigations; the review, drafting and negotiation of contracts and agreements; and advising on regulatory compliance throughout all stages of such transactions.

Yaowarote Klinboon, Counsel
Yaowarote has over 20 years of experience in the areas of domestic and international capital markets, including the securities offerings under Rule 144A/Regulation S under the US Securities Act and general corporate matters and corporate governance, as well as mergers and acquisitions. She actively advises both issuers and underwriters on international and domestic offerings of equity and debt instruments. She also has an extensive experience in representing clients on local and cross-border mergers and acquisitions transactions across a wide variety of sectors. She is a recognized leader in the Thai market for her securities work and is highly regarded by financial advisors and banks for providing reliable and effective securities advice.
Key Contact: Beijing

Manuel E. Maisog, Partner  |  Beijing office

Resident in the Beijing office, Manuel Maisog has extensive experience in infrastructure development and finance, including representation of a major U.S. power producer in a series of power plant development financings and acquisition projects and the development of cogenerated projects in Thailand, and the first waste-to-energy facility and IPP projects in Taiwan. He also has negotiated and documented public offerings and private placements of debt and equity securities, and has structured stock and asset acquisitions involving significant local and foreign investors in Thailand, Taiwan, the Philippines and Mainland China, as well as participating in cross border and other commercial and capital markets financings in the region.

Bangkok
Hunton Andrews Kurth
34th Floor, Q.House Lumpini Building
1 South Sathorn Road
Thungmahamek, Sathorn
Bangkok 10120
Thailand
p +662 645 88 00
f +662 645 88 80

Beijing
Hunton Andrews Kurth, Beijing Representative Office
517-520 South Office Tower
Beijing Kerry Centre
No.1 Guanghua Road
Chaoyang District Beijing 100020
PRC
p +86 10 5863 7500
f +86 10 5863 7591