

# External Counsel of the Year 2009



A shifting global economic landscape has created issues of legal complexity and uncertainty for many organisations in the past two years. Meanwhile, never before have relationships between law firms and their clients been so precious. So which private practitioners do in-house counsel view as their most trusted advisors? *Asian-Counsel* has the answers.

Law firms expend both time and resources in an effort to cultivate and maintain relationships with their clients, who in many instances are their in-house legal counterparts. The onset of the financial crisis justified such efforts. With the corporate world shaken by the economic downturn, existing relationships between firms and their clients proved paramount, with many law firms fighting to hold onto clients as they suffered the effects of declining activity levels.

Yet the strength of these relationships do not always depend on an organisation's history with a particular firm, or the power of a law firm's brand. In-house counsel often admit that their relationships with their external advisors can hinge greatly on relationships developed with individual private practitioners. Indeed, dedicated and respected external counsel can mean the difference between a firm winning a client account or not.

In 2009, *Asian-Counsel* conducted its annual *Representing Corporate Asia* survey to determine what in-house counsel were really looking for in 2009 and beyond. Sent to over 15,000 in-house counsel and senior corporate management responsible for legal spend across the Asia Pacific and UAE, the confidential survey identified factors that influenced in-house counsel in their choice of external lawyers, whilst highlighting areas of concern in dealing with law firms. *Asian-Counsel* received hundreds of responses from across the region, with the calibre of respondents evident: 58 per cent of respondents comprised Heads of Legal, General Counsel and Chief Executive Officers, with the remaining

42 percent comprising senior counsel and in-house counsel.

Survey participants were asked, amongst other things, whom they considered to be the outstanding private practice lawyers in their jurisdictions, and why. The results were overwhelming, with 24 practitioners clearly standing out from the crowd. Given the obvious influence that individuals can have on the relationships between law firms and their clients, we thought it only fair to reveal this never-before-published information as a means of acknowledging the efforts of these 24 lawyers.

Read on to hear from the winning practitioners, who have shared their insight on a range of questions including their views on the most important elements in maintaining relationships with in-house counsel, and how the downturn has shaped their dealings with in-house counsel. Although spread across twelve jurisdictions, the winning practitioners were not selected on a jurisdictional basis but purely as a result of votes and testimonials from in-house counsel across the region. We present them to you country-by-country, for ease of reading.

## AUSTRALIA

### RUPERT LEWI

*Partner, Blake Dawson*

**Recent professional history:** Previously a partner in Lovells' Tokyo office, Lewi returned to Perth in 2003 and became a partner of Blake Dawson.

**The current size and geographical scope of your team / practice group?**

“Our Resources & Energy team has 40 partners and 85 senior associates and other lawyers spread throughout our network of offices in Australia and internationally. We also have specialist client teams for Japan, Korea, China and India.

Our presence in Asia is cemented with offices in China, Papua New Guinea, Singapore and an associated office in Indonesia. In 2010, we will be the first Australian law firm to open an office in Tokyo, Japan.”



Rupert Lewi

**How has the downturn shaped your relationship and/or dealings with in-house clients?**

“There has not been much change in the relationships with clients as there has continued to be a regular flow of work from North Asian clients seeking to invest in the resources and energy sector in Australia and the activity of major Australian resources companies has not reduced despite the downturn in many other countries.”

**Major clients include:** BHP Billiton; Mitsui & Co. Ltd; Mitsubishi Corp; Sojitz; Inpex; Toyota Tsusho; Marubeni; Minmetals; and Korea Resources

**What in-house counsel say:** “Lewi offers the best all-round value of any major firm I have worked with in many years.... On an important energy transaction, he should be the first choice due to his unique ability to seamlessly blend sophisticated commercial and legal advice.”

**CHINA**

**CARL B. CHENG**

*Partner, Freshfields Bruckhaus Deringer LLP*

**Recent professional history:** A partner with the firm’s China Corporate group, Cheng has been with Freshfields in Shanghai since 1993, having previously practised in the US. He advises on acquisitions, disposals, joint ven-

tures, and corporate compliance and investigations.

