

Qin Cao

Counsel Attorney

Practices: WTO and International Trade, Dispute Resolution, Corporate Governance and Compliance

Industries: Engineering, Energy and Infrastructure, Securities, Finance and Banking, Telecommunications, Media, Entertainment and High Technology

Working language: Chinese, English



Introduction

Qin Cao holds a Juris Doctor (J.D.) degree in the United States and is licensed attorney both in China and Washington, D.C. Her primary practice areas include trade compliance and cross-border dispute resolution.

Qin has extensive practical experience in all aspects of matters involving trade compliance and transnational regulatory compliance. She has actively represented and advised dozens of large Chinese central enterprises, state-owned enterprises, private companies, multinational corporations as well as government in complex matters involving economic sanctions, export control, multi-lateral financial institution sanctions, anti-money laundering and FCPA compliance, and has experience in assisting multiple companies in responding to compliance investigations and sanctions from foreign authorities.

Besides, Qin also actively represents corporate clients in cross-border litigation and international arbitration cases. During her time in the United States, she practiced as a litigator in Washington, D.C. and has assisted in representing clients in dozens of complex cross-border disputes in U.S. federal and state courts. In addition, Qin also has working experience at the U.S. House of Representatives, state's court, as well as several top international law firm. After relocating to China, Qin worked at a top domestic law firm, where she has represented and advised Chinese SOEs in multiple high-profile cross-border litigation and international arbitration cases.

Remarkable achievements

I. Regulatory Trade Compliance

- Advised one of the largest Chinese state-owned mining companies on US and EU economic sanction and export control matters with respect to a cross-border EPC project.

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- Advised one of the largest Chinese state-owned metal companies on US economic sanction and export control matters with respect to a cross-border investment project.
- Advised a rail transit equipment central company on US economic sanction matters with respect to a cross-border transaction.
- Advised one of the largest Chinese state-owned coal companies on US, EU and UK economic sanction matters with respect to multiple cross-border transactions.
- Advised one of the largest Chinese state-owned energy companies on US, EU and UK economic sanction matters in a clean energy investment project.
- Advised one of the largest Chinese state-owned energy companies on US, EU and UK economic sanction matters with respect to multiple cross-border transactions and investment projects.
- Advised one of the largest Chinese state-owned nuclear energy companies on US, EU and UK economic sanction matters with respect to a share purchase transaction.
- Advised a leading Chinese metal company on US and EU economic sanction matters in connection with a mining project.
- Assisted one of the largest Chinese state-owned energy companies in a research project regarding disputes related to economic sanctions against Russia.
- Advised one of the largest Chinese state-owned construction companies on export control matters with respect to an export transaction.
- Drafted sanction compliance guidance for one of the largest Chinese state-owned petroleum sales companies.
- Advised a leading German drive system company on US, EU and China export control and economic sanction matters.
- Advised one of the largest Chinese Internet companies on matters relating to anti-money laundering and economic sanctions.
- Advised one of the largest Chinese state-owned telecom company on matters relating to US anti-money laundering.
- Advised a listed Chinese clean energy company on US preferential tax policies for import and export trade with respect to an overseas investment project.
- Assisted a leading Chinese infrastructure company and its subsidiaries in response to a corruption and fraud investigation and sanction by the World Bank Group. Main responsibilities included internal investigations, submitting defenses, negotiating settlements, assisting the client in reducing the sanction period from nine years to two years, compliance program establishment and successful release of the sanctions.
- As the monitor appointed by Asian Development Bank, provided supervision and auditing legal services to a Chinese state-owned enterprise in connection to its construction of the compliance management system.
- Assisted CHN ENERGY INTERNATIONAL DEVELOPMENT CO., LIMITED in establishing its trade compliance program.
- Assisted one of the largest Chinese state-owned clean energy companies in establishing its trade compliance program.

- Assisted one of the largest Chinese state-owned manufacturing companies in establishing its trade compliance program.
- Assisted a large Chinese state-owned electric company in establishing its overseas compliance program.
- Assisted SDIC in establishing its overseas compliance program.
- Assisted Sinopharm and its over twenty subsidiaries in establishing their comprehensive compliance program.
- Assisted CNOOC Gas & Electric Group in establishing its overseas compliance program.
- Collaborated with NAACP to draft a module regarding how food security and urban agriculture impact small businesses.

