SHIN&KIM



Min-Kwan Kim

Partner

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Mr. Min-Kwan Kim is a partner at Shin & Kim. Mr. Kim's major practice areas include administrative litigation, environment and fair trade-related litigation.

Mr. Kim graduated from the Seoul National University College of Law and acquired his LL.M from the University of Southern California Law School. He completed the 39th training course of the Judicial Research and Training Institute. Mr. Kim served as a military judicial officer before joining Shin & Kim LLC.

Mr. Kim has handled, and advised on, multiple lawsuits and cases on disputes related to public law since joining Shin & Kim. In particular, he has focused on administrative lawsuits seeking cancellation, confirmation of invalidation or suspension of enforcement of administrative dispositions (including dispositions rejecting various licenses/permits, punitive administrative dispositions of business suspension, disqualification from submitting bids, work suspension, corrective order, penalty, compensation, imposition, etc., revocation of beneficial administrative acts and various subsidies-related cases), environmental lawsuits (on order to shut down, order to make improvements, various impositions, etc.), fair trade-related lawsuits (including administrative lawsuits for the cancellation of the Fair Trade Commission's corrective order, etc. and follow-on civil damages cases and criminal cases resulting from violations of the antitrust laws). Mr. Kim has lectured in courses to train lawyers specialized in administrative litigation provided by the Korean Bar Association.

Professional Career

2013-Present	Shin & Kim LLC
2010-2013	Judge Advocate, Republic of Korea Army
2008-2010	Judicial Research & Training Institute of the Supreme Court of Korea

Key Experience

Administrative litigation and constitutional cases

- Represented client in administrative proceeding for cancellation of a disposition rejecting permission of an act within a restricted development zone and related administrative lawsuit
- Represented client in a lawsuit for cancellation of a disposition rejecting an application for building permits for circular housing sites, neighborhood living facilities, etc.
- Represented client in a lawsuit for cancellation of a disposition deciding that requirements for the person of distinguished service to the state and war veteran have not been met
- Represented client in a lawsuit claiming for land compensation and compensation for loss under the Act on Acquisition of, and Compensation for, Land for Public Works Projects
- Represented client in administrative proceeding and related administrative lawsuit for the cancelation, confirmation of invalidation, etc. of disposition canceling permits for use of state/public property
- Represented client in a lawsuit for cancelation of a disposition imposing compensation for state-owned property and lawsuit to confirm invalidity of disposition on abandonment of use, etc.
- Represented client in a lawsuit for cancellation of a disposition on notice of administrative enforcement with respect to land in development restriction zones and state-owned property
- Represented client in a lawsuit for cancellation of an order to dispose farmland in Guryong Town
- Represented client in a lawsuit for cancellation of disapproval of application for registration of animal funeral and cremation business
- Represented client in a lawsuit for cancellation of metropolitan transportation facility charges, traffic generation charges, etc.
- Represented client in a lawsuit for cancellation of penalty points imposed on a construction company, supervision company, and an employee
- Represented a construction company in a lawsuit for cancellation of a suspension of business order
- Represented client in an administrative proceeding for cancellation of a refusal to disclose information
- Represented client in a lawsuit for cancellation of an order to suspend work related to the sale of medicines
- Represented client in a lawsuit for cancellation of a decision to dismiss an application for indirect compulsion in an administrative appeal proceeding
- Represented client in a lawsuit for cancellation of disqualification of a power generation company and consulting company from participating in bids
- Represented client in a lawsuit for cancellation of a recommendation to postpone the opening of a large company
- Represented client in a lawsuit for cancellation of an order to subsidize the cost of installing infrastructure for a redevelopment association
- Represented client in a lawsuit for cancellation of an order to return a local government subsidy
- Represented client in a lawsuit for cancellation of a rejection of a real estate developer’s application for

