



## Max Gu

### Managing Partner, Shanghai and Beijing Offices

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## OVERVIEW

Max Gu's practice includes cross-border business transactions, overseas public offerings, general corporate matters, food regulations, corporate compliance matters, complex regulatory advice, employment matters, and overseas litigations.

## PROFESSIONAL BACKGROUND

Max combines his hands-on practice experience in the United States and China and has seen business operations in China under the microscope as an in-house counsel in his legal career and received academic training in earlier years on business management. Those business experiences give him the capability of appreciating the financial/business impact of legal issues as businesses appreciate them and offering insightful and practical advice regardless of whether clients are seeking to invest in China through capital movement or operate a business in China.

Max has also been a legal advisor for Chinese companies seeking to invest overseas or to tap into the overseas stock markets.

He has been selected and recognized since the inaugural edition of *The Best Lawyers®* in China for Corporate Law Practice (International Firms).

## ACHIEVEMENTS

- Recognized by *The Legal 500 Asia Pacific* as a Recommended Lawyer for Corporate And M&A: Foreign Firms in China, 2024

## SPEAKING ENGAGEMENTS

- Seminar on New HKSE Listing Rules (Shanghai, China, May 2018)
- Bentleys and Bank of China Seminar on Investing in Australia (Shanghai, China, September 2016)
- Investment in China and Food Regulations in China (Park City, Utah, March 2015)

- Wuxi Cleantech Seminar (Wuxi, China, March 2010)
- Jilin Financial Group – Capital Market in US Seminar, Chicago (Chicago, Illinois, November 2009)
- AON Food Safety Seminar (Shanghai and Beijing, China, August 2009)
- Grant Thornton China Seminar (Chicago, Illinois, November 2005, November 2006 and November 2007)
- International Housewares Association – Legal Forum (Chicago, Illinois, March 2006)

## EDUCATION

- J.D., Chicago-Kent College of Law, Illinois Institute of Technology
- LL.B., East China University of Politics and Law
- M.B.A., University of Illinois

## ADMISSIONS

- Bar of Illinois
- Bar of People's Rep. of China

## LANGUAGES

- Chinese (Mandarin)
- English
- Shanghainese

## THOUGHT LEADERSHIP *POWERED BY HUB*

- 6 January 2022, Be Ready When the Dragon Awakens—Breathing Fire Back Into Business: What You Need to Know if You Are Coming to China in 2023
- 21 March 2017, China Releases Consultation Draft on Cyber Security Review of Online Services and Products

## AREAS OF FOCUS

- Mergers and Acquisitions
- Capital Markets
- Public Companies

## INDUSTRIES

- Consumer Products
- Food and Beverage

## REPRESENTATIVE EXPERIENCE

### Cross-Border M&A / FDI

- Advised a China-based franchisee of a well-known coffee brand on its acquisition in the United States.
- Advised one of the largest China-headquartered automobile parts companies on its U.S. restructuring and the CFIUS.
- Advised a U.S.-based beauty education institution on its acquisition in China.
- Advised a leading on-demand cloud computing platforms and APIs provider on its data center construction and land use right/real estate transaction in China.
- Advises a U.S.-based gasification research institute on the construction of a demonstrative plant and joint venture project in China.
- Advised a publicly traded China-based electric group in their CFIUS and HSR filings in the United States.
- Advised a publicly traded China-based port machinery company in its real estate and construction projects in Australia.
- Advises a U.S. publicly listed company in the petro-chemical industry in its regulatory compliance, restructuring, divestment, acquisition, employment and commercial matters in China.
- Represented a U.S. aviation consulting company in their negotiation with airport authorities in China.
- Advised a U.S.-based company on their joint venture negotiation with SOEs in China in the industry to automobile.
- Advised a U.S.-based ocean cruise company on its business establishment, licensing/permitting and regulatory compliance issues in China.
- Advised a U.S.-based company on their due diligence in relation to the acquisition of a hydropower plant in China.
- Advised a number of U.S., UK and Australia-based food business operators in their business establishment and licensing issues in China.
- Represented a U.S. sport brand in their merger and acquisition in China.
- Represented a Hong Kong investment group in the establishment of their car dealerships of imported cars in China.

- Represented a U.S. manufacturer of point-of-sales materials for brewery industry in their establishment of manufacturing facilities, litigation matters in China and offshore restructuring for financing purposes.
- Represented a U.S. data mining software developer to set up a wholly-owned subsidiary in China.
- Served as senior in-house position in China for a world-leading diversified healthcare and nutrition foods company with primary responsibilities over all aspects of the company's business operations in China.
- Currently represents multinational corporations in the food industry in their labeling/packaging compliance projects in China as well as adversarial proceedings before the several regulatory agencies in China.
- Provided due diligence for a medical device company regarding acquiring a Beijing medical device company.

### Capital Markets

- Represented a China-based new construction materials company which seeks to go public in Hong Kong.
- Represent a China-based real estate company which seeks to go public in Hong Kong.
- Represented a China-based cement equipment manufacturer which seeks to go public in Hong Kong.
- Represented a China-based aesthetical medicine company which seeks to go public in Hong Kong.
- Represented a China-based e-commerce provider which seeks to go public in the United States.
- Represent a China-based canned fruit manufacturer which seeks to go public in the United States.
- Represented a China-based marketing solution company and a China-based automobile equipment manufacturer which sought to go public in Hong Kong.
- Represented a China-based fine chemicals manufacturer which sought to go public in U.S.

### Others

- Represent a number of MNCs in their labor force reduction projects in China.
- Represented a U.S.-based public company in the specialty chemicals industry in its FCPA and environment violation (involving criminal liability) investigation in Jiangsu Province, China.
- Represented a U.S.-based public company in the painting and coating industry in its FCPA and employee misappropriation investigation in Guangxi Province, China.
- Represented a number of U.S./Europe/Australia-based companies in their adversarial employment-related proceedings in China, which had an official or commercial bribery element as the cause for termination.
- Represent a publicly traded China-based port machinery company in litigations and regulatory compliance matters in the United States.
- Represented a publicly traded Chinese construction equipment company to set up assembly facilities in the United States.
- Represented a U.S. supplier of Wal-Mart in sourcing products and intellectual property litigation matters in China.