

NGO MINH HUNG

Senior Associate

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PROFILE SUMMARY

Hung is a member of the YKVN's litigation & arbitration, and healthcare & pharmaceutical practices. In 2014, Hung joined to Singapore International Arbitration Centre (SIAC), where he has learned precious experience regarding international arbitration practice, as an intern for 2 months.

At YKVN, Hung is specialized in construction disputes, international trade disputes, banking & financial disputes, corporate disputes, healthcare & pharmaceutical, construction, corporate and M&A, debts recovery and white-collar crimes. In these fields, he has represented multi-national corporations as well as Vietnamese corporations. Some of Hung's corporate clients include HSBC, P&G, Mekong Capital, Monsanto, AstraZeneca, Pfizer, Sanofi, Bayer, Servier, Ferring, Ascott, Capitaland, Keppel Land, Hill International, BUNGE, Pharma Group (EuroCham), Dream Incubator, China Huadian Engineering (CHEC), Dow Chemical (Rohm & Hass), Crown Melbourne, GlobalOne, Halla Construction, Hanjin Shipping, Smilegate, Chungdahm, Hamatomo Shoji, Vietinbank, Masan, VNPT, PVEP, CT Group, THACO, VN Steel, Thanh Thanh Cong Group, VSH, IPC, Saigon Tel, KID, HKV, DWS Star Bridge, ERA, PMC, SHTP, Sunlux and Capital Securities.

Other than dispute resolution and healthcare & pharmaceutical, Hung also advises on construction contracts, corporate and M&A transaction.

Profiles



Education

Hanoi Law University,
LLB (2005)

Areas of Practice

Dispute Resolution
Litigation
Healthcare & Pharmaceutical
Construction
Corporate and M&A

Bar Membership

Vietnam Bar Federation
Ho Chi Minh City Bar
Association

NOTABLE DEALS

Dispute Resolution and Litigation

- Advising a foreign-invested company to settle a dispute with a municipal government on a 300 million USD infra-structure BOT and BT project, whereby the government accepted to increase the initially approved investment capital cap by more than 130 million USD;
- Advising a local hydropower company in settling disputes with the Chinese contractors in a E&C Contract in relation to an Hydropower Plant in central highlands of Vietnam with total value of dispute over 250 million USD;
- Advising founding/warrantor shareholders in settling dispute with the global pharmaceutical corporation in the acquisition transaction in joint venture pharmaceutical company with total value of dispute over 60 million USD;
- Representing Hill International to recover project management fees worth several million USD from employer of a large real estate and entertainment project with an investment capital over 1 billion USD. The arbitral tribunal awarded Hill the demanded amount;
- Advising ERA corporation, a subsidiary of one of the largest private corporation in Vietnam, in settling disputes with contractor and sub-contractor in construction contracts of the luxury condominium located in District 3 of Ho Chi Minh City. The disputes were successfully settled by the parties;
- Advising Capitaland, a leading Singaporean developer, relating to the claim for damages from the main contractor due to delay of the construction in the luxury condominium complex located in District 2 of Ho Chi Minh City;
- Representing Vietinbank in the dispute between the Vietnamese lender and the foreign invested developer relating to a luxury condominium project located in District 1 of Ho Chi Minh City with total value of dispute nearly 16 million USD;
- Representing KID, a foreign-invested company, in multi-disputes with its contractor and shareholder in the development of luxury condominium complex located in Da Nang City;
- Advising HKV, a foreign-invested company, in settling dispute with the contractor relating to delay damages in FIDIC construction contract of the condominium project located in District 9 of Ho Chi Minh City;
- Advising IPC, a large state-owned company, in settling dispute with local developer in the land transferring agreement with total value of dispute over 4,5 million USD;
- Representing Truong Hai Auto Corporation (THACO) in settling shareholders dispute arising from its subsidiary company in Da Nang;
- Advising subsidiaries of PVEP, a subsidiary of Petro Vietnam, in settling the dispute arising from the condominium project located in Ha Noi;

