

VU PHUONG TRANG

- **BA – HCMC Law University – Faculty of Commerce**
- **Admitted to Ho Chi Minh City Bar Association, Vietnam**
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**Head of Saigon Office of
DZUNGSRT & ASSOCIATES LLC
Partner on Ship Finance and
Corporate Shipping
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Ms. Vu Phuong Trang is the Partner in Dzungsr & Associates LLC – Saigon Office. She has over 15 years’ experience and leads a team of 5 fee-earners who specialise in Ship Finance, Corporate Shipping, Investment and Employment.

Trang has handled all kinds of ship finance, namely ship building, sale & purchase, management agreement as well as charterparty, bill of lading and disputes arising therefrom. She has frequently represented sellers, buyers as well as their banks, mortgagees in S&P and Shipbuilding deals in Vietnam. She has also worked closely with in-house counsels of major shipping companies located in Vietnam, claim handlers of leading P&I Club and H&M underwriters as well as their correspondents around the world and provided them with key advices, prompt assistances and strong supports on their daily works. According to Legal500 Asia Pacific edition 2020, Trang “*has experience in transactional work*”.

She is also involved in recognition and enforcement of around 20 awards rendered by the SIAC, ICAC, ICA , HKIAC, JCAA, KCAB, AIAC (formerly named KLRCA), NYIAC and GAFTA and various ad-hoc arbitral awards at various courts at provincial and high court levels in most of provinces of Vietnam, i.e. Long An, Binh Duong, Dong Nai, Ho Chi Minh. She also handled a

wide range of dispute matters which covers sectors in shipping, international and domestic trade, real estate, employment, shareholding and bankruptcy.

She regularly assists foreign investors on commercial and investment activities in Vietnam, from the pre-licensing to the post-licensing stage. She has provided a full range of services to Vietnamese and foreign-invested companies in many industries, including but not limited to the incorporation of their companies, setting up joint ventures and partnerships, providing legal advice on all issues related to their business operation in Vietnam. She also keep permanent working relations with various governmental and regulatory agencies in Vietnam to allow her to access the resources necessary to produce timely and effective results for our clients.

YEARS OF EXPERIENCE

15 years

ACADEMIC AND PROFESSIONAL QUALIFICATION

- BA- Ho Chi Minh City University of Law, Vietnam;
- Admitted to the Ho Chi Minh Bar Association;
- Certificate for participating in the workshop on “Case law in court trials – Comparison between common law and civil law systems and the application of case law in Vietnam”;
- Certificate for participating in the workshop on “Dispute resolution by arbitration”.

LANGUAGE

- English: Excellent
- Vietnamese: Native

NOTABLE MATTERS

Ship finance:

- Assisted buyers and buyers’ banks in various S&P and Shipbuilding deals worth over USD 127 million by attending Vinashin Hyundai Shipyard and its subsidiaries around Vietnam to take delivery of ships and sign the Protocol of Delivery and Acceptance;
- Assisted a Scotland buyer in a S&P deal to take delivery of a ship from a local shipyard with a total value over GBP 12 million;
- Assisted a Russia buyer in a S&P deal to purchase 02 vessels from a local shipowner with a total value of USD 2.5 million;

- Assisted a US buyer to acquire a floating dock in Nha Trang from a local seller with a value of USD 6.2 million;
- Assisted shipyards and builders' bank to negotiate with local and foreign buyers;
- Assisted 2 buyers and their banks to negotiate with local shipyards on the terms of shipbuilding agreements and relevant licenses for operation of their ship/river cruises in Mekong River;
- Assisted US investors to negotiate with local investors on a joint venture agreements to build and operate a fleet of luxury river cruises for operation in Mekong River;
- Assisted a Malaysian investment company to buy 3 river cruises for operation in Mekong River;
- Assisted one of the world's largest dry bulk shipping companies in Germany on how to conduct transshipment services in Vietnam, restriction of Vietnamese law on cabotage activities in respect of the foreign shipping companies.

Recognition and Enforcement

- Represented a Singapore company in successfully achieving of a Judgment of Ho Chi Minh City court for the recognition and enforcement of the 1st adhoc award in the territory of Vietnam;
- Represented a Swiss buyer in applying for recognition and enforcement of three arbitral awards of the Grain and Feed Trade Association against three local sellers in Kien Giang province, Vietnam. This marked the first time GAFTA awards were recognized and enforced in Vietnam;
- Represented a Swiss group in applying for recognition and enforcement of 07 awards of the International Cotton Associations in Vietnam with the total value of these awards more than 21 million USD;
- Represented a Korean seller in successfully obtaining decisions for recognition and enforcement of a SIAC arbitral award against a local buyer at the first instance and appeal courts;

- Represented a BVI Company, operating in Hong Kong, in relation to the recognition and enforcement of a SIAC award of US\$ multiple millions in value; and
- Represented a Swiss company in successfully negotiating and settling with a local company in respect of the judgment enforcement with an amount of around 1 million USD.

