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Vincent W. Li

Vincent Li is an English-Chinese bilingual attorney specializing in compliance counseling, corporate and government investigations, international arbitration, commercial litigation, international construction dispute, and China regulatory counseling. Prior to joining Smith Pachter McWhorter, Mr. Li served as the compliance and investigation counsel for a Fortune 100 automotive company 's Asia operations, practiced in cross-border investigations and global dispute resolution with a leading international law firm, and litigated commercial cases in Miami, Florida. He also clerked for Justice Kenneth B. Bell of the Florida Supreme Court from 2007 to 2008. Over the years, Mr. Li has represented and advised multinational corporate clients across a broad array of industries, including automotive, pharmaceutical and life science, oil and gas, new and clean energy, semiconductor, computer software, telecommunication, media and advertisement, education, retail, and construction. His experience includes leading complex investigations in FCPA, securities fraud and other white-collar matters; designing, reviewing and evaluating corporate compliance programs; representing clients in U.S. litigations and HKIAC, ICC and ICDR arbitrations; and providing dispute resolution and regulatory advice to multinational companies operating in or selling goods or services to China. In addition to his expertise and experience in U.S. law, Mr. Li is also highly familiar with China 's regulatory system and practices. He holds a lawyer 's qualification (inactive due to his U.S. citizenship) in China and serves as a certified Mediator of the Shanghai Commercial Mediation Center.

李维律师是英文-中文双语律师，擅长公司合规和内部调查，美国出口管制合规，跨国仲裁，美国商业诉讼，建筑工程纠纷解决，以及中国外商投资与民商法律。实务经验包含：十几宗反贿赂和证券欺诈内部调查；为公司提供美国出口管制及制裁法律的合规指导；设计、管理及评估公司合规体系；香港国际仲裁中心，国际商会国际仲裁院和美国仲裁协会的仲裁案件代理；纽约与佛罗里达联邦和州各级法院的商业诉讼代理；负责调解上海经贸商事调解中心受理的商事调解案件；以及为跨国公司提供公司治理，合规监管，外商投资，以及商业纠纷解决方面的中国法律咨询。曾经服务的客户遍及汽车制造和销售、医药和生命科学、石油天然气、新能源、半导体、电信、媒体和广告、教育、零售、建筑工程能多个行业。美国纽约与佛罗里达州执业律师，中国律师资格，上海经贸商事调解中心商事调解员。

Practice Areas

- Construction
- White Collar

Education

University of Illinois at Urbana Champaign, J.D., 2007, cum laude; Elder Law Journey

Fudan University, M.A., 1999

Nanjing Union Theological Seminary, B.Th., 1996

Bar Admissions

People 's Republic of China, 1998 (Inactive)

State of Florida, 2007

State of New York, 2011

Court Admissions

U.S. Court of Appeals, Eleventh Circuit, 2009

U.S. District Court for the Southern District of Florida, 2009

U.S. District Court for the Middle District of Florida, 2009

Judicial Clerkships

Justice Kenneth B. Bell, Florida Supreme Court, 2007-2008

Representative Matters

Investigations

Represented over a dozen Fortune 100 and Fortune 500 corporations in internal investigations of allegations concerning FCPA violations in China and India.

Represented the audit committee of the board of directors of a NASDAQ-listed, China-based high technology company in investigating allegations regarding inaccurate financial disclosure in the company's SEC filings and unlicensed sale of regulated products in violation of Chinese law.

Represented the Audit Committee of the Board of Directors of a NYSE-listed company in investigating allegations of self-dealing by the company's founder and CEO through the company's multiple subsidiaries and affiliates in China.

Represented a Fortune 500 telecommunications company in internal investigation of allegations of internal theft by its Miami sales team.

Represented a Fortune 500 motion and control technologies company in investigating allegations of violation of non-compete covenants by its Chinese joint-venture partner in the context of equity transfer.

Litigation and Arbitration

Represented a U.S. environmental equipment company (the "Client") in its ICC arbitration with two Chinese environmental engineering companies and their importer (collectively the "Opponents") over the parties' dispute relating to the performance of their equipment supply contract.

Represented a Taiwanese exporter in a criminal proceeding brought against him for attempting to exporting US-manufactured dual-purpose devices to contractors in the Iranian missile project.

Represented a Chinese state-owned energy company (the "Client") in seeking dismissal of claims brought by a California-based wind energy company against the Client in a U.S. federal district court relating to the parties' dispute over their joint wind farm development project.

Represented a Chinese state-owned commercial airline (the "Client") in securing injunctive relief and asserting claims against a Florida-based aviation academy in a federal district court in Florida.

Represented two founding shareholders of a U.S. listed company having various interest entity ("VIE") arrangements with a Chinese media company and their investment vehicles (collectively the "Clients") in their HKIAC arbitration with a global private equity fund regarding the parties' dispute over the investor protection provisions in a share transfer agreement and an investor rights agreement.

Represented a Venezuelan financial brokerage firm in its litigation with a major U.S. commercial bank (the "Bank") in a federal district court in Florida over the parties' dispute for the Client's funds improperly frozen by the Bank in pursuance with its internal compliance protocols.

Represented a French computer software distributor (the "Client") in its litigation with a Florida-based computer software developer in a federal district court in Florida involving the parties' dispute over the Client's entitlements under and the defendant's wrongful termination of a distribution agreement.

Represented a Taiwanese cosmetic product distributor (the "Client") in its ICDR

arbitration with a U.S. cosmetic product manufacturer relating to the parties' dispute over the respondent's wrongful termination of a distribution agreement.

Represented a California resident (the "Client") in pursuing claims in Florida state court against a Mexico-based resort operator (the "Defendant") for sexual assault the Client suffered while vacationing at a Cancun resort marketed and operated by the Defendant, and also in appealing a Florida state court's dismissal of the Client's claims based on forum non conveniens. The case eventually resulted in the Florida highest state court's milestone opinion clarifying that under the Florida state forum non conveniens standards, a non-Florida U.S. citizen's choice of Florida forum is entitled to the same level of deference accorded to a Floridian's choice of forum in his/her home state.

Represented a Miami-based bank (the "Client Bank") in an appellate proceeding in the U.S. Court of Appeals for the Eleventh Circuit defending a U.S. district court judgment for the Client Bank on certain ADA and FMLA claims brought by its former employee.

Represented a Fortune 500 telecommunication company in pursuing unfair competition and fraudulent transfer claims against its former distributors in Costa Rica in a U.S. federal district court in Florida.

Non-Litigation Matters

Conducted a comprehensive review of the personal information protection practices, including its collection, use, processing, sharing, preservation, disposal and deletion, by a U.S.-based multinational company's subsidiaries in China benchmarked against China's Cybersecurity Law and personal information protection standards and the EU GDPR.

Advised a U.S.-based plastic product processing company in establishing its operation in China.

Advised a Fortune 500 manufacturer in negotiating with its Chinese joint venture partner and the trade union of its China subsidiary regarding the restructuring of its China-based labor force.

Represented a Chinese telecommunications company in negotiating a technology transfer agreement with a French telecommunications conglomerate.

Advised a HK-based, U.S.-invested educational enterprise in establishing an international school in Shanghai.

Represented an international school in negotiating a land use-right transfer agreement with a Chinese state-owned land developer and various land survey, campus design and land development consulting agreements with various service providers.