

## GMAP Internship Report / GMAP インターンシップ報告書

No. 2018-01

### I. Basic information / 基本情報

- 1) Name / 名前 : Dang Van Quan.
- 2) Enrolled year / 入学年 : 2017-2019 for GMAP, 2018 for Internship.
- 3) Period of internship / インターン期間 : 2 weeks (11/6 - 22/6).
- 4) Place of internship / インターン場所 : **KITAHAMA PARTNERS**  
Osaka Securities Exchange Bldg  
1-8-16 Kitahama, Chuo-ku  
Osaka 541-0041, Japan  
Phone: (81)-6-6202-1088 Fax: (81)-6-6202-1080, (81)-6-6202-9550
- 5) Persons who accepted your internship / インターン受入担当者 : Mr. Jiri MESTECKEY, Mr. KODAMA Masafumi.

### 6) Contents of work in your internship / インターン中の作業内容

- Read all materials about an actual arbitration case, including The Notice of Arbitration, The Statement of Claim, The Statement of Defence, The Share Purchase Agreement, Disclosure Letter of Respondent, The SIAC Arbitration Rules 6<sup>th</sup> Edition 2016.

\*) The case is **an ongoing case**, a dispute in the financial industry what is so-called “*hire-purchase and lease financing of capital equipment*” covering the manufacturing, transportation, construction, medical and printing sectors, **between** a Japanese Company (**Claimant**) and a Malaysian Company (**Respondent**), the dispute arising from The Share Purchase Agreement which is for the sale of shares owned by the Respondent in a third company (JCL CREDIT LEASING) to the Claimant.

- Summarized both Parties’ statements, analyzed the bases, evidences of their arguments, found the strong points, weak points of each party.

- Played a role of Claimant’s attorney to build the tentative rebuttal to Respondent’s statement and make a memorandum. The case is handling in the Singapore Arbitration Center under SIAC Rules, by a sole arbitrator appointed by SIAC.

- Compared the main differences and similarities between major arbitration centers in Asia (SIAC, ICC, KCAB) to introduce to attorneys at Kitahama Partners (4 pages).

- Made a brief introduction about VIAC (Vietnam International Arbitration Center) and VMC (Vietnam Mediation Center) (2 pages).

- Learned the structural organization of the law firm, internal interactions between its main divisions, the regular activities amongst the law firm and other bodies (academic institutions, universities, other law firms, legal associations...).

## II. Details and impressions / 詳細と感想

Including the following points: merits, demerits, lessons, contribution to your future career, personal experience etc.

- The first impression is the way of welcoming an intern to Kitahama Partners. They hold a warm welcome dinner for me on the beginning day with participants comprising of 7 attorneys who are Senior Partners, Partners and Associates. This is so unique for an intern like me. In addition, I was granted the special treatments giving me good opportunities to have lunches with 4 delegated people every weekday. The talks in such lunches made us closer. We exchanged extensive information about knowledge in new developments of international laws, the working experiences in legal profession, the cultures of many countries and many things else. I have been much impressed and cannot forget any event of this memorable period. We have a friendly relationship. It is important to build and expand a connecting network in legal profession.
- I was assigned into the ongoing international arbitration case. This shown their credit on me, just as an intern while confidentiality is a sensitive issue of a law firm. I learned thoroughly about real processes in arbitration through such ongoing case under the rules of the well-known arbitration institution, SIAC. Things I have learned are very useful, and will be having a good influence on my future career.
- I saw that actual matters in a real case seem to be more sophisticated than assumed matters in a case of the Arbitration Moot Competition. This helped me recognizing the vital role of studying actively aiming to a prosperous future with a full meet for complex facts in different fields.
- I also learned some new skills in communicating with other attorneys by using foreign languages not only English, but Japanese sometimes, and the importance of keeping information confidentially while processing the legal documents.
- I have known the general structure of the law firm, the main functions of major departments, which I cannot imagine before going there. Now I can distinguish clearly the responsibilities and the rights between an attorney, a partner, an associate, a secretary and the interactions amongst them. Furthermore, based on the scrutiny at Kitahama Partners, I came into a conclusion that, in general speaking, major divisions of a law firm are similar to those of others.
- I worked for a Japanese company in Hanoi before coming to Kobe, but in a Japanese law firm, I still was surprised about the manner of conducting the business, the way of communicating between leaders and lower positions. Apart from the confidential policy, the regulations in a law firm are stricter than a manufacturing company. I like the professional atmosphere here. It teaches me a lot not only on business aspect, but on personal aspect to build my personality.
- At the last day, we had a reviewing meeting to promote the achievements and withdraw the lessons from the internship. I have expressed my sincere respect and deep emotion, and proposed some suggestions to the Director of the Associate Summer Program, Mr. Jiri Mesteckey. I think, this internship was, is and is going to be one of the most valuable periods for me. Kitahama Partners is the first place where my new profession started with lots of memories, lessons and experiences. These actually are my good luck. The law firm makes the massive influences on my working style, my knowledge and my personality now and forever.



23/6/2018