Litigation

- Represented a Korean shipowner to protect the carrier's position in local courts against the shipper's wrongful claim arising from under some Bs/L for carriage of 80 containers of rice from Saigon of Vietnam to Tema of Ghana;
- Represented a local shipowner in a dispute over a bareboat charterparty against the charterers with total claim amount over USD 250,000 at the District court of Ho Chi Minh City;
- Represented a Hong Kong company in a lawsuit against a state owned company on dispute between the members in the joint venture company;
- Represented a Swiss company in a bankruptcy proceeding at the Vietnamese court with value of USD millions;
- Represented foreign creditors in a very complicated bankruptcy proceeding at local court against a local shipyard with total claim amount of hundreds of USD millions; and
- Represented a very famous French group in a court proceeding on disputes relating to the real estate lease agreement and development of supermarkets in Vietnam with total disputes value of USD 40 million.

Corporate, investment and other laws

- Regularly advise one of Chinese largest group of companies on all aspects of Vietnamese laws in relation to application for work permits/visas, drafting and registration of internal labour rules, merge of company, drafting labour contracts, assignment of employees, non-compete restrictions, legal risks associated with human resource outsourcing, employment health check, employment dispute, agreement on proprietary information and inventions, corporate and individual income tax, advice on prevention and restriction on inappropriate conduct around the work area, advice on IT/admin-related assets management policy, etc.

- Regularly advise one of Finland group of companies on all aspects of Vietnamese laws in relation to termination of labour contracts due to change of structure, technology, merge of company, application of discipline measures against employees who committed theft, site strategy project, drafting and registration of internal labour rules, drafting labour contracts, collective labour agreement, etc.
- Assisted an enterprise owned by 100% capital of a BVI company to set up the first completely automated cold storage warehouse in Vietnam;
- Represented one of the largest securities company in a USD 4.6 million share acquisition transaction with a Sweden company.
- Advised a Hong Kong real estate development company in acquiring a 99% share in a Vietnamese real estate development company;
- Making due diligence reports before M&A deals and advise on fair trade, tax, labor, and intellectual property issues that arise during the course of M&A transactions.
- Assisted a 100% foreign owned enterprise to apply for registration and extension of foreign loans of USD 5 millions;
- Assisted a Michelin group to set up a company in Vietnam to perform the right to export and import tires, inner tubes and accessories of vehicles.
- Advised famous Singapore groups on establishment of their resident representative offices in Vietnam and assisted them on the registration of personnel and declaration of personal income tax at the authority tax;
- Advised many foreign investors on establishment of joint venture company in distribution sector in respect of chemicals, computer equipments and other consumer goods, and also working with the Ministry of Industry and Trade and relevant People's Committees in applying for investment certificates for such investment.
- Advised a Vietnam's leading company on development, produce of online games in its provision of digital information search tools;
- Advised a famous US technology company on the legal matters in the provision of telecommunication services,

internet information services and online social network services;

- Conducted the separation of an enterprise owned by 100% capital of a BVI company by transferring part of the assets or rights and obligations of such enterprise to establish 3 new limited liability companies;
- Advised for a Singaporean bank on structure for grant an offshore loan of SGD 3.9 millions to a local company and how to ensure the local company's obligations under the loan agreement as well as internal procedures of the parties so that the transaction became effective;
- Assisted a Hong Kong company to set up a local company to perform the right to import and export flower seed;
- Assisted a Singapore company to set up a company providing services of consultancy on employment, occupational training, services of employment introduction to employees, supply and recruitment of labour upon request by employers;
- Assisted a Germany company to set up a company producing and processing software products;
- Attended at the head office of a largest milk company in Vietnam every day to provide legal advice on all aspects of Vietnamese laws;
- Advised for projects of solar power plant in Binh Thuan and An Giang provinces; and
- Advised bankruptcy procedures under Vietnamese laws.

EVENTS

- Attending Commodities Workshop hosted jointly between Holman Fenwick Willan LLP and GAFTA, 9 March 2017 Vietnam;
- Attending Conference on amendments of the 2005 Maritime Code of Vietnam, 15 August 2014, Vietnam;
- Attending Conference on amendments of the 2005 Law on Enterprises of Vietnam, 16 July and 3 September 2014, Vietnam.

PUBLICATIONS

- The Vietnam Chapter of Getting the Deal Through 2013 & 2014 Editions (Law Business Research Ltd – Co-author).

**PROFESSIONAL
CAREER**

- **2006 – 2007**
Associate at DC Law (currently known as “VB Law”)
- **July 2007 – September 2010**
Senior Associate at VB Law
- **October 2010 – August 2012**
Partner of VB Law, one of leading corporate local law firm,
third tier in Corporate and M&A by Chambers Asia Pacific
2011.
- **September 2012 to date**
Dzungst & Associates LLC – Branch in Ho Chi Minh City