SHIN & KIM



Dong-Kyu Kim

Partner

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Mr. Dong-Kyu Kim is a Partner at Shin & Kim and his practice focuses on rehabilitation, bankruptcy, workout and related disputes thereof, and criminal litigation.

Mr. Kim served as a judge for more than 20 years, from 2003 to 2024, handling a range of trials including civil, criminal, rehabilitation and bankruptcy trials. From 2013 to 2015, he served as a research judge at the Supreme Court, where he reviewed new criminal trials and legal principles of matters given by the Supreme Court Justice, and from 2019 to 2023, he handled rehabilitation and bankruptcy cases at the Suwon District Court and the Seoul Bankruptcy Court. While he worked at the Seoul Bankruptcy Court, he co-authored the 6th edition of the Practice of Rehabilitation Cases (1st and 2nd volumes).

Professional Career

2024-Present	Shin & Kim LLC
2023-2024	Chief Judge, Seoul Southern District Court
2020-2023	Chief Judge, Seoul Bankruptcy Court
2017-2020	Chief Judge, Suwon District Court
2015-2017	Chief Judge, Gwangju District Court
2013-2015	Research Judge, Supreme Court
2012-2013	Judge, Seoul High Court
2010-2012	Judge, Seoul Central District Court
2006-2010	Judge, Incheon District Court
2003-2006	Judge, Busan Eastern District Court
2000-2003	Public-service Advocate

2000 Judicial Research & Training Institute of the Supreme Court of Korea

Key Experience

Insolvency

- Advised multiple creditors, including major Korean financial institutions and construction companies, in the rehabilitation proceedings of a leading Korean retail company.
- Advised an overseas financial institution, as a creditor, in rehabilitation proceedings involving a Korean REIT.
- Advised a Korean telecommunications company, as a creditor, in the rehabilitation proceedings of a Korean media and content company.
- Represented and advised a Korean heavy industry company in its rehabilitation proceedings.
- Represented and advised a Korean engineering and energy company in its rehabilitation proceedings.
- Represented and advised a Korean electronics company in its rehabilitation proceedings.
- Represented and advised a medical corporation in its rehabilitation proceedings.
- Represented a Korean insurance company, as a creditor, in petitioning for the commencement of rehabilitation proceedings against a Korean real estate developer, securing a final order commencing the proceedings.
- Represented a Korean listed company in successfully opposing a shareholder's petition for the commencement of rehabilitation proceedings, securing dismissal of the petition.
- Represented and advised clients in bankruptcy proceedings involving Korean companies.
- Handled various matters arising out of rehabilitation proceedings, including claim determination and avoidance proceedings.
- Represented and advised clients in numerous other insolvency matters.

Civil and Administrative Litigation

- Represented a transportation card service provider in a lawsuit brought by credit card companies seeking a declaration of the non-existence of payment obligations.
- Represented a coal-fired power producer on appeal in administrative litigation against the operator of Korea's electricity market, seeking the revocation of a decision and related measures.
- Represented a current shareholder in multiple lawsuits arising out of a dispute with a former shareholder of the company.
- Represented a company in multiple lawsuits arising out of disputes with its former management.
- Advised a victims' committee formed by victims of unauthorized deposit-taking activities and fraud in connection with their efforts to recover their losses from the perpetrators and their businesses.

- Represented a medical corporation in a loan repayment action brought by a pharmaceutical wholesaler, arguing that the purported loan was in substance a rebate and non-recoverable as a performance for an illegal cause.
- Represented a party in an action for registration of transfer of ownership of a high-value apartment arising out of a dispute over a title trust.
- Represented a construction company in a preliminary injunction proceeding seeking confirmation of its status as a shareholder of a project financing vehicle (PFV) following enforcement of a kun-pledge over the PFV's shares, and represented the PFV in opposing shareholders' preliminary injunction applications seeking inspection and copying of its books and records.
- Represented a state-owned power generation company in arbitration proceedings brought by a construction company seeking payment for additional construction costs.
- Represented and advised clients in numerous other civil and administrative matters.

Criminal Matters

- Represented clients in criminal proceedings involving alleged violations of the Financial Investment Services and Capital Markets Act, including market manipulation.
- Represented clients in criminal proceedings involving the alleged offering of bribes and violations of the National Land Planning and Utilization Act in connection with a solar power project.
- Represented clients in criminal proceedings involving alleged violations of the Serious Accidents Punishment Act arising from a fatal accident at a construction site.
- Represented clients in criminal proceedings involving alleged violations of the Punishment of Tax Offences Act arising from the issuance of false tax invoices.
- Represented clients in numerous other criminal matters.

Education

2008-2009	University of Washington (Visiting Scholar)
1991-1996	Seoul National University, Department of Public Law (LL.B.)

Qualifications

2000	Admitted to bar, Korea

Languages

Korean, English

Professional Activities

- Practice of Rehabilitation Cases (1st and 2nd volumes), 6th Edition, Judicial Research Council, Seoul Bankruptcy Court, 2023 (co-authored)
- Notification disposition and accusation as a result of investigation of tax offense cases: Supreme Court Judgment 2013Do5650 dated October 15, 2014 (Judicial Research Council, Gwangju District Court), 2016

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