



Introduction to the TianTong Law Firm – Cleary Gottlieb China Initiative

This is the third client briefing in a series to be prepared by leading Chinese law firm TianTong Law Firm and international law firm Cleary Gottlieb Steen & Hamilton LLP following developments relevant to Chinese companies doing business in the United States and U.S. companies working in China. The initiative aims to comprehensively follow developments with perspectives from leading lawyers in the U.S. and China, providing timely and integrated advice to our respective clients. Cleary Gottlieb litigators based in New York and Washington D.C. have partnered with TianTong lawyers based in Beijing in this joint initiative.

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U.S. Regulatory Challenges for Chinese Companies: The Bank of China Case Study

Chinese banks with U.S. branches may be required to comply with U.S. third-party discovery orders, even in violation of Chinese law

The landscape of China-U.S. relations continues to shift in response to the Covid-19 pandemic. In light of supply chain disruptions and the possibility of increased litigation activity resulting from a prolonged market downturn, Chinese companies, particularly Chinese financial institutions, should consider their exposure to U.S. litigation proceedings. International comity and respect for sovereignty generally direct U.S. courts to defer to the laws of foreign nations. In recent years, however, U.S. courts have ordered Chinese banks to produce records and information in connection with U.S. civil and criminal proceedings, notwithstanding conflicting Chinese law and risks to the banks of penalties under Chinese law. Under what circumstances might Chinese companies be required to comply with U.S. subpoena orders for lawsuits in which they are not even parties? A case involving trademark infringement in the sales of counterfeit goods, *Gucci America Inc. v. Bank of China*, provides helpful insight into how U.S. courts approach these issues.

Background

Bank of China lays claim to being “China’s most globalized and integrated bank” with a worldwide service network spanning 61 countries and regions. Although the state-owned entity is not incorporated or headquartered anywhere in the United States, it maintains four U.S. branches, including two branches in New York City.

On June 25, 2010, Gucci America, Inc. and other luxury brands initiated trademark infringement claims in the U.S. District Court for the Southern District of New York (“SDNY”) against a group of Chinese websites for allegedly selling counterfeit items bearing the plaintiffs’ trademarks. On July 12, 2010, the district court ordered a freeze on the defendants’ assets, including any proceeds

from the alleged counterfeiting operation that were deposited in Bank of China accounts located in China. On July 16, 2010, the plaintiffs served a subpoena on Bank of China's New York branch in order to seek information about the defendants' assets. Bank of China produced responsive documents that were in the possession of its New York branch but refused to comply with the subpoena on a worldwide basis, arguing that the U.S. district court did not have jurisdiction to order it to do so, that the disclosure of customer information would violate Chinese bank secrecy laws, and that Hague Convention procedures should be used instead for such document requests.

The ensuing legal battle spanned five years, involved two letters from Chinese regulatory agencies, and two findings that Bank of China was in civil contempt of the court. Finally, in November 2015, the SDNY ordered a daily fine of \$50,000 USD to be imposed on the bank. The following February, when fines had racked up to \$1 million USD, Bank of China conceded and produced the requested records.

The *Gucci America Inc. v. Bank of China* decision issued by the U.S. Court of Appeals for the Second Circuit initiated a significant set of changes to the law on U.S. jurisdiction over non-U.S. banks.¹ The outcome in *Gucci* signaled an expansion of U.S. courts' long-arm jurisdiction and ability to obtain documents and records extraterritorially. In another SDNY civil action in 2018, *Nike v. Wu*,² six Chinese banks with U.S. branches opted to comply with third-party subpoenas instead of resisting the order by appealing. And last summer, citing *Nike v. Wu*, the U.S. District Court for the District of Columbia held three Chinese banks (Bank of Communications, China Merchants Bank, and Shanghai Pudong Development Bank) in civil contempt for failing to produce documents in response to a U.S. government subpoena related to an investigation of a separate Chinese company for alleged violations of North Korean economic sanctions.³ The U.S. Court of Appeals for the D.C. Circuit affirmed the district court decision, expanding the U.S. government's subpoena authority within the D.C. Circuit in line with the expansion established in the Second Circuit by *Gucci*.

In light of these developments, it is important for Chinese financial institutions to understand how and when they may be subject to U.S. jurisdiction and required to comply with subpoena discovery requests.

