



# SHI Rui

Partner

Languages: English, Mandarin

Practices: Civil & Commercial Dispute Resolution, Financial Services & Securities

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## Profile

Dr. Shi Rui is an expert in financial and commercial litigation, arbitration, and dispute resolution, specializing in trust, securities, banking, and insurance. His research focuses on resolving financial disputes and implementing risk prevention strategies. Dr. Shi has a strong track record of achieving favorable outcomes for clients, drawing from his extensive experience representing them in various courts and arbitration forums. He has provided legal services in litigation and arbitration to a diverse clientele, including financial institutions, state-owned enterprises at both the central and local levels, and private companies, consistently achieving successful results. His casework encompasses financial loans and guarantees, government-related banking and trust business, trust channel transactions, structured trusts and asset management, obligations of financial institutions, and the protection of financial consumers. Notably, several of his cases have been recognized as leading precedents by the Supreme People's Court. Dr. Shi serves as the lead author for the State-owned Assets Supervision and Administration Commission's research on "Legal Risks and Mitigation Strategies in Financing Transactions" and is a member of the Supreme People's Court's team examining "Legal Issues in Business Trust Dispute Cases." He has contributed to the drafting of administrative regulations and local rules and has been invited to provide training and consulting services to the People's Bank of China, the Interbank Market Dealers Association, and a variety of financial institutions and state-owned enterprises at both central and local levels.

## Professional Qualifications

- PRC Bar

## Educational Background

2007-2010 Jilin University Ph.D. in Civil and Commercial Law.

2004-2007 Jilin University LL.M. in Civil and Commercial Law.

1999-2003 Jilin University LL.B.

## Professional Experience

2023-Present Beijing Hui Zhong Law Firm, Partner

2013-2023 Beijing TianTong Law Firm, Lawyer/Partner

2010-2013 Postdoctoral Mobile Station of Renmin Postdoctoral Researcher

## Memberships & Affiliations

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- 10th Financial Professional Committee of the All-China Lawyers Association, Member
  - 12th Banking and Finance Committee of the Beijing Lawyers Association, Member

## Representative Cases

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- From 2021 to 2024, represented two state-owned insurance companies in a series of disputes with a well-known domestic real estate enterprise arising from trust loans. Successfully won cases in the Beijing Higher People's Court and the Beijing Fourth Intermediate People's Court, recovering assets worth over RMB 2 billion for the clients. The cases involved complex issues such as the recognition of principal and interest of trust loans, the protection of the rights of creditors and financial leaseholders, coordination across multiple courts, and objections from third parties in enforcement. This achievement was recognized by "Business Law" magazine as the 2023 Transaction of the Year.
- In 2023, represented the major shareholder of the largest private mining and metallurgy enterprise in Yunnan Province in a series of contract validity disputes with family members. Successfully won the cases in the Yunnan Higher People's Court, preserving the client's control over the company. The cases involved cutting-edge legal issues such as the determination of marital property, the ownership of equity and equity earnings, and third-party claims to invalidate contracts.
- In 2023, represented a state-owned trust company in a series of disputes with a well-known domestic real estate enterprise arising from trust business. Helped the client achieve a settlement in the Beijing Financial Court, with related interests exceeding RMB 2.5 billion. The cases involved the recognition of nominal equity as debt, the validity of third-party profit promises, and the validity of shareholder proxy voting.
- In 2023, represented a joint-stock commercial bank in a savings contract dispute with an individual, winning the case in the Inner Mongolia Higher People's Court, avoiding losses exceeding RMB 80 million for the client. The case involved important legal issues such as the intersection of civil and criminal matters, the validity of savings certificates, apparent agency, and financial consumer protection. The case was accepted for retrial by the Supreme People's Court after an initial defeat in the second instance, leading to a reversal of the original judgments and a comprehensive victory for the client.
- In 2022, represented a securities company in a share investment contract dispute with a technology company and its actual controller, winning the case in the China International Economic and Trade Arbitration Commission. Recovered over RMB 90 million for the client. The case involved legal issues such as share investment, the validity of betting agreements between investors, the project company, and its actual controller, and the enforcement of domestic arbitration awards in Singapore.
- In 2022, represented a private enterprise in an investment cooperation contract dispute with a local urban investment platform and local government, winning the case in the Supreme People's Court. Recovered over RMB 120 million for the client. The case involved issues such as the determination of the true intentions of the parties, the validity of investment contracts and guarantees, and was accepted after an initial complete defeat in the first instance, leading to a retrial and subsequent victories in new first and second instance procedures.
- In 2021, represented a state-owned trust company in a business trust dispute with a large securities company, winning the case in the Beijing Financial Court, avoiding economic losses exceeding RMB 28 million for the client. The case involved cutting-edge legal issues regarding the trustee's fiduciary duties and was included as a typical case in the "Financial Law Frontiers" (First Edition), co-published by the Supreme People's Court, the People's Bank of China, and the China Securities Regulatory Commission.
- In 2020, represented a state-owned asset management company in two contract disputes with a real estate company, winning the cases in the Supreme People's Court, with amounts exceeding RMB 400 million. The cases involved issues such as the intersection of civil and criminal matters, disputes over savings certificates, and causation of damages, and were accepted after the Supreme People's Procuratorate had lodged a protest with the Supreme People's Court, leading to successful retrial procedures.
- In 2020, represented a technology company in a contract dispute with a Hong Kong enterprise, leading to the Hong Kong enterprise withdrawing the lawsuit after a second instance hearing in the Supreme People's Court, avoiding economic losses exceeding RMB 100 million for the client. The case involved issues such as the application of the estoppel principle and legal issues related to corporate restructuring.
- In 2020, represented a state-owned asset management company in a financial loan contract dispute with a large state-owned coal enterprise, winning the case in the Shandong Higher People's Court, recovering over RMB 90 million for the client. The case mainly involved legal issues such as the authenticity of factoring contracts and underlying debts, apparent agency, and was accepted after an initial defeat in the first instance, leading to a complete reversal in the second instance.
- In 2020, represented a state-owned energy enterprise in a partnership agreement dispute with a state-owned trust company, leading to the