**The most important element in maintaining your relationship with in-house counsel?**

“Maintaining good relationships is about being a trusted advisor as opposed to just a hired gun. That means more than simply being responsive and having a high quality product – these are the basics. What makes a difference is building trust by acting consistently in a way that shows the client you are looking out for their interests... you not only resolve issues and help the client achieve their goals but also anticipate their issues and goals – perhaps even before the client knows about them.”



Carl B. Cheng

**Some of the most interesting things you have had to deal with in the past 12 months?**

“The restructurings that our clients had to undertake as a result of the financial crisis were painful in terms of the disruption they caused to people’s lives. The interesting and more rewarding part of the job was working with clients to plan how to get through the problems and help people get back on their feet.”

**What in-house counsel say:** “Cheng has a great personality, understands his client’s needs well, is responsive, and has developed a great legal team.”



Bai Tao

**BAI TAO**

*Partner, Jun He Law Offices*

**Recent professional history:** Bai specialises in Corporate/ M&A and Intellectual Property. In 2009, she was elected the only female Vice President of the Beijing Lawyers Association.

**The most important element in maintaining your relationship with in-house counsel?**

“In my view, the most important element in maintaining a

good relationship with in-house counsel is to build up trust and confidence between us and them. This could be both professional and personal. Establishing and maintaining trust and confidence between in-house counsel and external attorneys benefits not only law firms as it enables the firms to build up a long-term beneficial client-attorney relationship with their clients, but also in-house counsel as well by making the client-attorney communications smoother and outsourced legal services more cost effective. I truly believe that trust and confidence are fundamental.”

**How has the downturn shaped your relationship and/or dealings with in-house clients?**

“It is inevitable that the downturn has affected the business of many of our clients especially in terms of the size of outsourced legal services. In response to our clients’ changes, we have also had to adjust our means of service in a way to meet the clients’ changed demands and, to some extent, help them as much as possible to get through the downturn together. As said above, trust and confidence are fundamental in our relationship with in-house clients and since we have successfully built them up with most, if not all, of our clients, [we] have been fighting against the downturn together as if we were in the same boat.”

**TAO XIUMING**  
*Managing Partner,*  
*JunZeJun Law Offices*

**Recent professional history:**  
The founding partner of JunZeJun Law Offices (set up in early 1995) Tao leads the firm’s finance practice group. He especially focuses on derivatives and structured products, and foreign investments in PRC financial institutions.



Tao Xiuming

**The most important element in maintaining your relationship with in-house counsel?**

“Professionalism and, in particular, a good understanding of the real legal concerns of in-house counsel, and the ability to provide the best answers/solutions.”

**How has the downturn shaped your relationship and/or dealings with in-house clients?**

“The downturn has had no impact on relationships, but has had some impact on charging rates.”

**What direction is your practice group likely to head in 2010?**

“For 2010, we believe there will still be many opportunities in the PRC financial market, which is in the process of quickly evolving and growing.”

**Some of the most interesting things you have had to deal with in the past 12 months?**

“Closed a big deal i.e. advising a big European bank on its establishment of a securities joint venture in China. I also participated in the drafting of the local master agreement for derivative transactions which was led by NAFMII (the National Association of Financial Market Institutional Investors).”

**What in-house counsel say:** “Tao is renowned for his expertise in finance and securities, especially derivatives and innovative products.”

**STEVEN HARDER**  
*Managing Partner, China,*  
*Clifford Chance*

**Recent professional history:**  
Harder has 20 years of experience as an international lawyer in Europe, the US and China, focusing on project finance and cross-border investments. He has overseen the firm’s practice in the Shanghai and Beijing offices for the past seven years.



Steven Harder

**The most important element in maintaining your relationship with in-house counsel?**

“A strong desire to understand the commercial background for our legal advice, a passion for putting the best people in front of the client regardless of group or office affiliation, quick response and availability, strong Chinese language skills, and a pragmatic approach to legal fees.”



**How has the downturn shaped your relationship and/or dealings with in-house clients?**

“During the downturn we invested in our people through study, sabbaticals and secondments with clients, while maintaining our scope and depth of team in China. This has helped us support our clients when some other firms made some drastic cuts to their staff.”

**Some of the most interesting things you have had to deal with in the past 12 months?**

“Witnessing the continued rise in importance of China as a market, and of Chinese institutions as players on the global stage.”