Relevant Legal Issues

Subpoenas. The enforcement of non-party subpoenas is governed by Rule 45 of the U.S. Federal Rules of Civil Procedure ("FRCP"). Rule 45 subpoenas are generally the vehicle used by parties to a civil litigation to seek documents or deposition testimony from non-parties, as was the case in *Gucci*. Rule 45 requires the party issuing the subpoena to take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena, under risk of sanctions. For the non-party that is the subject of a subpoena, noncompliance with a subpoena without adequate justification may result in the relevant district court holding the non-party in contempt and assessing a fine.

¹ *Gucci America, Inc. v. Weixing Li*, 768 F.3d 122 (2d Cir. 2014); *Gucci America, Inc. v. Li*, No. 10-cv-4974, 2015 WL 7758872 (S.D.N.Y. 2015).

² *Nike, Inc. v. Wu*, 349 F. Supp. 3d 346 (S.D.N.Y. 2018).

³ *In re Grand Jury Investigations of Possible Violations of 18 U.S.C. § 1956 and § 1705*, 2019 WL 2182436 at *5.

For Chinese entities, the operation of Chinese laws which restrict the production of documents to U.S. courts potentially pose an undue burden or expense that could outweigh the U.S. court's interest in ordering the subpoena. Under FRCP Rule 44.1, a court may hear issues about a country's foreign law if the party who raises the issue gives notice in pleading or other writing. In determining the foreign law, "the court may consider any relevant material or source, including testimony, whether or not submitted by a party or admissible under the Federal Rules of Evidence." Because the court's determination is treated as a ruling on a question of law, findings under Rule 44.1 are reviewed *de novo* and afforded no deference on appeal.

Personal jurisdiction. The ability of a U.S. court to order discovery extraterritorially rests on the concept of personal jurisdiction. As a threshold matter, a U.S. court cannot order a non-party to comply with a subpoena unless the court has personal jurisdiction over that entity as a matter of U.S. law. In order for a U.S. federal court to lawfully exercise personal jurisdiction over a foreign entity, (1) the entity must be properly served, (2) the court must have a statutory basis for exercising personal jurisdiction, and (3) the exercise of personal jurisdiction must comport with U.S. constitutional due process. Personal jurisdiction may be established through either "general" or "specific" personal jurisdiction.

General personal jurisdiction. Generally speaking, a corporation is not subject to general personal jurisdiction unless its contacts with the forum are "so substantial" that it can be considered "at home" there, such as its place of incorporation or principal place of business. On appeal, the Second Circuit held in *Gucci* that the maintenance of a New York branch by Bank of China was insufficient to subject the bank to the SDNY's general jurisdiction.

Specific personal jurisdiction. On remand, the SDNY found that the requirements for specific personal jurisdiction were met. New York's long-arm statute permits a court to exercise specific personal jurisdiction over a defendant if the defendant transacts any business in New York, and if the cause of action arises from such a business transaction. In the banking context, New York requires "an articulable nexus or substantial relationship between the business transaction and the claim asserted." The SDNY in *Gucci* found that these requirements were satisfied because Bank of China – which owned real estate in New York and maintained two branches there – had opened a correspondent account at JPMorgan Chase Bank in New York to facilitate transfers between Chase and Bank of China customers, and the defendants in *Gucci* had allegedly used this Chase correspondent account in order to effectuate the wire transfers that were part of the counterfeiting scheme.

Thus, if a Chinese company takes actions which are interpreted as voluntarily opting into a U.S. jurisdiction (such as a bank opening a U.S. branch) – bearing in mind potential variations across different state long-arm statutes – then U.S. courts may be able to establish long-arm jurisdiction and order discovery of confidential and sensitive information from overseas that would otherwise be unreachable.

Note, however, that U.S. courts are currently divided as to the extent of this reach. At the end of March 2020, the Seventh Circuit issued an opinion affirming a district court decision to quash a subpoena seeking worldwide discovery from the defendant bank of Iranian assets wherever held,

including non-U.S. branches.⁴ The court determined that there was no personal jurisdiction over the bank to compel such an expansive search, since the subpoenas at issue were not “tailored to the banks’ presence or activities in the United States.” By contrast, in another SDNY case, *Vera v. Republic of Cuba*, the judge ordered a Spanish bank that maintained a New York branch to make inquiry of “all branches, within and without New York State,” for account information that would be relevant to plaintiffs’ execution on judgments against the Republic of Cuba.⁵ Because the bank had registered with the New York Department of Financial Services as a foreign banking corporation, the court found that it had consented to general jurisdiction in New York, noting that “[f]oreign banks should not be permitted to promote the legitimacy of their business by registering to do business in New York, and then hide illicit activity by ‘keeping’ information concerning assets related to terrorism in other countries.” The case is currently pending before the Second Circuit.

