

Fisher Broyles

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Practice Areas: Arbitration & Mediation; Bankruptcy & Restructuring; International; International Disputes; International Trade; Products Liability Litigation & Counseling

Bar Admissions: Texas; New York

Education: University of Houston Law Center, L.L.M., 2013; East China University of Political Science & Law, Juris Master (JD Equivalent), 2003; Southwest University of Political Science & Law, B.A., 2000

Experience: Archer & Greiner, P.C.

James focuses his practice in the areas of complex cross-border litigation, international arbitration, bankruptcy, enforcement of foreign country judgments and arbitral awards, and issues related to supply chain, nearshoring, onshoring, international trade. His services span a wide range of industries, including alternative and renewable energy (solar photovoltaic), lithium-ion batteries, manufacturing, pharmaceutical, medical devices, petroleum, agriculture, and aquaculture, among others. He represents Chinese corporations doing business with or in the U.S. and provides legal services to U.S. corporations doing business with or in China. As a native speaker of Mandarin, and with more than ten years of experience practicing law and doing business in China, James is able to interpret and explain the special issues facing Chinese entities doing business with or in the U.S.

James works with clients to resolve and manage business challenges and risks. He has served as outside general counsel for dozens of foreign corporations doing business in or with the U.S. James advises and partners with clients to enforce their rights, mitigate exposure and litigate their commercial disputes involving, among other areas, fraud, breach of fiduciary duties, trade secret misappropriation, breach of contract, product liability and IP infringement. James has successfully represented clients in complex U.S.-China cross-border litigation and arbitration, including application of the New York Convention and enforcement of foreign judgments and arbitration awards.

James represents Chinese debtors and unsecured creditors in and out of U.S. Bankruptcy Courts, including U.S.-China cross-border bankruptcy, forming unsecured creditors committee (UCC), acting as chair of UCC, and involuntary bankruptcy petition. James has substantial experience in EB-5-related

dispute resolution. He has served as the lead counsel for hundreds of EB-5 investors in preparing and filing whistleblowing complaints to the SEC and FBI and suing regional centers and their principals in the federal and state courts.

James was born and brought up in Hangzhou, Zhejiang, China. He lives in Houston Texas and travels to Mexico and China frequently.

Corporate Experience

- Zhejiang Shuqimeng Energy Technology Co., Ltd. ("Stream Renewable Energy"), General Counsel and CEO of its Italian Subsidiaries

Representative Matters

- Counsel for the Official Committee of Unsecured Creditors in major Chapter 11 bankruptcy proceedings including H2 Brands Group Home & Hardware (D.Del.), Nielson & Bainbridge (S.D.Tex.), KidKraft (N.D. Tex), etc.
- Trustee for GUC Liquidation Trust after the confirmation of the Chapter 11 plan.
- Represented major overseas unsecured claims holders in the US bankruptcy courts.
- Counsel for a Chinese publicly traded corporation (a medical devices researcher, developer and manufacturer) defending multi-million-dollar disputes in the federal court and in front of AAA-ICDR-administered international arbitration.
- Counsel for multiple bitcoin mining companies defending series of high-stake litigations in state and federal courts, and arbitrations administered by AAA and JAMS, involving alleged breach of contract, conversion, replevin, etc.
- Counsel for a Chinese publicly traded corporation (a lithium-ion battery manufacturer) in a multi-million-dollar international arbitration administered by JAMS involving breach of contract and recalls of allegedly defective products.
- Counsel for a Chinese publicly traded corporation (lighting products manufacturer) in defending and negotiating series of disputes involving product liability allegations and recalls.
- Counsel for TB Food USA LLC in winning a multimillion-dollar federal jury verdict and judgment in a complex cross-border trade secrets misappropriation case in the Middle District of Florida.
- Counsel for Hefei Ziking Steel Pipe Co., Ltd. in winning a multimillion-dollar federal court judgment involving contracts governed by the United Nations Convention on Contracts for International Sales of Goods ("CISG") in the Southern District Court of Texas.