**What in-house counsel say:** “Harder displays a good combination of local law and international experience.”

**HONG KONG****JEANETTE K. CHAN**

*Partner, Paul, Weiss, Rifkind, Wharton & Garrison*

**Recent professional history:**

As head of the firm’s China Practice Group and the Asia Communications and Technology Practice Group, Chan splits her time between Hong Kong and Beijing. Her practice has focused on foreign direct investments into the PRC, with emphasis on joint ventures, M&As and private equity investments. She has also been an active participant in the Chinese TMT markets since 1994, when they first opened to foreign companies.



*Jeanette K. Chan*

**Some of the ways Chan maintains her relationships with in-house counsel:**

“**Be an insider.** Make the inside counsel’s job easier and make the client look good. Put yourself in the shoes of the inside lawyer. **Keep current with market trends.** Research the prospective client and identify its needs before you pitch for any business. Always stay current with a client’s issues and industry trends affecting its business. **Be client**

**focused.** Focus on solving the client’s problem, not your problem and not the firm’s problem (e.g. staffing). **Be responsive.** Promptly return phone calls and e-mails. **Take a position.** Avoid expressions like “on the one hand, on the other hand” or “it’s 50/50”. Clients want your best legal advice that is also practical. **Be realistic.** If the firm doesn’t have the expertise or the experience to handle a particular assignment, then don’t take the work; try to help the client find the right expertise elsewhere.”

**Major clients include:** The Carlyle Group; Ericsson; Fortis Insurance; Microsoft; Morgan Stanley; Motorola; Sony; and the Sumitomo Corporation.

**GABRIELA KENNEDY**

*Partner, Lovells*

**Recent professional history:**

An IP lawyer, Kennedy has spent her entire career at Lovells, joining its Hong Kong office as a trainee in 1994. She was later promoted to consultant in 2001, and partner in 2003.



*Gabriela Kennedy*

**The most important element****in maintaining your relationship with in-house counsel?**

“Understanding their business is crucial.... Being passionate about the cases entrusted to you by your clients and dealing with each case as if it were the most important case of your career. Making clients feel special and giving them your time and letting them know that their cases are important to you. Staying on top of legal developments and seeking to influence them also helps. I am lucky to have amazing clients who give us intellectually challenging jobs – I admire their drive and energy and I can say that I am in awe of some of them. They are terrific people to work with.”

**Some of the most interesting things you have had to deal with in the past 12 months?**

“There are too many to mention - winning a hopeless trademark appeal in the PRC where we estimated the chances of success at below 40% but persisting with gathering evidence (it felt like getting blood out of stones at times); ... getting a client off a sticky situation involving a complaint

to the Privacy Commissioner; and having fun with cases that involved the face of a famous Canto-pop star appearing on a mug once you poured hot liquid in it....”

**Major clients include:** Alibaba Group; Hong Kong Cable TV; adidas; Jack Daniel’s; Sony Computers Entertainment; Skype; and Anheuser-Busch.

**What in-house counsel say:** “Kennedy demonstrates a high quality of work and client care, in addition to expertise in her field and strong commercial acumen.”



Brian Gilchrist

**BRIAN GILCHRIST**  
*Partner, Clifford Chance*

**Recent professional history:** Qualified in England & Wales and in Hong Kong, Gilchrist joined Clifford Chance as partner in May 2008, having been with JSM/Johnson Stokes and Master, as it was, since January 1995.

**The most important element in maintaining your relationship with in-house counsel?**

“Regular communication with in-house counsel is important. However, understanding their business and especially the commercial drivers and issues that impact them on a daily basis is essential – this informs our ability to help in-house counsel ‘see round corners’ and proactively manage any risks, management, regulatory or governance issues arising.”

**How has the downturn shaped your relationship and/or dealings with in-house clients?**

“Naturally, in-house counsel are cost conscious and look to their lawyers to help them reduce legal costs whilst continuing to provide a quality service and add value with their advice. At the same time, the increase in regulatory, compliance or litigation demands arising as a result of the downturn mean in-house counsel are under pressure to deliver with possibly less resources e.g. cuts in legal headcount [or] budgets for external counsel. It is a challenging time for in-house counsel and one that has invited us to demonstrate our commitment to investing in the relationship.”

