SHIN&KIM 韓国世宗律师事务所



文熙春

Partner

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Mr. Huichoon Moon is a partner at Shin & Kim. His main practice areas include civil and criminal litigation and advisory for Korean financial institutions (banks, capitals and asset management companies), litigation and advisory on real estate trusts, corporate general advisory, and criminal cases involving companies and public servants.

Mr. Moon has provided litigation and advisory services for many Korean financial institutions and real estate trusts and handled various litigation and advisory cases related to fund investment and issuance of overseas bonds and also while-collar crime cases and criminal cases involving public servants.

工作经历

2021-Present	Member, Regulation Review Committee of Korea Deposit Insurance Corporation
2019-Present	Director, Trust Law Society
2003-Present	Shin & Kim LLC
2001-2003	Judicial Research & Training Institute of the Supreme Court of Korea

主要业绩

General Finance (Banking, Securities, etc.)

- Represented a bank in litigation over loan claims, rescission of fraudulent acts, third party objections, and objections to distribution.
- Advised and represented a client in a fund-related dispute, including issues of mis-selling and breach of fiduciary

duty.

- Handled civil and criminal litigation involving market manipulation and insider trading in connection with the issuance and distribution of stock, etc.
- Represented a bank in a case where a termination notice was automatically sent due to a system error; successfully argued for the validity of the guarantee agreement and won the case.
- Represented a bank in an action for damages brought by a merchant who suffered damages due to the hacking of credit card transaction information, and won the case.
- Represented Daewoo in an action for damages against a spin-off company for violation of the creditor protection procedures based on the premise that the investors in the overseas bonds issued by Daewoo were creditors, and won the case.
- Advised and represented in a dispute between the Korea Housing and Urban Guarantee Corporation (HUG) and a trust financial institution regarding the return guarantee of a *jeonse* deposit.
- Represented in an action for damages for the negligence of a financial institution entrusted with the management of the National Housing Fund and won all claims.
- Represented in litigation seeking the return of unjust enrichment filed by an overseas creditor against a domestic financial institution in a foreign country.
- Successfully obtained a provisional injunction prohibiting payment in a case where a foreign financial institution claimed a deposit against a domestic financial institution
- Represented investors in a claim for damages related to investments in the Busan Savings Bank PEF fund, and won the case.
- Advised on erroneous wire transfers and issues related to foreign indemnification agreements.
- Advised on and represented in both civil and criminal litigation involving quasi-investment advisory services.

Trust and Real Estate Construction

- Advised on revisions to real estate trust agreements in connection with amendments to the Trust Act (Financial Investment Association).
- Represented a trustee in litigation against a trustor concerning the trustee's duty of due care in a real estate trust.
- Represented a client in fraudulent trust termination action.
- Advised and represented a client in a dispute between trust beneficiaries and trustees regarding the distribution of trust proceeds.
- Advised and represented a client in a dispute with purchasers in connection with sales contracts of trust real estate.
- Advised on legal issues related to trust products.
- Reviewed and advised on disposal trust agreements in connection with the purchase of real estate.
- Advised the Korea Deposit Insurance Corporation on response strategies for distressed trust businesses and trustees.
- Advised on termination of real estate pre-purchase agreements.

- Advised on countermeasures for default by service providers in real estate development projects.
- Advised and represented a client in a dispute involving completion-guaranteed management-type land trusts.
- Responded to construction payment claims and provisional injunctions to suspend construction.
- Advised and represented in disputes among reconstruction/redevelopment associations, contractors, and trust companies, including various provisional injunctions and litigation on the merits.
- Advised and represented a client in trust-related disputes over the land allotted by authorities in recompense for development outlay.
- Represented in a claim for damages in connection with the repair of defects.

General Corporate

- Advised and represented a client in civil and criminal litigation arising from corporate control disputes.
- Represented in civil and criminal litigation relating to the illegal occupation of a company headquarters by a labor union.
- Advised on and represented a client in civil and criminal litigation involving breach of fiduciary duty and embezzlement by an executive.
- Advised and represented a client in a case involving alleged violations of the Foreign Trade Act regarding country of origin labeling of imported goods.
- Advised on and represented a client in a dispute over the acquisition of a business site and a building.
- Advised on response strategies and represented in civil and criminal litigation involving fraud by business partners and employees.

教育背景

2009	East China University of Political Science and Law, Law Study Course
2008-2009	China Shanghai Jiaotong University, Language Study Course
2008	Shanghai University of Finance & Economics, Language Study Course
1991-2000	Yonsei University College of Law (LL.B.)

资格

2009	Admitted to patent bar, Korea
2003	Admitted to bar, Korea

语言

Korean, English, Chinese

外部评价

- "Leading Lawyer" for Litigation, Legal Times, 2024-2026

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