International comity analysis. Even if personal jurisdiction is found as a threshold matter, the exercise of personal jurisdiction by a U.S. court is still subject to a comity analysis under Section 442 of the Restatement (Third) of Foreign Relations Law. Applying a Section 442 comity analysis, the SDNY in *Gucci* still found that the balance of facts favored compelling Bank of China to produce the requested documents. The SDNY considered seven factors, including five factors from Section 442 and an additional two factors:

- the importance to the investigation or litigation of the documents or other information requested;
- the degree of specificity of the request;
- whether the information originated in the United States;
- the availability of alternative means of securing the information;
- the extent to which noncompliance with the request would undermine important interests of the United States, or compliance with the request would undermine important interests of the state where the information is located;
- the hardship of compliance on the party or witness from whom discovery is sought; and
- the good faith of the party resisting discovery.

Ultimately, the SDNY was not persuaded that China’s bank secrecy laws would subject Bank of China to substantial fines or criminal penalties and found these alleged hardships too speculative to overcome U.S. interests in the litigation.

With respect to obtaining foreign discovery, U.S. courts have typically found that an international comity analysis favors production. Since the 1980s, U.S. courts have viewed the Hague Convention on the Taking of Evidence Abroad in Civil or Commercial Matters as a non-exclusive mechanism for obtaining foreign discovery, and that the Hague Convention could be disregarded in favor of the FRCP or state civil procedure rules.⁶ Accordingly, as part of its comity analysis in *Gucci*, the SDNY also observed that Bank of China had failed to “put forward credible, non-

⁴ *Shlomo Leibovitch v. Islamic Republic of Iran*, No. 16-2504 (7th Cir. Mar. 29, 2017).

⁵ *Vera v. Republic of Cuba*, 91 F. Supp. 3d 561, 570 (S.D.N.Y. Mar. 17, 2015).

⁶ *Societe Nationale v. District Court*, 482 U.S. 522, 542-543 (1987).

speculative evidence that requests made through the Hague Convention represent a viable alternative method of obtaining discovery.”

Key Takeaways

U.S. courts have expanded their jurisdictional reach when it comes to foreign discovery, and Chinese entities which transact business in the United States should accordingly keep the following principles in mind:

- **Be mindful of geography when establishing U.S. operations.** A U.S. court can exercise general jurisdiction over an entity that is headquartered or maintains its principle place of business in the forum state, and exercise specific jurisdiction if the requirements of the forum’s long-arm statute are met. In New York, general jurisdiction may even be satisfied by simply registering to do business in the state. Chinese companies, and particularly banks, should therefore familiarize themselves with the laws of different forums before setting up operations in the U.S. in order to minimize their litigation exposure. Although this jurisdictional analysis may be the same regardless of whether the company is a non-party or a direct party to the litigation, a party that fails to comply with discovery requests faces additional consequences in the litigation (e.g. spoliation or adverse inferences).
- **Consider where documents and information are held.** The risk of being compelled to produce documents and information is heightened when the information in question is either present in or accessible from the United States. While U.S. courts may order the transfer of information from abroad, when asked to do they typically at least consider the implications of foreign law on the requested party. It is less clear that U.S. courts have an obligation to balance competing foreign legal obligations when requiring the production of documents or information that is accessible within the United States.
- **Engage with Chinese authorities when requested to respond to a U.S. subpoena.** In *Gucci*, the U.S. court was unpersuaded by Bank of China’s claims that it would be subject to civil or criminal penalties if it were required to comply with the U.S. court-ordered subpoenas in violation of Chinese bank secrecy laws. The SDNY believed that the alleged harm was too speculative, notwithstanding written submissions by Chinese authorities, because it found that there was nothing that indicated China had a strong national policy against the disclosure of bank client information. To avoid becoming caught in the crosshairs of a sovereignty dispute between the U.S. and China, Chinese companies should keep Chinese authorities involved in the conversation with the U.S. courts, and tailor any submissions from Chinese authorities for a comity analysis. Thus, even if the opposition to the U.S. court order is unsuccessful, the involvement of Chinese authorities may help to minimize the company’s risk of incurring domestic penalties.
- **Draft contractual terms with an eye towards recouping litigation costs.** Chinese banks may consider amending their agreements with account holders to incorporate terms which would permit the banks to recover litigation costs associated with unlawful activity by account holders.