opponent withdrawing the lawsuit after a second instance hearing in the Beijing Second Intermediate People's Court, avoiding economic losses exceeding RMB 50 million for the client. The case mainly involved cutting-edge legal issues regarding the standard and determination of the trustee's duties in limited partnership funds.

- In 2019, represented a state-owned insurance company in an insurance contract dispute with a large state-owned energy construction enterprise, winning the case in the Jilin Higher People's Court, avoiding losses exceeding RMB 70 million for the client. The case mainly involved cutting-edge legal issues regarding the compensation conditions and scope for war risks in overseas engineering projects.
- In 2019, represented a state-owned real estate development enterprise in a subrogation dispute with an individual, leading to the opponent withdrawing the lawsuit after a second instance hearing in the Hebei Higher People's Court. The case mainly involved specific application issues of creditor's subrogation litigation and was accepted after an initial complete defeat in the first instance, leading to the opponent withdrawing the lawsuit and achieving all litigation goals for the client.
- In 2019, represented a private equity fund in a share investment contract dispute with a technology company and its actual controller, winning the case in the Beijing Arbitration Commission, recovering over RMB 40 million for the client. The case involved legal issues such as valuation adjustment in share investment and actual controller buyback.
- In 2018, represented a technology company and its actual controller in a contract dispute with an individual, winning the case in the Supreme People's Court. The case amount exceeded RMB 170 million and involved issues such as the recognition of new evidence in retrial procedures and the performance of loan contracts.
- In 2018, represented a private enterprise in an administrative dispute with the Trademark Review and Adjudication Board of the State Administration for Industry and Commerce, achieving a complete victory in the Beijing Higher People's Court. The case mainly involved issues regarding the invalidation of trademarks and was accepted after the Supreme People's Court referred it for retrial due to errors in the application of the law, leading to a successful maintenance of the retrial verdict.
- In 2018, represented a state-owned mining enterprise in a contract dispute with a state-owned trading company, winning the case in the Beijing First Intermediate People's Court, avoiding economic losses exceeding RMB 20 million for the client. The case mainly involved issues of financing trade, and after an initial defeat in the first instance, helped the client gather evidence to achieve a retrial in the second instance, persuading the court to recognize the true nature of the buy-sell transactions as loans, leading to the invalidation of several mining product procurement contracts.

## Articles and Publications

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- In 2015 and 2017, completed the "Research Report on Legal Risk Prevention and Control and Management of Financing Trade" for the State-owned Assets Supervision and Administration Commission of the State Council.
- In 2020, participated in the completion of the major judicial research topic of the Supreme People's Court for the year 2020, "Study on Legal Issues in the Trial of Business Trust Dispute Cases".

## Public Welfare and Social Activities

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- In June 2024, provided legal training in Beijing for the legal and business staff of State Grid Yingda Co., Ltd. and its subsidiaries, with the topic "Understanding and Application of the General Provisions of the Contract Law in the Civil Code." The content included an explanation of the judicial interpretations of the Contract Law in the Civil Code, as well as suggestions for enterprises on conducting business operations and legal risk prevention and control.
- In December 2023, provided legal training in Beijing for the legal and business staff of COFCO Group and its subsidiaries, with the topic "Identification and Risk Response of Fake Trade." The content included an explanation of the State-owned Assets Supervision and Administration Commission's (SASAC) regulatory provisions on financing trade, as well as legal advice on identifying, preventing, and resolving the risks of fake trade in commodity trade.
- In December 2023, provided legal training in Beijing for the legal and business staff of State Grid Yingda Asset Management Company, with the topic "New Trends in Financial Adjudication." The content included an explanation of the latest trends and adjudication rules in financial adjudication by the People's Court, as well as legal advice for the company's financial business operations.

- In September 2023, provided legal training in Beijing for the legal and business staff of State Investment Financial Co., Ltd., with the topic "Identification and Legal Response of Financing Trade." The content included an explanation of SASAC's regulatory provisions on financing trade, as well as legal advice on identifying, preventing, and resolving the risks of fake trade in commodity trade.
- In September 2023, provided legal training in Beijing for the legal and business staff of Beijing Holding Group Co., Ltd., with the topic "Legal Compliance Training for Supply Chain Operations." The content included an explanation of SASAC's regulatory provisions for supply chain operations and the legal issues that enterprises should pay attention to when conducting supply chain business.
- Since June 2023, has been appointed as a practical guidance teacher for master's students at the Law School of Renmin University of China, providing students with practical guidance in the field of law.