registration of its business as a lease business

- Represented client in a lawsuit for cancellation of a disapproval of development activities relating to the construction of a warehouse and access road site
- Represented client in lawsuits for cancellation of disposition such as cancellation of designation of development business executor under the Special Act on Designation and Management of Free Economic Zones and a cancellation of a use permit
- Represented client in pre-disposition hearings regarding suspension of business of a construction company
- Represented client in administrative pre-announcement procedures regarding change in agricultural and fishery product wholesale market trading system
- Represented client in hearings related to bid-rigging in the Honam High Speed Railway facility construction project
- Represented client in proceedings against preliminary disposition on disqualification from participating in bid in connection with an industrial complex construction project
- Represented a consulting company in hearings for the cancellation of disposition on disqualification from participating in bid
- Represented client in a constitutional petition to confirm the unconstitutionality of a medical law related to non-paid medical expenses
- Represented client in a constitutional petition challenging Prosecutor's deferral of prosecution related to a hospital's medical practice

Environment-related cases

- Represented clients in lawsuits for cancelation of orders and compensation of damages relating to illegal dumping of wastes
- Represented client in a lawsuit to confirm invalidation of a rejection of a report to use solid refuse fuel products
- Represented an environmental impact assessment agency in a lawsuit for stay of suspension of work order and cancellation thereof
- Represented client in a lawsuit for cancellation of a disposition disapproving facilities using solid refuse fuel products
- Represented client in a lawsuit for cancellation of an order for action relating to illegal dumping of designated wastes under the Wastes Control Act
- Represented an asphalt concrete producer in a lawsuit for cancellation of a closure order under the Clean Air Conservation Act
- Represented a construction company in a lawsuit for cancellation of penalty surcharge and improvement order under the Water Environment Conservation Act
- Represented waste recycling facility in a lawsuit for cancellation of excess effluent charges under the Water Environment Conservation Act
- Represented client in an administrative appeal for cancellation of a disposition of notification of consultation on environmental impact assessment report under the Environmental Impact Assessment Act

- Represented a waste treatment company in a lawsuit for cancellation of notice of inadequacy of waste treatment business plan
- Represented client in a lawsuit for cancellation of disapproval of a building report (including a structure construction report) related to the construction of a ready-mixed concrete factory
- Represented client in a lawsuit for cancellation of disapproval of construction regarding a waste incineration facility of a waste treatment company
- Represented client in a lawsuit for damages caused to the fishing industry by construction work
- Represented a waste recycling facility company and its employee in a criminal case involving alleged violation of the Water Environment Conservation Act

Fair trade-related cases

- Represented client in a lawsuit for cancellation of the Korea Fair Trade Commission (KFTC)'s disposition in a case involving price-fixing of cement, light oil, butane gas, and corrugated cardboard products
- Represented client in an appeal against fines imposed related to cement price-fixing
- Represented client in a lawsuit for cancellation of disqualification from participating in bids and damages lawsuit, relating to bid rigging for uninterruptable power supply
- Represented client in a lawsuit for cancellation of the 'KFTC's disposition, damages lawsuit, and criminal trial, relating to unfair support within corporate group and officers
- Represented client in a lawsuits for cancellation of the 'KFTC's disposition and damages lawsuit, relating to unfair trading practices of a cable TV broadcasting business operator
- Represented client in a lawsuits for cancellation of the 'KFTC's disposition and damages lawsuit, relating to the bid rigging for the Four Major Rivers Project
- Represented client in a lawsuit for cancellation of the 'KFTC's order to pay penalty surcharge relating to bid rigging for concrete pile purchase
- Represented client in a lawsuit for cancellation of the 'KFTC's dismissal of a leniency application
- Represented client in a lawsuit for damages relating to price fixing of cement/light crude oil
- Represented client in a lawsuit for damages relating to bidding rigging for purchases of steel products, ready-mixed concrete, and conveyor belts
- Represented clients in a lawsuits for damages relating to bid rigging for construction projects, including the Four Major River Project, construction of main gas lines, construction of the Incheon Metro Line No. 2, construction of Honam High Speed Railway, and construction of Saemangeum embankment
- Represented clients in lawsuits for the return of design compensation relating to bid-rigging for construction projects, including the Four Major River Project and construction of the Incheon Metro Line No. 2
- Represented client in a criminal case relating to price-fixing of zinc-coated steel sheet and butane gas
- Represented client in a criminal case relating to bid-rigging for the Honam High Speed Railway facilities project

