



## Eric W. Sedlak

### Partner

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## OVERVIEW

Eric Sedlak is a cross-border transactional lawyer with over 20 years practicing in Asia. He concentrates his practice on projects and infrastructure, mergers and acquisitions, foreign investment and financial transactions, private equity, and oil and gas.

Eric's clients include manufacturing companies, energy project developers, construction contractors, lenders and investors in property projects, and technology companies.

He also serves as a Vice President of the American Chamber of Commerce in Japan, where he oversees the Chamber's advocacy work with the Japanese and U.S. governments.

## PROFESSIONAL BACKGROUND

As a partner at a global law firm, Eric established and managed offices in Ho Chi Minh City and Singapore.

He has extensive cross-border experience, having handled transactions in Australia, Canada, China, Cyprus, Hong Kong, Hungary, India, Indonesia, Japan, Korea, Malaysia, Singapore, Taiwan, Thailand, the United Kingdom, the United States, and Vietnam.

## ACHIEVEMENTS

- Recognized as a leading practitioner in Banking and Finance, Project Finance, Private Equity and Venture Capital, Corporate Finance and Mergers & Acquisitions by *Euromoney*, *Asia-Pacific Legal 500*, *Asia Law & Practice* and *Asia Law*, on many occasions since 1998

## PROFESSIONAL / CIVIC ACTIVITIES

- Gaiben Kyokai, Co-Chair (current)
- American Chamber of Commerce in Japan including Special Advisor to the Board, Vice President (current), Governor, External Affairs Advisory Council, Chair, Vice Chair and Internal Affairs Advisory Council, Chair

- American Chamber of Commerce, Singapore, Board Member
- American Chamber of Commerce, HCMC, Vietnam, Board Member then Chair

## SPEAKING ENGAGEMENTS

- Health Care X Digital, ACCJ, MC, virtual, 2020
- Japan Hydrogen Market, 1st Annual Asia-Pacific Hydrogen Summit, virtual, 2020
- Speech, Assembly and Police Procedures: The 2020 Supreme Court Term, NYU Japan Alumni, Moderator, virtual, 2020
- US Embassy LNG Seminar, panelist, 2020
- Wind Energy Prospects in the US, Taiwan and Japan, JOI, 2018 (Japanese)
- Comments on US-Japan Bilateral Trade Agreement, Keidanren Americas Committee, 2018
- Issues in North African Construction Projects, OCAJI, May 17, 2018
- Bilateral Trade and Investment Developments, Keidanren North America Committee, February 20, 2018
- Electronic Communications: Ethical Considerations, December 19, 2017
- Disclosure Schedules: Risk Management in Outbound M&A, In-House Counsel Symposium, November 29, 2017
- Investment Environment in Japan, NYU Pan-Asia Alumni and Investment Conference, December 2, 2017
- A Solid Trade and Investment Relationship, Japan Institute for Overseas Investment, September 13, 2017
- Japan Federation of Bar Associations Symposium on Administrative Investigation Procedures under the Anti-Monopoly Act in the Age of Globalization -- Comments on Attorney-Client Privilege and Right to Counsel, March 2, 2017
- Trade Errors - Legal, Investment and Operational Challenges, June 20, 2016
- TPP in a US Presidential Election Year -- Implications for Business and Legal Practice across Asia Japan In-House Counsel Network/American Chamber of Commerce in Japan/International Lawyers Network, April 1, 2016
- M&A in the United States: Hart-Scott-Rodino and CFIUS Filings, Select USA, February 1, 2016
- CFIUS Considerations in U.S. M&A Transactions, February 2016
- Trade Errors, December 17, 2015
- Trans Pacific Partnership and Abenomics: The Road Ahead for U.S. Companies in Japan, September 9, 2015
- Strategic Diligence Planning, Select USA, May 19 & 21, 2014

- METI Power Purchase Agreement: Observations and Risk Management, Aon, February 27, 2014
- Deconstructing Infrastructure Projects - Innovative Trends in Construction Disputes, HKIAC, February 19, 2014
- India M&A Seminar, November 2013
- U.S. Discovery Implications for Japanese Companies Involved in Insurance Coverage Disputes, November 2012
- Commentary on Proposed Japanese Class Action System, US-Japan Business Council, November 2012
- Disclosure Schedules in M&A Transactions, October 2012

## ADDITIONAL BACKGROUND

- Director Boot Camp, Board Director Training Institute, 2014
- Core Course on International Oil & Gas Law, AIPN, 2010

## EDUCATION

- J.D., New York University School of Law, 1984
- B.A., Haverford College, 1980 (*Honors in Economics*)

## ADMISSIONS

- Bar of California
- Japan (Dai-ichi Tokyo Bar Association (Gaikokuho-Jimu-Bengoshi - Registered Foreign Lawyer))
- United States Court of Appeals for the Ninth Circuit
- United States District Court for the Northern District of California
- United States District Court for the Northern District of Illinois

## LANGUAGES

- English
- Japanese

## THOUGHT LEADERSHIP POWERED BY HUB

- 5 August 2021, Vietnam's Renewable Energy Future: Update on M&A Trends and Investment Opportunities (*Webinar*)