- Representing DWS Star Bridge, a Korean fund, in settling dispute with HDTC, a state company in a guarantee agreement with total value of dispute over 13 million USD at Ho Chi Minh City's Court;
- Representing Mekong Capital in settling dispute with Digiworld in convertible loan agreement with total value of dispute over 6.3 million USD. All claims of Mekong Capital have been accepted by the competent court;
- Advising a subsidiary of BUNGE in Vietnam in settling the dispute with local shareholders in the joint venture company with total value of dispute over 6 million USD;
- Advising P&G (Vietnam) in the settling dispute with the Department of Industry and Trade of Ho Chi Minh City regarding Tide product's promotion;
- Representing the former Chairman of BOD of a state-owned bank cum Chairman of BOD of a securities company, who is accused on the approval of the illegal financing of 4,975 billion VND (over 230 million USD) to the subsidiary of the bank;
- Representing a credit official, in enormous fraud criminal case worth 4,000 billion VND (nearly 200 million USD) relating to banking operation in Vietnam, Ms. Huyen Nhu – Vietinbank.

Healthcare & Pharmaceutical

- Advising Bayer on the compliance of preferential treatment given to domestic drugs under the Pharmaceutical Law with the principles set out under the WTO and the EV-FTA and amendment of the ERC, IRC, Trading License as well as obtaining the Certificate of Eligibility for Pharmaceutical Business for pharmaceutical importing activities;
- Advising Servier Vietnam on strategic memorandum regarding legal framework and models for local manufacturing in Vietnam;
- Advising Ferring to the chief of representative office issues in Vietnam;
- Advising Sanofi Vietnam on drug registration and Marketing Authorization issues;
- Advising AstraZeneca Singapore from strategic for business models to distribution agreement with its distributor in Vietnam;
- Advising Pfizer Thailand from strategic for business models to distribution agreement with its distributor and daily operational activities of its RO in Vietnam;
- Advising Pharmaceutical Group, a Sector Committee under the European Chamber of Commerce in Vietnam in various key legislation projects (such as Pharmaceutical Law, Pharmaceutical Decree, Tender Circular, Domestic Drugs List Circular) and its daily operation activities.

Construction

- Advising China Huadian Engineering Company on Vietnamese law respectives regarding the implementation of the EPC Contract on Project of Duyen Hai II 2x600W Coal-Fired Power Plant in Tra Vinh with total value of the contract over 1.9 billion USD;

- Advising KID in the FIDIC construction contract with Posco E&C in the luxury project in Da Nang with total value of the contract over 18 million USD;
- Advising KID on the Template Contract of Sale and Purchase of Houses for its luxury project in Da Nang;
- Advising Sunlux (Taiwan) in the construction contract with Vietnamese contractor in the Sunlux Vietnam's Factory with total value of the contract over 4 million USD;
- Advising local project management unit (PMU) in the design agreement with foreign designer;
- Advising Dow Chemical (Rohm & Hass) on the EPC Contract with contractor with respect to the Dow Dong Nai High Pressure Cleaning Project.

Corporate and M&A

- Advising Japanese investor to invest in a Casino project in Ho Chi Minh City and Phu Quoc Island, Vietnam with total investment capital of the project up to billions USD;
- Advising and preparing transaction documents to Halla Construction Corporation in selling its share in the large complex buildings project in Da Nang with total value of deal is nearly 10 million USD;
- Advising Hanjin Shipping in M&A transaction with other affiliate company of its selling shares in the Tan Cang – Cai Mep International Terminal Company with total value deal over 20 million USD;
- Advising Dream Incubator (Vietnam) in M&A transaction with the local medical equipment distributor;
- Advising GlobalOne on launching new and innovative banking services in Vietnam;
- Advising one of leading global management consulting firms on policies and laws of Vietnam in equitization and petroleum retail business.