II. Cross-border Dispute Resolution

- Assisted in representing a major domestic commercial bank and its offshore futures company in a futures dispute over a heavy metal futures transaction in LME (London Heavy Metal Futures Exchange), involving futures exchange membership agreements, futures exchange rules, futures margins, and mandatory position close-out, and the dispute amount of which was over RMB 3 billion.
- Represented a manufacturing state-owned company in an international arbitration before ICC.
- Provided legal services to a major financial institution regarding its potential litigation in the US.
- Provided legal services to a Chinese energy company regarding its transnational trade dispute.
- Assisted in representing a listed company in an employee fraud case, involving court disclosure order applications as well as civil litigation in Hong Kong and Singapore, and domestic criminal investigation and criminal proceedings.
- Assisted in representing a domestic state press company against an Italian company in an unfair competition dispute.
- Provided consulting services to a major domestic real estate corporation in a dispute on transfer of shares and creditors' rights.
- Assisted in representing over twenty complex cross-border disputes over jurisdiction, enforcement, cross-border kidnapping issues before Washington, D.C. Court of Appeals, the Circuit Court and the Court of Special Appeals of Maryland, USA and obtained favorable judgments.
- Assisted in representing clients in dozens of complex U.S.-domestic disputes involving the issues of jurisdiction, domestic, civil and immigration before Washington, D.C. Court of Appeals as well as the Circuit Court and the Court of Special Appeals in Maryland, U.S.
- Assisted the judge of the Circuit Court of Maryland in hearing multiple criminal and civil cases in Maryland, U.S.

III. Other Transactional and General Counsel Service

- Acted as the outside general counsel for one of the largest Chinese state-owned telecom companies over matters relating to economic sanctions and export controls and other cross-border issues.
- Acted as the outside general counsel for the group company of one of the

largest Chinese state-owned petrochemical companies over matters relating to economic sanctions and export controls and other cross-border issues.

- Acted as the outside general counsel for one of the largest Chinese state-owned energy construction companies over matters relating to economic sanctions and export controls and other cross-border issues.
- Acted as the outside general counsel for one of the largest Chinese state-owned refining engineering companies over matters relating to economic sanctions and export controls and other cross-border issues.
- Acted as the outside general counsel for a large petrochemical trade company over matters relating to economic sanctions.
- Provided foreign-related advisory services to CHEC Group.
- Provided legal advisory services for Sinopec Marketing Co., Ltd.
- Provided legal advisory services for Sinopec EasyJet Sales Co.
- Provided legal advisory services for the subsidiaries of CRRC.
- Provide legal advisory services for Hitachi Construction Machinery Sales (China) Co., Ltd.
- Assisted a large state-owned company in establishing its branch company in Kazakhstan.
- Provided legal services to a large state-owned company with respect to a foreign-related hotel investment project.
- Provided legal services to a large state-owned company with respect to its acquisition of a listing company.
- Provided legal services to a large state-owned company with respect to a commercial management joint venture project.
- Provided legal services to Chengzhi Co., Ltd. with respect to an international bulk commodity trade project.
- Assisted a Congresswoman of the United States in her mid-term election.

Academic writings

- Book: "Cross-border Litigation: Law and Practice"
- Article: "Interpretation of Industry Impact: The Latest OFAC Compliance Guide on Russian-Related Sanctions for Non-U.S. Financial Institutions"
- Article: "The Impact of the Recent U.S. '2023 Iran-China Energy Sanctions Act' on Chinese Financial Institutions and Compliance Guidance"
- Article: "Discussion and Advice regarding Operation in sanctioned Russian sectors under the Second Anniversary of the Russia-Ukraine Conflict"
- Article: "Approaches to U.S. Sanctions Compliance: Reflections Triggered by British American Tobacco's \$509 Million Sanction Settlement Case"
- Article: "Discussion and Advice regarding Providing 'Material Assistance' to Russian-Related Sanctioned Enterprises Against the Backdrop of the Russia-Ukraine Military Conflict"
- Article: "Why Did the U.S. Lose in the first trial in Missouri's COVID-19 Lawsuit Against China"
- Article: "Legal Observations on Bond Default Disputes in the Post-COVID-19 Era"

Social duties

- Member of the Inter-Pacific Bar Association
- Member of the American Bar Association
- Member of the Bar Association of the District of Columbia

Education

- Juris Doctor, University of Maryland
- Bachelor of Economy, University of International Relations