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TianTong Commentaries

Factors Considered in U.S. Court’s Comity Analysis

As articulated above, when dealing with cases involving third-party discovery orders against Chinese banks, and when faced with arguments by the banks that compliance with such orders might result in the violation of Chinese law, U.S. courts will perform a comity analysis following Section 442 of the Restatement (Third) of Foreign Relations Law and relevant case law. U.S. courts will consider factors including: (1) the importance of the information requested; (2) the degree of specificity of the request; (3) whether the information originated in the United States; (4) the availability of alternative means of securing the information; (5) the balance of U.S. and foreign national interests; (6) the hardship of compliance on the banks; and (7) the good faith of the banks resisting discovery.

Tiffany, *Gucci* and *Nike* are all cases involving Chinese banks as non-parties and the three share similar factual background. Nevertheless, the comity analysis conducted by the District Court for the Southern District of New York (the “Court”) diverged in these cases, especially with regard to factors of “the availability of alternative means of retrieving the information” and “the balance of U.S. and Chinese national interests”. The following table summarizes the Court’s opinion on each of the seven factors as well as the defenses raised by the Chinese banks which were supported by the Court in these three cases.

Factors	<i>Tiffany</i> (2011) ⁷	<i>Gucci</i> (2011) ⁸	<i>Nike</i> (2018) ⁹
Importance of the information requested to the litigation	The Court concludes that the information requested by the plaintiffs is vital as account transaction records could allow plaintiffs to identify other defendants, and this information cannot now be obtained from the websites’ records or from defendants. The Court therefore	The Court’s opinion is similar to the one stated in <i>Tiffany</i> .	The Court concludes that this factor weighs in favor of the movant, as locating the judgment debtors’ assets is of critical importance to the movant’s ability to obtain a recovery under the Judgment.

⁷ *Tiffany (NJ) LLC v. Qi Andrew*, 276 F.R.D. 143, 144 (S.D.N.Y. 2011). In *Tiffany v. Qi Andrew*, the plaintiff moved to compel three Chinese banks to produce information located in China about the defendants’ bank accounts, which was denied by the district court. However, in a subsequent related case *Tiffany (NJ) LLC v. Forbse*, the plaintiff’s motion to produce documents against three Chinese banks were granted by the same district court.

⁸ *Gucci America, Inc. v. Weixing Li*, No. 10-cv-4974, 2011 WL 6156936 (S.D.N.Y. Aug. 23, 2011). On appeal, the Second Circuit directed the SDNY to revisit the comity analysis on remand, but the SDNY’s conclusion did not change. See *Gucci America, Inc. v. Weixing Li*, No. 10-cv-4974, 2015 WL 7758872 (S.D.N.Y. 2015).

⁹ *Nike, Inc. v. Wu*, 349 F. Supp. 3d 346 (S.D.N.Y. 2018). In *Nike v. Wu*, the plaintiffs assigned their interest in the judgment to Next Investments, which moved to compel six Chinese banks to produce information located in China about the defendants’ bank accounts. The motion was granted by the district court.

	considers this factor as weighing in favor of the plaintiffs.		
Degree of specificity of the request	The Court concludes that the requests are sufficiently specific based on precedent. Moreover, the plaintiffs have provided account numbers for some defendants.	The Court's opinion is similar to the one stated in <i>Tiffany</i> .	The Court's opinion is similar to the one stated in <i>Tiffany</i> .
Whether the information originated in the U.S.	The banks argue that the information plaintiffs seek is located abroad in China and cannot be accessed by personnel in the New York branches. Therefore, the banks should not be forced to reveal this information. The Court supports this defense of the banks.	The Court's opinion is similar to the one stated in <i>Tiffany</i> .	The Court's opinion is similar to the one stated in <i>Tiffany</i> .
Alternative means of retrieving the information	The banks argue that discovery by way of the Hague Convention is an alternative means of securing the information at issue, and therefore the banks should not be compelled to provide clients' account information. The banks also note that the Chinese legal system has been developing rapidly over the last several years. In the first half of 2010, there were 37 cases where the Foreign Affairs Department of the Ministry of Justice processed judicial	The Court reverses its previous opinion and suggests that the plaintiffs have no obligation to first make requests through the Hague Convention before using other means to try to obtain discovery. Moreover, past Hague Convention requests made to the Chinese Ministry of Justice have only been granted in part and took a relatively long time to enforce. The Hague Convention therefore does not represent a viable	The Court's opinion is similar to the one stated in <i>Gucci</i> .

