

JOHN DAVIS,

Counsel

Hanoi

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PROFILE SUMMARY

John Davis focuses on banking, capital markets and corporate matters. His clients include multilaterals, international investment banks, Vietnamese state-owned and private banks as well as foreign investors in a variety of fields including energy and telecommunications. He has been involved in infrastructure projects for most of the years that he has practiced in Vietnam and throughout the region since 1995. As Vietnam's capital markets have developed, he has been involved in major debt, equity and derivative transactions. In addition to his transactional practice, Mr. Davis is active as a consultant to governments in the region. He advises them on the reform of laws affecting commerce and on regulatory issues, especially those related to competition law.

Mr. Davis is described as a "commercially minded lawyer" and "professionally capable, meticulous and ethical" (Legal 500, 2009-2010 and 2008-2009, respectively) Sources are said to admire his "nuanced and informed approach". (Chambers Asia, 2009)

Profiles



Education

University of Wisconsin-Madison, PhD (1986), JD (1989)

Boston College, AB (1970)

Areas of Practice

Banking and Finance

Capital Markets

Corporate and M&A

Infrastructure / PPP and Regulatory

Project Finance and Energy

Bar Membership

Supreme Court of Wisconsin

U.S. District Court, Western District of Wisconsin

U.S. Court of Appeals, Seventh Circuit

U.S. Tax Court

U.S. Supreme Court

Ministry of Justice of Vietnam Foreign Lawyer)

Senior Courts of England and Wales (Solicitor)

NOTABLE DEALS

Banking, Finance and Capital Markets

- Represented two international investment banks as underwriters and managers of a \$110 million VND denominated-bond issued by a Vietnamese private bank, 2009;
- Represented a Vietnamese bank in negotiating credit-linked derivatives issued by an international commercial bank, 2009;
- Advised an international investment bank on derivative transactions generally and in specific cases with Vietnamese counterparties, 2008-2009;
- Represented a major Vietnamese private bank in a convertible bond rights issue to raise Tier 2 capital, 2010;
- Advised the three leading Vietnamese state-owned commercial banks, Vietcombank, Vietinbank and BIDV, on their equitizations, 2006-present.

Corporate

- Advised a leading multinational service provider on structuring of its local partners' ownership and their relationship to the firm's regional and international holding companies, 2008-2009

Infrastructure

- Member of the IFC team advising the Ministry of Investment & Trade on development and negotiation of the Nghi Son II Thermal Power Project, 2006-2011;
- Advised Tokyo Electric Power (TEPCO) and the Asian Development Bank on interconnection of the electrical grids of Vietnam, Laos and Cambodia, 2009.

PUBLICATIONS / SPEAKING ENGAGEMENTS

- Sustainability - A Contested Concept: The Case of the Stock Exchange of Thailand (SET)'s Corporate Governance Code." Presented at the 8th Asian Law Institute Conference, Kyushu University, Fukuoka Japan, May 26-27, 2011.
- "Vietnam" (with Mai Kim Dzung) The International Legal Guide to: Corporate Governance 2010 (London: Global Legal Group, 2010), Chapter 26;
- "The Fiduciary Duties of Vietnamese Directors." Presented at International Finance Corporation-NexisLexis Vietnam Corporate Governance Forum, Ho Chi Minh City, October 8 & 9, 2009. Also participant in Panel Discussion on Shareholders and Stakeholders As an Impetus to Improving Corporate Governance Practices of Vietnamese Companies;
- "Strategic Sales in Equitizations." (with Duong Thu Ha) International Financial Law Review, Special Supplement, 2009 Guide to Mergers & Acquisitions, June 2009;

- "The Developing Fiduciary Duty Standard in Vietnamese Corporate Law." Presented at the 6th Asian Law Institute Conference, Hong Kong, May 27-28, 2009;
- "Discretion in ASEAN Competition Law." Presented at conference on Challenges in Competition Law in Asia sponsored by the Asian Competition Forum and GTZ, Jakarta, May 23, 2007;
- Speaker on "Power and Energy" panel, The 2nd Annual Vietnam Investment Forum: Financing Growth, Asia's Next Tiger, March 19-20, 2007 Hanoi, Vietnam. Organized by Euromoney and SCIC.