Civil cases

- Represented credit card company in a damages lawsuit relating to leakage of personal information
- Represented a foreign company in a damages lawsuit relating to a product supply agreement
- Represented a software development and supply company in a damages lawsuit relating to a service agreement
- Represented a social commercial business in a damages lawsuit relating to logistics agency service contract
- Represented clients in cases on the dismissal of a director, cancellation of the appointment of a temporary director, and confirmation of non-existence of directorship
- Represented clients in cases involving claims for the authorization of the convocation of a general shareholders' meeting, and injunction for convocation notice, suspension of performance of a director's duties, and appointment of an acting director of a company
- Represented client in a damages lawsuit relating to defects in cars
- Represented client in a lawsuit claiming for settlement money relating to a residential and commercial aggregate building construction and pre-sale project
- Represented clients in lawsuits claiming for payment of the purchase price, title transfer registration, and compensation for damage, relating to the regional housing cooperative housing construction
- Represented client in a lawsuit for title transfer registration relating to a disposition of the authorization of an urban planning facility project
- Represented clients in damages lawsuits concerning construction prices, overhead costs, supervisory service costs, labor costs and defects relating to construction works
- Represented client in a lawsuit for the relocation of broad-area water pipes and unjust enrichment
- Represented client in a lawsuit seeking injunction prohibiting use of construction materials against a construction company
- Represented a credit collection company and its employees in a damages lawsuit relating to related to the Personal Information Protection Act
- Represented client in a case involving preservation of evidence relating to defects in a hospital building
- Represented Buddhist denomination in a lawsuit for the confirmation of invalidation of a commissioner election
- Represented a client in a lawsuits involving state-owned property loan fees and title transfer registration
- Represented client in a damages lawsuit relating to cancellation of a permit for use of public property
- Represented an asset securitization company in a lawsuit for confirmation of non-existence of lien
- Represented client in a damages lawsuit relating to an appraisal by an appraisal company
- Represented client in a case involving appointment of a special representative of a person related to a church

Criminal cases

- Represented client in a trial involving a violation of the Act on the Aggravated Punishment of Specific Economic Crimes (Property Moving to Foreign Country) of around KRW 131.9 billion
- Represented client in a trial involving a violation of the Act on the Aggravated Punishment of Specific Economic

Crimes (Embezzlement) of around KRW 37 billion relating to an urban development project

- Represented client in a trial involving a violation of the Act on Regulation and Punishment of Criminal Proceeds Concealment by an employee of a construction company
- Represented client in a trial involving a violation of the Act on the Aggravated Punishment of Specific Economic Crimes (Breach of Trust) by a church-related person and an officer of a pharmaceutical company
- Represented client in a trial involving defamation of a public official
- Represented client in a trial involving violation of the Personal Information Protection Act by a credit collection company and its employee
- Represented client in a trial involving a violation of the Electrical Appliances and Consumer Products Safety Control Act by a social commerce company
- Represented client in a trial involving a violation of the Pharmaceutical Affairs Act relating to the sale of medicines
- Represented client in a trial involving a violation of the Medical Service Act relating to a hospital's medical treatment
- Represented client in a trial involving a violation of the Foreign Trade Act relating to the exportation/importation of food additives
- Represented clients in cases involving sexual harassment

Other cases

- Represented client in a arbitration proceeding involving payments for overseas electricity works and substation recovery works
- Represented client in trial involving limited guardianship
- Represented client in a lawsuit for invalidation of adoption

Education

2018-2019	University of Southern California (USC) School of Law (LL.M., 2019)
1999-2005	Seoul National University College of Law (LL.B., 2005)

Qualifications

2010	Admitted to bar, Korea

Languages

Korean, English

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