ECKERT SEAMANS

Asia & Pacific Advisory Group

OVERVIEW

Eckert Seamans' Asia & Pacific Advisory Group ("APAG") maintains a diverse practice with extensive experience in the representation of clients engaged in international business with an Asian component. Our practice and its attorneys are recognized regularly by several legal publications and organizations. Chambers USA: America's Leading Lawyers for Business recognizes Eckert Seamans as a top law firm. Also, lawyers in the APAG have received numerous legal awards.

Through our multidisciplinary approach and the vast resources available to us through the firm as a whole, we provide our clients with cost-effective and productive representation. In particular, the firm's nationally recognized expertise in litigation, bankruptcy, aviation, shipping, energy, hospitality, intellectual property, and automotive has enabled Eckert Seamans' APAG team to be at the forefront of important issues.

With more than half of the world's nearly 8 billion people living in Asia and within the Pacific Rim, our clients' needs require lawyers with experience dealing with sophisticated regional and international issues involving Asian and Pacific Rim companies and transactions. In addition to legal skills, members of Eckert Seamans' APAG team have a variety of cultural and language skills that facilitate advising clients in need of professional legal assistance to accomplish their business goals.

Representations
We regularly represent clients in the automotive industry, such as manufacturers and suppliers. Eckert Seamans also represents insurance carriers and sureties in matters relating to insureds who have filed for bankruptcy protection.

Bank Representation
Members of the firm have acted as counsel to various Asian Pacific banks, including Chinese, Japanese, British, American, and Australian commercial banks on a variety of matters.

Client & Counseling
When representing clients, we utilize our extensive experience to formulate a range of strategic business and lease options for our clients. Eckert Seamans guides clients through the challenges of formulating, negotiating, and documenting new or negotiated financing arrangements.

Capital Markets Securitization Structuring & Restructuring

Eckert Seamans regularly counsels clients on structuring and financing single purpose bankruptcy remote entities (SPE). We prepare and negotiate related true sale and non-consolidation issues and opinions in both "Rated" and "Non-Rated" deals.

Executory Contracts & Leases
The firm is well-versed in the special bankruptcy laws governing executory contracts with Chapter 11 debtors.

Aviation
The firm represents international passenger and commercial carriers in lawsuits involving passenger claims and cargo damage claims.

Workout & Bankruptcy Litigation
Our bankruptcy and restructuring attorneys handle related litigation arising from bankruptcy proceedings, such as preference and fraudulent conveyance actions, relief from automatic stay proceedings, lender liability claims, equitable subordination claims, plan confirmation objections, guaranty enforcement, foreclosures (judicial and non-judicial), and borrower fraud actions.

REPRESENTATIVE CLIENTS INCLUDE:

- Japanese trading companies
- Taiwanese technology companies
- Finance companies

- Merchant banks
- Importers/Exporters
- Japanese and other multinational automotive manufacturers
- Chinese airlines and other international passenger and commercial carriers
- Japanese steel company
- Natural resources companies
- Leasing companies

NOTABLE CASES:

- Eckert Seamans won the dismissal of a multi-million lawsuit against its clients, a Japanese multinational electronics corporation and related entities, for lack of personal jurisdiction and failure to state a cause of action.
- Eckert Seamans is representing the businesses and property owners of Fukushima Prefecture Japan in an action against the company which designed and constructed the local nuclear power plant and component parts, which was involved in a nuclear accident in March 2011. Our clients are seeking to recover economic and property damages (no personal injury damages are sought). The plaintiffs allege extensive design and product defects at the nuclear power plant and other failings. Our attorneys are working alongside a large Japanese law firm and have been to the Fukushima Prefecture region and observed the devastation.
- Eckert Seamans' APAG is currently representing a Chinese importer in connection with a customs dispute between China, Canada, and the US involving both the China-USA Bilateral Trade Deal and the USA/Canada/Mexico Trade Pact of 2020.
- Eckert Seamans has worked on (is working on) the asset sale and acquisition of an American company to a Japanese company.
- Represented a Japanese manufacturer which was a friction defendant in the matter of the Est. Donald Taylor. After working closely with local Illinois counsel and the client for several months, we argued to Dismiss for Lack of Personal Jurisdiction before Judge Stobbs in the Circuit Court for the Third Judicial Circuit in Madison County, Illinois. The motion was granted, and significantly, two other similarly situated Japanese companies also argued their motions on the same day – one settled prior to the ruling, and the other's Motion was denied.