**What direction is your practice group likely to head in 2010?**

“Develop and grow our newly established Singapore International Arbitration and Dispute Resolution in [our] South East Asia practice.”

**SIMON MILNE**  
*Partner, Mallesons Stephen Jaques*

**Recent professional history:** Milne specialises in Asian-based M&As, joint ventures, outsourcings and other transactions, particularly in the financial, IT and communications sectors.



Simon Milne

**The most important element in maintaining your relationship with in-house counsel?**

“The number one element, without question, is trust. It is critical that in-house counsel feel that, if they entrust a transaction to you, you will make sure that it is done well. It is a precious commodity, hard won and easily lost. Secondly, it is understanding and keeping in touch with the needs of business and various stakeholders whose interests in-house counsel are there to serve. Thirdly, I guess I have been lucky in that I regard many of the in house counsel I work for as friends.... Enjoying working with, and respecting, your clients is a big plus.... I also prefer to look after a relatively small number of clients very well than to chase every potential client.”

**How has the downturn shaped your relationship and/or dealings with in-house clients?**

“Most of my work has been for clients with long-term strategic business plans which have been a little less affected by the downturn.... However, [I believe] that the law firms and lawyers who succeed in APAC in the next few years will be those constantly thinking how best to deliver value for money. [That] has always counted in Asia - and the downturn has made it count even more.”

**Some of the most interesting things you have had to deal with in the past 12 months?**

“Most of the really interesting things I have had to deal

with are such that I cannot possibly talk about them! However, I think that doing M&A in Asia is probably the most fun you can have as a lawyer. Each deal throws up a range of practical challenges, cultural issues, personalities and experiences which keep one interested and challenged.”

**What in-house counsel say:** “A great negotiator and a leader in client service.”

## INDIA

### NISHITH M. DESAI

*Founder, Nishith Desai Associates*

**Recent professional history:** An international tax and corporate law expert, Desai is the founder of Nishith Desai Associates, which has offices in Mumbai, Silicon Valley, Bangalore and Singapore.

#### The most important element in maintaining your relationship with in-house counsel?

“As a ‘trusted advisor’, we believe in maximum personalized involvement at the highest level on a 24/7 basis. Support from a well-trained team, regular meetings and feedback from the client, use of latest technology and a transparent billing system help in ensuring top-of-the-mind recall for the client/in-house counsel.... We have the flexibility to choose a law firm we wish to work with, based on the specifics of each case and the expertise of the law firm, since we are not aligned to any particular firm. This is particularly useful when there is a situation of conflict. As a non-aligned law firm, we act in the best interest of our client.”



*Nishith M. Desai*

#### How has the downturn shaped your relationship and/or dealings with in-house clients?

“The downturn has helped our association with in-house counsel in a positive manner. We have had more and frequent interactions with in-house counsel, helping us

strengthen our relationship. It has given us the opportunity to conduct training workshops with the legal departments of many corporations. We have taken this opportunity to learn more about the client and their needs so that we can be better prepared to handle their matters once the economy turns.”

**Major clients include:** Prudential Pension Ltd (UK); Visa Inc (USA); Marriott International (USA); Vodafone International Holdings BV (UK/Netherlands); Merck & Co (USA); ICICI Ventures Ltd (India); Barclays PLC (Indi); and Reliance ADA Group (India).

## INDONESIA

### SRI INDRASTUTI (TUTI) HADIPUTRANTO

*Senior Partner, Hadiputranto Hadinoto & Partners*

**Recent professional history:** A founding partner of HHP (a member firm of Baker & McKenzie), Hadiputranto works in the firm’s Securities/Capital Market group. She has also been involved in M&As and debt/corporate restructurings for major Indonesian companies, and has a close working relationship with numerous officials in the Indonesian Government.