	<p>assistance requests for civil and commercial cases, including investigation and evidence collection.</p> <p>Additionally, plaintiffs have not provided any examples in which China rejected Hague Convention requests.</p> <p>The Court supports this defense of the banks.</p>	<p>alternative method of obtaining discovery.</p>	
<p>Balance of U.S. and foreign national interests</p>	<p>The banks argue that:</p> <p>First, China has a significant interest in enforcing its bank secrecy laws, which have been adopted to establish its citizens' confidence in the banking deposit system;</p> <p>Second, complying with the orders of foreign courts to disclose clients' account information is prohibited according to China's bank secrecy laws;</p> <p>Third, the banks' status as non-parties attenuates the United States interest in enforcing its trademark laws.</p> <p>The Court supports the defenses of the banks and considers that China's national interests outweigh United States interests.</p>	<p>The Court holds that the United States' interest in enforcing its trademark law outweigh China's interest in enforcing its banking secrecy laws, because the protection provided by China's banking secrecy laws for bank account owners can be waived by the owners themselves, and by public bodies such as courts, tax authorities and other competent authorities in China.</p> <p>Therefore, China's bank secrecy laws merely confer an individual privilege on customers rather than reflect a national policy entitled to substantial deference.</p> <p>The fact that the Chinese banks operated branch offices in New York also attenuates the interests of China in enforcing its bank secrecy laws.</p>	<p>The Court states an opinion similar to the one stated in <i>Gucci</i>. Meanwhile, the Court notes that although the Chinese Ministry of Justice stated in its letter that individual bank account information can only be collected by the Chinese competent authority through legal procedures pursuant to China's Law of Commercial Banks, the letter did not explain the specific interests protected by the bank secrecy laws and therefore cannot prove China's substantial interest in enforcing the bank secrecy laws.</p>

	This factor therefore favors the banks.		
Hardship of compliance on the banks	<p>The banks argue that:</p> <p>First, the banks' status as non-parties weighs against compelling production of documents in violation of Chinese law, as such an order should be imposed on a nonparty only in extreme circumstances.</p> <p>Second, the banks and their personnel would be forced to violate Chinese law and be subject to civil and criminal punishment if they were required to produce customer account information located in China.</p> <p>Third, the banks have cited Chinese cases in which a commercial bank was held liable to its customer after turning over the individual's funds or information to a third party. Defendants who illegally acquired personal information about individuals may be sentenced to between three and eleven years in jail.</p> <p>The Court supports the defense of the banks</p>	The Court reverses its previous opinion and concludes that it is unlikely that the banks or their employees would face serious repercussions if ordered to disclose customer account information to foreign courts, as the banks have failed to cite any specific instance where such repercussions have occurred.	The court's opinion is similar to the one stated in <i>Gucci</i> .

	and concludes that despite the lack of relevant cases, Chinese banks do face risks of punishment in disclosing customers' account information according to U.S. court orders.		
The good faith of the banks resisting discovery	The Court concludes that the fact that the banks chose to object to the subpoenas does not indicate its bad faith, especially where the banks contacted plaintiffs after receiving the order and subpoenas, relayed the information found in their New York branches, and offered to help draft a Hague Convention request.	The Court's opinion is similar to the one stated in <i>Tiffany</i> .	The Court's opinion is similar to the one stated in <i>Tiffany</i> .
Decision of the Court	Denying the request for discovery	Approving the request for discovery	Approving the request for discovery

Advice for Chinese Banks Facing U.S. Long Arm Jurisdiction

First, voluntarily disclose information maintained within the United States. For Chinese banks which have established branches in the U.S., those U.S. branches should disclose information and evidence maintained within the territory of the United States in compliance with discovery orders. Doing so could demonstrate the good faith of the Chinese banks in engaging in the U.S. litigation process and may help leave a positive impression on U.S. courts, which may in turn be more willing to consider the defenses of Chinese banks.

