

Truong Trong Nghia
Partner, YKVN

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PROFILE SUMMARY

Truong Trong Nghia is one of the co-chairs of YKVN's litigation practice and is well-recognized as one of Vietnam's most experienced litigators with over 25 years of litigation and arbitration experience. He also regularly advises domestic and foreign companies on corporate, trade, foreign investment and M&A matters. Nghia's clients include major Vietnamese corporates including VNPT, Vietnam Steel Corporation, BIDV, Saigon Petro, Satra, Sovico and Saigon Coop, as well as foreign-invested enterprises and multinationals like Exxon Mobil, American Coffee, Bachy Soletance, Planergo, Pico, P&G, Metro Cash & Carry, RMIT, Academic Colleges Group (ACG), European Investment Bank (EIB), Standard Chartered Bank, Indochina Capital, Richmond Group and AGS. He has been recommended by Legal 500 (2009-2010) in the area of dispute resolution. Chambers & Partners (2011) noted that Truong Trong Nghia has been "pivotal to the Vietnam legal community for many years", and is one of "very well-known and experienced litigators who are sought out for their counsel on some of the most complicated cases." Chambers & Partners (2012) remarked that Truong Trong Nghia is "a well-established figure in the Vietnamese legal community and is sought after for his advice in complex cases". Asia Law Profiles (2012) remarked that he is one of the "most successful and respected litigators in Vietnam". Nghia has been ranked Band 1 by Chambers & Partners in 2011, 2012, 2013 and 2014.

One of the first Vietnamese Fulbright Scholars who has

Education

New York University, School of Law, Master of Comparative Jurisprudence (MCJ) (1995)
Karl Marx University, Germany, LLB (1980)

Areas of Practice

Dispute resolution
Litigation
Arbitration
Corporate
M&A
Project Finance
Foreign Investment

Bar Membership

Vietnam Bar Federation (Vice-President since 2009)
Ho Chi Minh City Bar Association (Vice-President since 2008)
Vietnam's Alternate Councilor in LAWASIA Council
Inter-Pacific Bar Association Arbitrator of Vietnam
Arbitrator of International Arbitration Center (VIAC)

obtained the Master of Comparative Jurisprudence from NYU School of Law, Nghia is a leader of Vietnam's legal professions. He is currently serving as the Vice President of the Vietnam Bar Federation and the Vice Chairman of the Ho Chi Minh City Bar Association. A former member of the Prime Minister's Research Committee and former Director of the Foreign Trade & Investment Promotion Center (ITPC) of Ho Chi Minh City, he was elected in May 2011 to Vietnam's National Assembly for the 2011 – 2016 term. The only practicing lawyer in the National Assembly, he was elected by the deputies of the National Assembly to its Judiciary Committee.

NOTABLE DEALS

Dispute resolution/ Litigation

- Representing SATRA, one of Vietnam's largest trading corporations, in a trade dispute worth several millions USD, with Satra being victorious in both first and appellate instance.
- Advising a foreign-invested company in a 300 million USD infra-structure BOT project on a dispute with a municipal government whereby the initially approved invested capital cap was accepted to be increased by more than 60 million USD.
- Advising the foreign owner/operator of a 5-star hotel in Ho Chi Minh City, being charged of tax evasion and involved in a complex dispute with the local BCC partner and tax authority, and helping the investigation be dropped and the BCC transformed into a joint-venture.
- Representing Pico in the settlement of a dispute with the local JV partner regarding the liquidation of the JV and resulting assets distribution.
- Representing the major shareholder of VCCT, a company operating large cable-car project worth tens of million USD in winning the lawsuit over a shareholders dispute.
- Representing a major foreign fund in Vietnam in an arbitration case involving a claw-back valued tens of million USD from a share-subscription agreement with a local joint-stock company.
- Representing the subsidiaries of RMIT, ACG, P&G and METRO in Vietnam in settling its labor, trade and land use rights disputes.
- Representing Exxon Mobil before the Economic Court of Ho Chi Minh City and the Supreme Court in connection with disputes arising from a long-term gas distribution contract (final judgment of the Supreme Court upholding the favorable lower court judgment).
- Representing American Coffee before the Economic Court of Ho Chi Minh City in

pursuing contractual remedies against a Vietnamese coffee company (probably first Vietnamese court ruling awarding damages to an offshore buyer).

M&A, Project Finance, and Foreign Investment

- Advising EIB in a multimillion-dollar financing for a multinational corporation in connection with the expansion of its activities in Vietnam.
- Advising BIDV in a multimillion-dollar financing for a significant real estate project invested by a foreign investment fund.
- Advising one of the largest foreign investment funds in Vietnam in a private equity deal in which the fund was buying a majority stake from a local company in the telecom sector.
- Advising Saigon Advertisement Company in its joint venture with a leading Japanese advertiser.

Arbitration

- Acting as panel arbitrator over several cases at VIAC relevant to trade, insurance and construction;
- Having presided over a number of cross-border and complex cases in maritime transactions and FIDIC contracts in English as language of arbitration.

AWARDS, PUBLICATIONS AND LECTURE

Awards

- Legal 500 (2009-2010): Recommended.
- Chambers & Partners (2011): “pivotal to the Vietnam legal community for many years”, and is one of “very well-known and experienced litigators who are sought out for their counsel on some of the most complicated cases.”
- Chambers & Partners (2012): “a well-established figure in the Vietnamese legal community and is sought after for his advice in complex cases”.
- Asia Law Profiles (2012): One of the “most successful and respected litigators in Vietnam” and “one of the most experienced litigators in Vietnam”.
- Chambers & Partners (2013): “Enormously wise about the realities of the court systems”, whilst putting a “huge amount of thought into strategy”.

Ranking by Chambers & Partner: Band 1 in Dispute Resolution for 2011, 2012, 2013, 2014.

Publications

- Economic Arbitration in Vietnam, Ho Chi Minh City Publishing House (1988).
- Rule of Law in Vietnam - Theory and Practice, The Maureen and Mike Mansfield Foundation (2001).
- Author of a large number of articles on Vietnamese legal issues including US-Vietnam

Bilateral Trade Agreement issues and Vietnam's accession to the WTO (1996 – now).

Lecture

- Lectured on law in undergraduate and graduate programs at University of Law and University of Economics of Ho Chi Minh City.