

# 高凯律师事务所 GAO KAI LAW FIRM

## Charles Wu

### Chair and Founding Partner

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### Professional Experience

Mr. Charles Wu is the Chair and Founding Partner of Gao Kai Law Firm. He has extensive experience in legal practices of a diverse nature.

Mr. Wu has represented many Fortune 500 companies, investment banks, private equity funds in their investment and corporate affairs in China and overseas, involving merger and acquisition, complex joint ventures, equity and debt offering and trading on the PRC domestic and overseas capital markets, syndicated loan, onshore and offshore fund formation, and portfolio investments.

Mr. Wu has profound knowledge and broad experience in facilitating real estate, energy, industrial, and infrastructure projects, dealing with the investment, development, construction and financing of numerous large scale projects throughout the world, including North and South America, Europe, Africa, the Middle East, Southeast Asia, Northeast Asia, and Greater China; and the types of facilities range from gas and coal fired power generation stations, offshore oil and gas platforms, onshore oil drilling facilities, petrochemical plants and oil refineries, renewable energy facilities (wind farm, waste to energy, solar and biofuel), pharmaceuticals, polysilicon, glass fiber, paper mill, mining, bridge and tunnel, railway, heavy equipment and module fabrication yard, telecom infrastructure, to theme parks, hotels, resorts and entertainment complex.

Mr. Wu also handles international trade, cross-border investment, dispute resolution and compliance matters for domestic and international clients, and provides corporate legal services to many Internet, technology, sports and entertainment companies, as well as various industrial clients.

Mr. Wu is the author of “Getting The Deal Through – Project Finance – China” for consecutive years since 2020.

### **Practice Areas**

Construction, Project Development & Finance, Real Estate  
Energy & Infrastructure, Manufacturing, International Trade  
Merger & Acquisition, Cross Border Investment  
Capital Market, Private Investment Funds  
Dispute Resolution and Compliance

### **Bar Admissions**

People’s Republic of China  
New York, USA

### **Education**

Columbia Law School, LL.M. (2007) (Harlan Fiske Stone Scholar)  
University of Nottingham School of Law, LL.M. (2001)  
Foreign Affairs College, LL.B. (2000)

### **Language**

Chinese, English

### **Membership and Affiliation**

PRC Ministry of Justice: national recognition in practice areas of Energy, Infrastructure and Cross Border Investment  
Shanghai Commission of Housing and Urban-Rural Construction, and Shanghai Bureau of Planning and Natural Resources: Expert Consultant  
World Bank: Contributor to the Doing Business Report (China)  
China International Economic and Trade Arbitration Commission (CIETAC): Expert for Construction Disputes Review  
American Bar Association (ABA): Member of the Forum on Construction Law

### **Work Experience**

Chair and Founding Partner, Gao Kai Law Firm (Shanghai)  
Partner, Zhong Lun Law Firm (Shanghai)  
Partner, Grandall Law Firm (Shanghai)  
Senior Counsel for Asia Pacific, Fluor Corporation (Shanghai and Houston)  
Associate General Counsel, Covanta Energy (Shanghai)  
Associate, Paul, Hastings, Janofsky & Walker LLP (Beijing, Shanghai and Washington, DC)  
Associate, Denton Wilde Sapte LLP (Beijing)

## Representative Work

### *Construction, Project Development & Finance:*

- Petronas' landmark RAPID (Refinery And Petrochemicals Integrated Development) Project in Johor Malaysia - US\$27 billion.
- Exxon Mobil's US\$50 billion development of the West Qurna Oil Field in Iraq.
- Rio Tinto's Oyu Tolgoi Copper and Gold Mine in Mongolia - US\$7 billion investment made, contributing up to a third of Mongolia's GDP.
- Worked on various aspects of the Shanghai Disney Resort Project.
- BASF-YPC Petrochemical JV Project in Nanjing – the largest ever Sino-German joint venture project (between BASF and SINOPEC).
- Offshore Platform Project in Bohai Bay, China (joint venture between CNOOC and ConocoPhillips).
- A world class integrated board and pulp mill facility located in Beihai City, Guangxi, China, with a total investment of €800 million, by Stora Enso.
- The development and construction of several R&D centers in China by Microsoft.
- Rolls-Royce's engine testbed and maintenance facility in China.
- Bluestar Adisseo's new world-class liquid methionine plant in Nanjing (BANC2) with a total investment of US\$500 million.
- The development and construction of Campus Phase II by Duke Kunshan University.
- A new 540-megawatt combined-cycle natural gas-fired power plant in Texas, USA by LCRA (Lower Colorado River Authority).
- Takhiatash Thermal Power Plant with two CCGT units (280 MW each) in Uzbekistan.
- Celukan Bawang Power Plant (380 MW coal fired steam) in Bali, Indonesia.
- Acquisition of Libramiento LNG and pipeline project in Mexico, and related project finance, by InterGen (a US based international power plant operator).
- Chengdu Jiujiang Energy from Waste Project by Covanta Energy.
- Macao Waste to Energy Project Phase III by Sanfeng Covanta, China Harbour Engineering, Tongfang Environment and Macao Four Facilities.
- Peru National Broadband Telecom Infrastructure Project by YOFC (Yangtze Optical Fibre and Cable Joint Stock Limited Company) – US\$400 million total investment.
- Commercial complex construction project associated with the airport of Jeddah of Saudi Arabia – US\$1 billion total investment.

