SHIN & KIM

Management disputes and hostile M&A

Disputes as to management or ownership of companies can be incredibly complex. Formulation of strategies which deal with immediate issues and also long term goals. Shin & Kim has been the trusted adviser to many clients for decades. The Hostile M&A Disputes team is comprised of experts experienced in litigation and M&A.

Shin & Kim takes a multi-disciplinary approach in advising clients. The complexity of the matters and the time pressures require lawyers who not only understand litigation, but who are understand the context in which a hostile matter is developing. The Hostile M&A Disputes team has the expertise and the capacity to navigate the myriad of issues facing clients.

Key Services

The Practice provides the following advice:

- Strategies for a proposed hostile M&A or defending against one.
- Improvements in corporate governance.
- Countermeasures against minority shareholders or shareholder activism;
- Directors' fiduciary duties.
- Company reorganizations, including merger, division, and comprehensive exchange/transfer of shares.
- Criminal complaints and civil lawsuits seeking compensation for damages.
- Management disputes relating to joint ventures, such as a breakdown of joint venture business.

Experience

- Hyundai Elevator in its defence from a hostile M&A by the Schindler Group.
- Management of Kumho Asiana against a claim by the Kumho Petrochemical Group of breach of fiduciary duties.
- SaveZone in a managerial dispute with E-Land.
- KT&G against a hostile M&A attempt by Carl Icahn.

- Certain convertible bondholders in the management of Company A.
- The largest shareholder of listed Company B in a dispute over control with the second-largest shareholder
- Company C against attempts by the employee stakeholders against access to books and records.
- The second-largest shareholder of Company Din the securing of management rights from other shareholders.
- Certain family members in a dispute over management of Lakeside Country Club.
- SK Corp in a managerial dispute involving Sovereign Asset Management
- Hyundai Oilbank in a dispute over management of the company.
- Minority shareholders in the takeover of Daewon Paper.
- Savoy Hotel in a litigious M&A of Shinsung Trading.
- Daesung Group in disputes with respect to managerial control.

Key Contacts

Sookmi Lee
Partner

+82-2-316-4016
smlee@shinkim.com

Jong-Han Oh
Managing Partner

+82-2-316-4286
jhoh@shinkim.com

Tong-Gun Lee
Senior Partner

+82-2-316-4297
tglee@shinkim.com

Won Lee
Partner

+82-2-316-4406
wlee@shinkim.com

Sejong Kim
Partner

+82-2-316-4108
sejongkim@shinkim.com

Sae Ron Oh
Partner

+82-2-316-1658
sroh@shinkim.com

Awards and Rankings

- Ranked Band 1 Law Firm for Dispute Resolution - Litigation
  Chambers Global / Chambers Asia 2014-2017, 2021-2022, 2026
- Ranked Band 1 Law Firm for Dispute Resolution
  Asia Pacific Legal500 2015-2018, 2020-2026
- Litigation Law Firm of the Year
  ALB Korea Law Awards 2018

Copyright SHIN & KIM LLC. All rights reserved.