SHIN & KIM



Ho-Seog Hwang

Partner

TEL	+82-2-316-4074
FAX	+82-2-756-6226
E-MAIL	hshwang@shinkim.com

Mr. Ho-Seog Hwang is currently a partner at Shin & Kim and his practice focuses on asset management and indirect investment, asset-backed securitization and structured finance and general corporate finance, and finance-related litigation.

Mr. Hwang has been advising and handling asset management matters for major Korean investment trust companies since the 1990s. He was the first person in Korea to advise Samsung Electronics on its overseas securitization transaction even before the Asset-Backed Securitization Act was enacted. Mr. Hwang advised foreign credit rating agencies such as S&P on issues related to overseas asset-backed securitization transactions. Mr. Hwang paved the way in domestic and overseas asset-backed securitization transactions. He advised in asset-backed securitization transactions, such as the first synthetic ABS transaction, when they were newly introduced in Korea. Furthermore, Mr. Hwang has a wealth of experience in successfully leading transactions of various structures, such as by pioneering domestic acquisition finance transactions and facilitating such transactions in the domestic acquisition finance market. In addition, with the rising popularity of funds recently, he has advised financial institutions and pension funds, including domestic funds and insurance companies, on their investment in offshore funds. Mr. Hwang has also advised asset management companies, banks, and securities companies on the Capital Markets Act and securities transactions.

Mr. Hwang participated in the enactment of the Securities and Investment Companies Act and the amendment of the Asset-Backed Securitization Act.

Mr. Hwang graduated from Seoul National University College of Law, and completed his master course from Seoul National University Graduate School of Law, and his LL.M from the University of Virginia Law School. He completed the 20th judicial training course at the Judicial Research and Training Institute. Prior to joining Shin & Kim LLC, he served as a Navy Judge Advocate. After his graduation from the University of Virginia Law School, he worked as a foreign attorney at Simmons & Simmons Hong Kong office for six months secondment.

Mr. Hwang has authored publications on various legal issues in the areas of asset-backed securitization transactions and collective investment schemes, and has participated as a speaker or panelist in numerous domestic and international seminars. He has been recognized as a Leading Individual in Banking & Finance by prominent international publications

such as Chambers Global, Chambers Asia-Pacific, IFLR 1000, and the Legal 500 Asia Pacific.

Professional Career

2011-2016	Member, Editorial Board of Business Finance & Law, Center for Financial Law, Seoul National University
2011-2013	Committee member, Global Sub-Committee of the Financial Development Review Committee (Financial Services Commission)
2000-2001	Foreign Legal Consultant, Simmons & Simmons, Hong Kong
1994-Present	Shin & Kim LLC
1991-1994	Judge Advocate, Republic of Korea Navy
1989-1991	Judicial Research & Training Institute of the Supreme Court of Korea

Key Experience

- Advised a major domestic asset management company, insurance company, and pension fund on due diligence for offshore fund investment
- Advised a major domestic asset management company on the establishment of an offshore fund of funds
- Advised a major domestic asset management company on overseas real estate investment (including loans secured by real estate) and development projects
- Advised a major domestic asset management company on legal issues arising from the establishment and day-to-day operation of a domestic fund
- Advised a major domestic asset management company on the acquisition of an overseas asset management company
- Advised a major domestic asset management company on inspections by the Financial Supervisory Service
- Advised an overseas asset management company (including local corporations of a domestic management company in foreign countries) on domestic registration of offshore funds
- Advised lead underwriters such as the Korea Development Bank and major Korean securities companies on structured and unstructured securitization transactions involving receivables, corporate bonds, and loan receivables as securitized assets
- Advised a major domestic credit card company on overseas asset-backed securitization of card receivables
- Advised a major Korean bank, asset management company, and securities company on ISDA contracts for OTC derivatives transactions
- Advised a domestic bank on asset-backed securitization of its NPLs
- Advised a domestic bank and securities company on structured finance linked to OTC derivatives

- Advised domestic banks such as Korea Development Bank on foreign currency loans
- Advised a foreign financial institution on foreign currency loans to domestic companies and collateral setup
- Advised major domestic banks such as Korea Development Bank and Woori Bank, on their acquisition financing matters (SK Hynix, Burger King, Sampyo, Jeju Air, etc.)
- Represented companies such as Korea Investment Management and Hyundai Asset Management in a lawsuit in connection with Russian bond investment funds
- Represented a major domestic bank in a lawsuit involving a foreign currency loan with embedded OTC derivatives
- Represented a major domestic bank in the KIKO case
- Represented a major domestic asset management company in a lawsuit for damages due to improper solicitation, such as a profit guarantee memorandum, and a lawsuit related to insolvent private equity funds
- Represented a domestic securities company in a lawsuit for the return of unjust enrichment related to the default of an ABCP based on the corporate bonds of a Chinese company
- Represented a domestic bank in a lawsuit for damages related to foreign currency loan collateral

Education

2000	University of Virginia Law School (LL.M.)
1988	Seoul National University College of Law (LL.B.)

Qualifications

1991	Admitted to bar, Korea

Languages

Korean, English, Japanese

Professional Activities

- “10 Years-Retrospect and Prospect of Asset Securitization” in “Status and Tasks of Asset Securitization”, Finance Law Center, Seoul National University

- Parts of Articles 188 to 193 and 207 to 212 of Explanatory Note II of the Financial Investment Services and Capital Market Act, Korean Securities Law Association

Professional Accolades

- "Leading Lawyer" for Banking and Finance, IFLR1000, 2011-2026
- "Leading Lawyer" for Securities and Finance, Legal Times, 2019, 2021-2022

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