### *M&A, Joint Venture & Cross-Border Investment:*

- Represented Wangsu Technology in its US\$200 million acquisition of CDNetworks of South Korea from KDDI.
- Represented Tsingshan Steel / Decent Group in acquisition of a metal project in South Africa.
- Represented Tsingshan Steel / Decent Group in its Joint Venture with ATI (Allegheny Technologies Inc.) in Pittsburgh, Pennsylvania, USA.
- Represented Pengxin Resources in its investment in Gerald Group (a global commodity

trading company) in the USA.

- Represented DDI World in its formation of a joint venture in Shanghai Free Trade Zone as a for-profit training services provider, the second of its kind in China since the introduction of new policy.
- Represented and advised J.P. Morgan in its formation of a Sino-Foreign Securities Joint Venture with China First Capital - the J.P. Morgan First Capital Securities Co., Ltd. (the 7<sup>th</sup> JV Securities Firm in China).
- Represented Fluor Corp. in its Joint Venture with Offshore Oil Engineering Corporation (COOEC) in Zhuhai for a fabrication yard with two million SQM, registered capital of US\$1 billion, to manufacture high end offshore equipment and module, one of the largest in the world.
- Represented Caterpillar in its acquisition and restructuring of a number of foreign invested enterprises in China.
- Represented Cendant in its tourism joint venture with China Youth Travel Services.
- Represented Cummins in its Joint Venture with Beiqi Foton for manufacturing of diesel engines.
- Represented Boeing in its joint venture for the manufacturing of aero parts in Tianjin, China.
- Represented Atofina in its acquisition of assets from a CNOOC subsidiary in Guangdong Province.
- Represented Akzo Nobel in its acquisition in China.
- Represented a specialized real estate firm (which is financially backed by Oaktree Capital) in its real estate investment and operation in China.
- Represented Warburg Pincus in its investment into Red Star Macalline - the largest national furniture retail chain in China, and its investment in certain mixed-use commercial properties in Xi'an, China.
- Represented Merrill Lynch, Credit Suisse and Morgan Stanley in their investments in certain mixed use commercial properties in Beijing and Shanghai (which include office tower, five-star hotel, high-end apartments and chain restaurants).
- Represented Viadeo in its acquisition of a social networking platform company in China.
- Represented Cendant Group in its projects involving Ramada and Wyndham hotels.

*Dispute Resolution & Compliance:*

- Represented Fluor Corp. in the hearing in London before the Technology & Construction Court of London in its dispute against a Chinese contractor in respect of an offshore wind farm project in the North Sea of Scotland, involving total claim of GBP250 million.
- Represented COOEC-Fluor JV in its arbitration against a sand blasting and painting contractor for an offshore platform project.
- Represented a Chinese contractor against another Chinese contractor in respect of a power plant project in Guatemala.
- Represented China Railway Signal and Communication Co., Ltd. (CRSC) in the crisis management and dispute resolution for several overseas projects.
- Represented a large pharmaceutical company in resolving and settlement of disputes and

claims in respect of quality, quantity, schedule and changes in the construction of a large-scale plant in China against the general contractor.

- Represented Ocean Sports in its arbitration against UFA from Germany at HKIAC, involving a friendship football game between Manchester United and China Evergrande football clubs.
- Represented a number of foreign invested enterprises in several labor arbitration and court litigation in China.
- Advised a large corporation from Taiwan in respect of its foreclosure of pledged equity interest and control over the board of several foreign invested enterprises pursuant to agreed investment agreement.
- Advised a large copper manufacturer in respect of its dispute against an overseas copper concentrate supplier due to defective supply as determined by the PRC customs.
- Represented a US company in its investigation of a project in China in relation to alleged corruption in the public tendering for the project.
- Represented a scooter manufacturer in defending against claims from its buyer (a scooter co-sharing company in the US) in respect of alleged quality issue and responding to the inquiry by the Consumer Product Safety Commission (CSPC) of the US.
- Represented a US company in its filing of claims in the bankruptcy of Jiangxi LDK Polysilicon (the largest bankruptcy case in China) and in protecting its rights, involving a total claim of nearly US\$100 million.
- Prepared an Export Control Compliance Policy in accordance with applicable laws of both China and the US for a Sino-Foreign Jointly Sponsored University.
- Conducted background check and due diligence on foreign partners for compliance purposes for a large overseas construction project.
- Advised a large public company from HK in respect of its anti-trust, anti-corruption and foreign exchange compliance matters.
- Served as expert witness and issued legal opinions in respect of PRC law matters in multiple overseas proceedings, including litigation cases before courts in Hong Kong, Singapore, and Federal Courts of the US, as well as arbitration cases before HKIAC and SIAC.