#### The most important element in maintaining your relationship with in-house counsel?

“**Reliability:** how in-house counsel can count on us anytime they seek legal advice; **Responsiveness:** how fast we respond... with the information they need; **Broad mindedness:** we should be someone that in-house counsel feel at ease to do business with;

**Strong rapport and care about the clients:** we should build a strong bond with in-house counsel by keeping ourselves updated on how their business is going, by being empathetic about the obstacles they face, by being proactive in finding solutions towards those problems, as well as by providing the best advice for their businesses;



*Sri Indrastuti (Tuti) Hadiputranto*

**Credibility:** in general, we should be trusted advisors.”

**How the downturn has shaped your relationship and/or dealings with in-house clients?**

“The recent global financial crisis fortunately did not affect Indonesia as badly as the crisis in 1998. However, we maintained as well as strengthened our relationship with in-house clients by sharing updates we received from our... global network, and useful insights on how to anticipate and avoid the unexpected downturns.”

**Major clients include:** PT Perusahaan Listrik Negara Persero (PLN), Indonesia’s state-owned electricity company; PT Unilever Indonesia Tbk; JP Morgan; Credit Suisse; UBS; and CIMB Niaga, one of the country’s leading banks.



**NONO ANWAR MAKARIM**  
*Of Counsel, Makarim & Taira S. Counsellors of Law*

**Recent professional history:** For a long time the Senior Partner of the firm, Makarim now serves a select group of long-term clients on specific and high-level assignments. He also assists the Indonesian

Judicial Commission in designing and administering qualifying tests for candidates for the Supreme Court, and acts as independent counsel to Bank Indonesia, the Indonesian Central Bank. A recipient of the 2009-2010 Fulbright Senior Research Program award, Makarim’s current travels are part of an effort to look into the ways and means that Legal Method is taught in American law schools.

**The most important element in maintaining your relationship with in-house counsel?**

“Looking back at my personal experience, a most important element is the serious effort to understand the client’s business, and the context the business finds itself in at the time external counsel is consulted. The rest is encapsulated in the term EMPATHY, an imaginative “stepping-into-the-shoes” of the client’s in-house counsel. Most needs felt by in-house counsel relate to transactional issues. It is our

function to provide strategic frameworks, a systemic reading of the contemplated transaction within the context of the local jurisdiction. Leave the details of statutory knowledge to associates. That way intelligent interaction occurs between the in-house and the external lawyer, ending most of the time in friendship.”

**Some of the most interesting things you have had to deal with in the past 12 months?**

“It continues to fascinate me dealing with governments eager to attract business and at the same time churning out policies which are either obstructive to business operations or unnecessarily nice to the corporate sector. On both sides of the fence perceptions continue to be less precise than reality. The role of external counsel to bridge this gap is indispensable.”

**DR. TODUNG MULYA LUBIS**  
*Founder and Senior Partner, Lubis Santosa & Maulana*



**Recent professional history:** The founder and senior partner of Lubis Santosa & Maulana, Lubis is heavily engaged in the firm’s corporate, commercial, and dispute resolution practice. In the

second half of 2009, the President of Indonesia appointed Lubis to participate in two teams: one team specially formed to select and recommend to the President three interim members of the KPK (Komisi Pemberantasan Korupsi – Corruption Eradication Commission) leadership, following temporary suspension of three members as a result of criminal proceedings being instituted against them; and one team specially formed to verify the facts and legal process concerning the criminal proceedings being instituted against two members of the KPK leadership.

Lubis also represented Time Magazine in a defamation suit filed by former Indonesian President Soeharto. He was involved in the case from 1999 (in the Court of First Instance) up to the Review at the Indonesian Supreme Court in 2008 and the Review’s decision in



April 2009, in which the Supreme Court ruled in favor of Time Magazine.

**The most important element in maintaining your relationship with in-house counsel?**

“Trust, being clean, always acting in the best interest of the client, and accessibility.”

**JAPAN**

**BONNIE DIXON**

*Partner, Atsumi & Partners*

**Recent professional history:**

Upon joining Atsumi & Partners in April 2005, Dixon was the first Western lawyer to become a partner of a Japanese law firm following the implementation of a new law in Japan which permitted Japanese and non-Japanese lawyers to form partnerships together.



**The most important element in maintaining your relationship with in-house counsel?**

“Most of the in-house counsel who rely on me are non-Japanese attorneys who do not speak Japanese, located either in Japan or offshore. The most important aspect of my relationship with them is my ability to provide perspective on Japanese business practices and my ability to work well with Japanese attorneys to produce a result that meets the expectations of a non-Japanese client.”