Second, separate the data systems of U.S. branches from the systems in China. In recent years, some Chinese banks have established a unified data system to manage the information of projects, contracts, and litigation/arbitration within the banking group. However, considering U.S. discovery procedure and U.S. long-arm jurisdiction, we suggest Chinese banks separate its data system in China from that of U.S. branches. Such separation could avoid granting U.S. courts direct access to information maintained in China.

Third, the defense of Chinese banks should be more precise and specific. Chinese banks frequently cited the duty of confidentiality stipulated under the Law of Commercial Banks of PRC when resisting discovery orders issued by U.S. courts. However, the current laws covering the duty of confidentiality remain vague on paper, while empirical evidence does not suggest that there is a “realistic possibility” that Chinese banks will face administrative or criminal penalties upon violation of such duty. In this regard, we suggest Chinese banks closely monitor the development of judicial practice in China, especially cases where Chinese banks are punished by administrative organs after disclosing clients’ information. Such cases can be presented in future U.S. litigation in the form of a Chinese law expert report to strengthen the banks’ defense.

Fourth, seek support of Chinese judicial administrative organs in individual cases. Chinese banks should keep in touch with and seek reasonable help from administrative organs such as the Ministry of Justice. Since national interest is one of the key factors to be considered in the comity analysis, we suggest Chinese banks discuss with judicial administrative organs the impacts of U.S. discovery orders on China’s national policy and national interests.

Fifth, seek solutions at the legislative and policy levels. As indicated by the cases above, U.S. federal courts are taking stronger stances when dealing with document production requests against non-party Chinese banks. The defenses which have been raised by Chinese banks in previous cases can hardly change the courts’ established opinions. As such, we suggest that Chinese banks actively communicate with the Legislative Affairs Commission of the Standing Committee of the National People’s Congress, the Ministry of Justice, China Banking and Insurance Regulatory Commission, China Banking Association and other relevant government agencies and professional associations to discuss whether to introduce legislative or judicial administrative mechanisms in response to the long-arm jurisdiction of foreign courts. Additionally, if the time limit for the document production process under the Hague Convention can be clarified and the relevant statistics can be reported, Chinese banks may persuade U.S. courts to order discovery in favor of Hague Convention procedures rather than the Federal Rules of Civil Procedure in future litigation.

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This client briefing is the result of a collaboration between TianTong Law Firm (<http://www.tiantonglaw.com>) and Cleary Gottlieb Steen & Hamilton LLP (www.clearygottlieb.com) to monitor and address legal developments that may be of interest to our clients in China, the United States and around the world.

TianTong Law Firm is a leading Chinese law firm solely dedicated in complex civil and commercial dispute resolution. The firm has consistently been recognized by Chambers and Partners and Asian Legal Business as a leading firm in dispute resolution. Headquartered in Beijing, TianTong has established six branches across the country. In the past decade, TianTong has been keeping one of the highest winning rates among all Chinese firms before the Supreme People’s Court. TianTong advises on all types of commercial disputes, e.g., litigation, arbitration, contentious bankruptcy and enforcement proceedings with its most impressive achievements in banking and finance, construction and engineering, corporate and M&A disputes. In addition, TianTong has extensive experience in representing clients in domestic and international arbitration

cases, and is specialized in advising clients on recognition and enforcement of foreign arbitral awards in China.

Cleary Gottlieb is a leading international law firm with 16 offices in the U.S., Latin America, Europe and Asia. The firm is consistently ranked as one of the leading international firms for government investigations, white collar criminal defense, litigation, and a variety of related fields. The team includes nine former federal prosecutors, including two recent Acting U.S. Attorneys for the Southern District of New York; several former senior officials of the U.S. Securities and Exchange Commission, including its most recent Chief Litigation Counsel of the Enforcement Division; and several former senior officials from the Federal Trade Commission and the Department of Justice's Antitrust Division, including its most recent Deputy Assistant Attorney General for Litigation and Assistant Chief of the International Section. Cleary Gottlieb is routinely instructed with respect to many of the highest-profile cross-border matters in the financial services, technology, anti-corruption, antitrust and competition, and related fields.

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