- 2 December 2020, Japan's Road Map for a Hydrogen Economy (*Podcast*)
- 28 April 2020, COVID-19: Overview of Asia-Pacific Measures and Reliefs (*Alerts/Updates*)
- 14 September 2017, Japan's Competition Regulator Questions LNG Destination Clauses (*Alerts/Updates*)

## OTHER PUBLICATIONS

### Chapters

- Co-Author, Vietnam, *Juris Publishing's International Joint Ventures* (2011, 2012, 2016)

### Articles

- Key State and Federal Legal and Tax Points for US Investments by Japanese Companies (Shunkan Keiri Jyohou), March 2017
- Transparency and the Rule of Law, *The Journal*, February 2017
- Investments in the U.S. Energy Sector: CFIUS and the Role of the CFIUS Process, *AIPN Advisor*, October 2015
- 2015 ACCJ Advocacy Vision, *The Journal*, May 2015

## NEWS & EVENTS

- 12 May 2021, World Hydrogen Asia, hosted by World Hydrogen Leaders (*Event*)
- 7 October 2020, K&L Gates Energy Practice Releases First-of-Kind Hydrogen Handbook to Help Clients Capitalize on Growing Global Hydrogen Sector (*Press Release, Practice & Regional News*)
- 14 November 2018, K&L Gates Partners Offer Insights on Japan, World M&A Market
- 27 April 2017, K&L Gates Bolsters Japan Corporate Practice with Tokyo Partner Addition (*Press Release*)

## AREAS OF FOCUS

- Mergers and Acquisitions
- Construction and Infrastructure
- Construction and Infrastructure Dispute Resolution
- Construction and Infrastructure Project Funding
- Energy Finance
- Liquefied Natural Gas
- Major Infrastructure: Projects and Public-Private Partnerships

- Offshore Construction
- Offshore Wind Energy
- Oil and Gas
- Power
- Private Equity Funds

## INDUSTRIES

- Automotive
- Betting and Gaming
- Consumer Products
- Energy
- Energy Disputes
- Financial Services
- Food and Beverage
- Franchising
- Health Care Sector
- Manufacturing
- Pharmaceuticals and Biotechnologies
- Power Generation and Transmission

## EMERGING ISSUES

- Hydrogen

## REPRESENTATIVE EXPERIENCE

- Advised Idemitsu Kosan on its formation of Nghi Son Refinery & Petrochemical Limited Liability Company.
- Advised a Japanese FPSO builder and operator on a dispute involving a subsurface equipment failure and subsequent restructuring.
- Advised a U.S. private equity fund on its divestiture of strategic holding in Japanese manufacturer via TOB.
- Advised Idemitsu Kosan on its acquisition of an interest in a Canadian oil and gas company Petrogas for US\$400 million.

- Advised Ajinomoto North America on its acquisition of Windsor Quality Holdings for US\$800 million.
- Advised SDS Biotech on its acquisition of 65 percent of Sree Ramcides.
- Advised Idemitsu Kosan on its establishment of a 50-50 partnership with AltaGas for exporting LNG and LPG.
- Advised Nissin Foods on its acquisition of 33.5 percent stake in Russia's Angleside.
- Advised Nissin Foods on its establishment of a Kenyan manufacturing joint venture with Jomo Kenyatta University of Agriculture & Technology.
- Advised an offshore oil and gas industry contractor on its sale of 49 percent interest in PT Arah Prana to Blue Sky Energy and Power, Inc.
- Advised Galileo Japan Trust on its acquisition of a twenty-one property portfolio.
- Advised RHJ International on the sale of its 77.9 percent ownership of Niles Co. to Valeo for ¥15.4 billion (€135 million).
- Advised Vestey Holdings on its sale of Classic Fine Foods Holdings to EQT Greater China and management.
- Advised Shinsei Bank Limited on its acquisition of a 35 percent interest in Jih Sun Financial for US\$382 million.
- Advised a Japanese owner on its divestiture of a U.S. insurance brokerage subsidiary to a global U.S.-based risk management firm.
- Advised a Singapore-based financial institution on the financing of a JPY5.3 billion commercial building construction.
- Advised a Singapore-based financial institution on a JPY3.1 billion financing for a residential property acquisition.
- Advised a Singapore-based financial institution on a ¥41 billion term loan facility for real property investments.
- Advised a Singapore-based financial institution on its refinancing of JPY12.3 billion CMBS and RMBS.
- Advised Sumitomo Bakelite on its acquisition of Vaupell Holdings for US\$269 million.
- Advised a Japanese contractor in the construction of a transmission line in Vietnam.
- Advised a Japanese investor in a wind power project and transmission line in California.
- Advised a Japanese general contractor on insurance coverage and indemnity issue in California.
- Advised a Japanese FPSO operator on a dispute involving the failure of turbine components and negotiations with a U.S. manufacturer.
- Advised an offshore contractor on disputes with a U.S. oil major on health and safety issues.
- Advised Lehman Brothers Holdings in connection with assets in Japan and reorganization of Lehman Brothers Japan.