**How has the downturn shaped your relationship and/or dealings with in-house clients?**

“I don’t perceive any change in my relationship with in-house clients. Whether the economy is up or down, consistent, reliable, prompt and proactive service must be offered.”

**What in-house counsel say:** “Dixon is fabulous and handles very difficult challenging deals.... Very good value for Japan!”

**ISAO SHINDO**

*Partner, Anderson Mori & Tomotsune*

**Recent professional history:**

A partner with the firm since 1992, Shindo’s areas of practice include Banking & Finance, Regulatory, Structured Finance, Securitization and Corporate/M&A.



**The current size and geographical scope of your team / practice group?**

“Our firm does not have rigid walls among practice groups, and partners and associates often belong to more than one group.... more than five partners and approximately 15 associates provide advice on regulatory issues for our Japanese and non-Japanese financial institutions as well as professional institutional investors in the area of banking and other financial businesses.”

**The most important element in maintaining your relationship with in-house counsel?**

“I believe that it is most important to continue to have current, updated knowledge on the details of legislation and regulators’ positions regarding issues that could affect organizations and the business activities of clients. We routinely work with outside counsel who take an active role in transactions and business, and we have deep accumulated experience and involvement in documentation and negotiation on financial transactions, which are useful and crucial when advising on regulatory issues.”

**How has the downturn shaped your relationship and/or dealings with in-house clients?**

“I see no significant change, but in-house counsel are under pressure to minimize legal costs, which inevitably requires outside counsel to respond to clients’ requests efficiently. As a result, in financial regulatory areas, a single lawyer is expected to have the ability to handle every aspect of a project or issue.”

**What in-house counsel say:** “Shindo sensei is a market leader for FSA-related work.”

**MALAYSIA**

**VINAYAK P. PRADHAN**

*Partner, Skrine*

**Recent professional history:** A partner with Skrine since 1981, Pradhan handles all aspects of civil and commercial litigation. He is currently responsible for heading the firm’s Construction and Engineering Practice, with the bulk of such work concerning arbitration and alternative dispute resolution.

A Chartered Arbitrator, Pradhan sits as arbitrator in both domestic and international arbitrations. From 1998 to 2003, he was appointed as a Commissioner of the United Nations Compensation Commission (Geneva, Switzerland), dealing with corporate construction and civil engineering claims arising out of the Iraqi invasion and occupation of Kuwait. From May 2003, he was appointed by the Government of Malaysia as a Member of the Permanent Court of Arbitration in The Hague.



**ANDRE GAN**

*Partner, Wong & Partners*

**Recent professional history:** A corporate and commercial lawyer, Gan’s practice focuses on M&As, Venture Capital/Private Equity, Insurance, Climate Change, Securities and Real Estate. He has practised in Singapore, London and Malaysia.

**The most important element in maintaining your relationship with in-house counsel?**

“I find that the in-house counsel I deal with have come to expect industry knowledge and experience which extends beyond familiarity with legal and regulatory issues related to the business. The relationship... is therefore improved by me keeping up with developments and trends in the relevant industries, and also spotting developments in laws and government policies which may impact my clients’ businesses and alerting them early.

...In-house counsel also expect transparency in my

billing practice, and I gain trust by keeping clients regularly informed on legal costs.... and at the risk of stating the obvious, I believe the relationship... can only be established and further promoted by being liked as a person. That means being trustworthy, honest and behaving with professionalism and integrity at all times.”

**How has the downturn shaped your relationship and/or dealings with in-house clients?**

“The downturn has adversely affected the businesses of many clients and consequently, [their] legal budgets.... I have had to spend more time having frank and open discussions with clients.... Honesty and candidness is valued, as well as the ability to be flexible and sometimes, imaginative in the fee structures and proposals.”

**What in-house counsel say:** “Gan is known for his sound legal knowledge, and he always displays a high degree of professionalism.”

**REPUBLIC OF KOREA**

**SANG MAN KIM**

*Partner, Shin & Kim*



**Recent professional history:**

A graduate of Seoul National University College of Law (LLB) and New York University School of Law (LLM), Kim has been a lawyer with Shin & Kim since 1991, also undertaking a role as foreign legal consultant at Cleary, Gottlieb, Steen & Hamilton in New York from 2000 – 2001. His areas of practice include regulatory advice on finance-related laws, domestic and cross-border capital market transactions, asset management, derivatives and project finance. Kim also specialises in the area of asset management and derivatives.