- Counsel for a major Chinese manufacturer of air conditioner parts in defending product liability claims brought by Goodman (owned by Daikin Industries, Ltd.) in the Southern District of Texas. Case was settled to client's satisfaction.
- Counsel for foreign EB-5 investors in preparing and filing the whistleblower complaint to the SEC and suing the regional center and its principals in a US federal court proceeding. Case involves cross-border securities fraud, negligent misrepresentation and breach of fiduciary duties and was settled promptly in client's favor.
- Counsel for foreign EB-5 investors in a US federal receivership proceeding. Case involves the SEC and FBI. Successful recovery for clients.
- Represented Chinese EB-5 investors in forming the Committee of Investors, calling meeting of shareholders, monitoring the then ongoing relevant bankruptcy proceeding.
- Foreign Representative of mainland China debtors, Zhejiang Topoint Photovoltaic Company, Ltd, et al, in Chapter 15 contested proceedings in the Bankruptcy Court for the District of New Jersey. Case involves multimillion-dollar litigation proceedings.
- Represented a major Chinese-manufacturer unsecured creditor and acted as Chair of Unsecured Creditors Committee for a Chapter 11 proceeding in the Bankruptcy Court for the District of Colorado. Satisfactory recovery rate (50%+) for unsecured creditors.
- Co-Chair of Unsecured Creditors Committee for a Chapter 11 proceeding in the Bankruptcy Court of New Jersey.
- Counsel for Chinese petitioning creditors in multiple involuntary bankruptcy petition proceedings in the Bankruptcy Court for the Northern District of Texas. Cases involve tens of millions of dollars and complex US-China cross-border discovery.
- Counsel for the owner of a major Chinese medical device researcher, developer and manufacturer in a US federal court proceeding. Case involves AAA international arbitration and litigation in Chinese court and settled.
- Counsel for principals and majority owners of a Texas LLC in shareholder disputes involving securities fraud, negligent misrepresentation, and breach of fiduciary duties.
- Counsel for the founder of a fast-growing Delaware corporation in shareholder disputes pending in the Southern District of Texas. Case involves US-China cross-border discovery, fraud, breach of fiduciary duty, and promissory estoppel. Client is a Chinese computer scientist who developed the most advanced AI, Big-Data and Cloud-computation and Drone (ABCD) technologies for the company when serving as its former CTO.
- Counsel for a Chinese entity in winning a multimillion-dollar arbitration award in an international arbitration proceeding administered by the International Center for Dispute Resolutions of American Arbitration Association (ICDR-AAA).

- Counsel for a Chinese entity in confirming a multimillion-dollar arbitration award in the District of New Jersey under the Federal Arbitration Act.
- Counsel for Chinese petitioners in confirming CIETAC arbitration awards in the Southern District of New York under the New York Convention.
- Counsel for a Pennsylvania entity in successfully dismissing a foreign petitioner's application for the recognition and enforcement of an international arbitration award in the Eastern District of Pennsylvania under the New York Convention.
- Counsel for entities in defending intellectual property infringement allegations and negotiating settlement agreement with terms favorable and acceptable to clients. Cases involve trademark and patent.
- Counsel for major Chinese manufacturers in expanding into the US market by acquiring existing distribution network and/or setting up sales offices in North America.
- Counsel for a Fortune Global 500 Chinese manufacturer in relocating to the US part of its manufacturing facility, which is affected by Section 301 tariffs, antidumping and countervailing duties.
- Counsel for a Fortune Global 500 Chinese petrochemical company in purchasing an ethane cracker plant in the US.
- Advised US importers of record and Chinese exporters on international trade compliance.
- Outside general counsel to US subsidiaries of publicly-traded Chinese corporations.

Presentations and Teaching Experience

- "Opportunities and Challenges for Chinese Manufacturers Doing Business in the US", panelist, CALF Annual Conference April 2025
- "US-China Cross-Border Litigation, Arbitration and Bankruptcy--To Do's and Not to Do's based on 30 Selected Cases I Worked On", Webinar for Chinese legal professionals, 2023

Publications

- "The Milestone Case for US-China Cross-Border Bankruptcy--Zhejiang Topoint Photovoltaic Co., Ltd.", Zhejiang Bar Association, September, 2015