**The most important element in maintaining your relationship with in-house counsel?**

“I believe that the most important element in maintaining

our relationship with in-house counsel is mutual trust. Based on that mutual trust, our firm can provide the best quality legal service at competitive legal rates.”

**How has the downturn shaped your relationship and/or dealings with in-house clients?**

“Due to the downturn in the financial industry, we saw a decreasing demand for our legal services during 2009. However, we managed to maintain our relationships with in-house clients by providing efficient and timely legal service (sometimes without charging our legal fees depending upon the nature of the legal service).”

**What in-house counsel say:** “He is easy to work with, understands our business well, and delivers good value for money.”

**MYOUNG JAE CHUNG**

*Partner, Kim & Chang*

**Recent professional history:**

Chung’s practice focuses on corporate and financial transactions, including mergers and acquisitions, securities and capital market transactions, and derivatives, with an emphasis on cross-border transactions.

“My recent experience in M&A transactions includes the representation of KT

Corporation in its merger with KT Freetel and the related issuance of bonds exchangeable into KT Corporation shares to NTT DoCoMo, Inc....

In securities and capital markets transactions, I worked on the rights offerings of both Shinhan Financial Group and KB Financial Group, the only two global rights issues by Korean companies to date....

I [also] participated in the drafting of the recently promulgated Financial Investment Services and Capital Markets Act and related regulations as a member of the Hedge Fund Task Force established by the Financial Services Commission, and am currently serving as a member of the Delisting Review Committee of the KOSDAQ Market of the Korea Exchange.”



*Myoung Jae Chung*

**What in-house counsel say:** “Very thorough and provides practical and useful advice.”

**LUKE Y. SHIN**

*Partner, Kim & Chang*

**Recent professional history:**

A senior member of the firm, Shin practises in its Antitrust and Competition, Corporate Governance, Foreign Direct Investment, M&A, Private Equity and Venture Capital, and White Collar Criminal Defence

Practice Groups. His primary areas of expertise include cross-border mergers and acquisitions of public and private companies, as well as disputes relating to foreign direct investment and antitrust cases involving MNCs. “The focus of our practice remains Korea. However, there is an increase in cases involving representation of Korean companies abroad. We have [also] seen an increase in “crisis management” type cases during the downturn.”

**The most important element in maintaining your relationship with in-house counsel?**

“For external counsel, clients focus on knowledge of the law and skills of the individual lawyer before they look at anything else. With that in mind, responsiveness and understanding the issue/problem from the client’s point of view is important.”

**How has the downturn shaped your relationship and/or dealings with in-house clients?**

“The number one rule in a downturn economy is to focus on existing clients and the quality of the service you provide to them. Hence, it has been an opportunity to understand my clients’ business in greater depth and to engage in sincere discussions to add greater value, increase efficiencies, etc.”

**What in-house counsel say:** “A top-notch corporate and antitrust lawyer. We always look to him for innovative solutions.”



*Luke Y. Shin*



John MacKay

**SINGAPORE**

**JOHN MACKAY**  
*Partner, DLA Piper*

**Recent professional history:**

Based in the firm’s Singapore office since March 2007, Mackay practices in the Finance and Projects group,

and within that group heads the Infrastructure & Defence sector. Around 80 percent of his time is spent on regional energy projects throughout Asia.

**The most important element in maintaining your relationship with in-house counsel?**

“Communication is of utmost importance with any client, and through that, understanding their priorities. Some clients may want the 10 page memo complete with case citations, others may want as a brief a response as one can professionally provide to the question “what do you think?”. Both approaches are potentially the correct approach if that is what the client wants – it is important at a very early stage to get a feeling for what is wanted and to be adaptable.”

**How has the downturn shaped your relationship and/or dealings with in-house clients?**

“Surprisingly, not much. One would have thought that there would be a great cry for discounts... and I have certainly heard reports of that happening... though I do not recall the downturn being used as an excuse by any clients for reduced fees [last] year. There were far fewer projects to compete for, but I did not feel clients were taking undue advantage of the situation to drive down fees.”

**What direction is your practice group likely to head in 2010?**

“A positive one: we are very busy and appear to be getting only busier! All Asian markets continue to be of interest and show potential in different areas, however, in the area of Projects, Indonesia, Thailand, India and China appear to have the greatest potential at the moment.”

**What in-house counsel say:** “MacKay is among the most

experienced project finance lawyers in Singapore – he provides great value and good commercial advice.”

**THAILAND**

**SURAPOL SRANGSOMWONG**  
*Partner, Herbert Smith*



Surapol Srangsomwong

**Recent professional history:**

A litigation and arbitration specialist with nearly 30 years’ experience in Thai dispute resolution, Srangsomwong joined Herbert Smith in 2006 to head the firm’s Thai disputes practice. He also has extensive experience in advising on complex criminal and regulatory enquiries. Srangsomwong previously established Siam Premier International Law Office, where he served as that

firm’s managing partner and head of litigation.

**The most important element in maintaining your relationship with in-house counsel?**

“There are a number of important factors – first and foremost it is about accessibility. In-house counsel work under a lot of pressure and they frequently require urgent advice. Secondly... it is vital that we understand their business. One of the major challenges for in-house counsel is that they must be experts in so many discreet fields. They need external lawyers who understand not only the legal issues they face but also the commercial environment in which they work. Thirdly... we need to appreciate that in-house counsel generally work in small teams. Many do not have the resources available to international firms. Part of our role... is to assist with training and other professional development.”

**What direction is your practice group likely to head in 2010?**

We anticipate a significant increase in international arbitration instructions over the next year. We are also seeing an upswing in regulatory work across the whole spectrum, not



just in financial services but for general corporate clients. Compliance work is also increasing at a significant rate.”

### PHIPOB VERAPHONG

*Founding Partner, Law Alliance*

**Recent professional history:** A tax partner who has practised law in Bangkok since 1984, Veraphong’s specialties include advising international and domestic clients in the areas of Tax Litigation, Finance & Securities Tax, Capital Gains Tax, Corporate Income Tax (Thailand), International Tax Planning (for Thai investors), Foreign Investment in Thailand, Remittance Tax and Petroleum Income Tax. He also has vast experience advising on matters relating to tax planning on investments, structured finance and securities transactions, transfer pricing issues, BOI projects, holding company structures, mergers and acquisitions, joint ventures, consortium structures and tax appeals.

Prior to founding Law Alliance, Veraphong earlier in his career worked as an associate at Baker & McKenzie for 6 years, where he was subsequently a partner for 3 years. In 1998, he joined Linklaters as a tax partner. Veraphong helped build the tax practice groups of both of these international law firms.

**What in-house counsel say:** “Partner K. Piphob is the best tax lawyer in town.”

## UNITED ARAB EMIRATES

### CAMPBELL STEEDMAN

*Senior Partner, Norton Rose (Middle East) LLP*

**Recent professional history:** For more than 20 years, Steedman has practised as a corporate finance lawyer, with particular focus on emerging markets. Now based in Abu Dhabi, Steedman is the senior partner in the Middle East and heads the firm’s Corporate Finance practice for that region. He specialises in emerging and transition market privatisations and restructurings. His previous experience includes working in the firm’s German practice from 2001 to 2006.

**The most important element in maintaining your relation-**

### ship with in-house counsel?

“Constant communication – and a recognition that there is a mutual benefit in building a strong relationship, which is not just reflected in fees.”

### How has the downturn shaped your relationship and/or dealings with in-house clients?

“There has been a need to work harder on communication, and there has perhaps been a greater focus on non-chargeable work. In addition, there has been an opportunity to rationalise working practices between external and in-house counsel, and increased pressure (largely caused by competition) on fees. Finally, there are perhaps greater tensions regarding conflicts, which can only be managed through active discussion with in-house counterparts.”

### What direction is your practice group likely to head in 2010?

“Hopefully upwards, with a renewed confidence (albeit cautious optimism) in the global economy!!”

**What in-house counsel say:** “Steedman shows great responsiveness, has an excellent client manner, and is a phenomenally hard worker for someone of his seniority.”



AC

