

Milbank

## David K. Cho

Partner

— VCARD

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Seoul-based partner David Cho is the Representative Foreign Legal Consultant of Milbank LLP's Seoul Foreign Legal Consultant Office. David is a member of the firm's Global Corporate Group and heads the firm's South Korea practice. He brings over two decades of experience advising in the Asia-Pacific region with a focus on South Korea.

### Primary Focus & Experience

Mr. Cho's practice focuses on cross-border mergers and acquisitions, as well as other corporate finance and capital markets transactions, including SEC registered public offerings and Rule 144A / Regulation S offerings. He has extensive experience working with multinational clients, including major Asian companies, on international transactions spanning a wide array of sectors, such as private equity, ESG, technology, life-sciences, manufacturing and energy.

### Recognition & Accomplishments

Mr. Cho is consistently recognized as one of the top lawyers for Corporate/M&A work in South Korea by leading legal directories *Chambers Global* and *Chambers Asia Pacific* where his clients praise him as, "very sharp and creative with a knack for thinking outside the box and finding solutions where there appears to be none at first glance," and "extremely strategic and taking ownership of the deals," and appreciate that, "he will give you very sound legal advice; he will set out the risks and will take a step further and advise what would be the best solution," further commending him on his, "strong commitment to producing a quality analysis in a timely manner."

Prior to joining Milbank, Mr. Cho was based in the Hong Kong office of another highly regarded international law firm serving as its Asia co-managing partner.

Mr. Cho is bilingual in English and Korean.

Recently, David has advised:

- SK Group on a \$50 million PIPE commitment with NET Power and Rice Acquisition Corp.II. The groups also have intent to establish a NET Power-SK Joint Venture to pursue the origination and development of utility-scale NET Power plants across Asia.
- SK Geo Centric Co., Ltd. in connection with its Asia joint venture arrangement with Loop Industries. The joint venture, which is to be headquartered in Singapore, will deploy Loop's circular plastics recycling technologies across the Asian market through multiple commercial manufacturing plants to be mutually agreed between, and consequently built by, the joint venture partners.
- Gevo, a US eco-friendly energy company, in the joint development agreement with LG Chem Ltd ("LG Chem") to commercialize bio-propylene. Gevo will provide the technology to LG Chem to produce propylene from bio-ethanol.
- SK Geo Centric Co., Ltd. in connection with the acquisition of common stock and warrants exercisable for common stock of PureCycle Technologies, Inc., a Nasdaq listed plastic recycling company.
- SK Inc. in connection with its US\$100 million investment in 8 Rivers Capital, LLC, a developer of decarbonization technologies based in North Carolina.
- SK ecoplant Co., Ltd., a major construction company, on its US\$1 billion acquisition of a 100% stake in Singapore-based battery lifecycle services firm TES Envirocorp Pte. Ltd.
- Hana Alternative Asset Management Co., Ltd. on the US\$300 million acquisition and financing of an office building located at 70 Hudson Street, Jersey City, New Jersey from a joint venture between PFA Pension and Spear Street Capital.

In the mergers and acquisitions and private equity spaces, prior to joining Milbank Mr. Cho advised:

- SK Inc. in its acquisition of a minority stake in Monolith Materials, Inc., a US-based leader in green hydrogen technologies.
- A leading Korean conglomerate in its US\$200 million minority investment in a US pharmaceutical company focusing on targeted protein degradation therapeutics.
- A multinational securities company in its investment and development of a data center platform in Korea.
- The former senior management of a prominent US data center company in the establishment and formation of a pan-Asia data center investment and development platform.
- SK Holdings Co., Ltd. in its US\$300 million investment in Chindata Group Holdings Limited, a data center operator.
- SK Siltron in its US\$450 million acquisition of DuPont's Silicon Carbide (SiC) Wafer business.
- Fortune Group Holdings Limited, wholly owned by Chatchaval Jiaravanon, on the purchase of FORTUNE media brand for US\$150 million from Meredith Corporation Limited.
- SK hynix, Inc. as a member of the consortium, in the US\$18 billion acquisition of Japan-based Toshiba Corporation's NAND flash memory and solid-state drive business.
- Served as international counsel to Shanghai Shenda Co. Ltd. in connection with its agreement to form a global joint venture with International Automotive Components to supply soft trim and acoustics products to automotive original equipment manufacturers globally.
- OCI Company Ltd. on its acquisition of a 100% equity interest of Tokuyama Malaysia Sdn. Bhd. from Tokuyama Corporation based in Japan.

- OCI Solar Power, a North American subsidiary of listed South Korean clean energy and chemicals company OCI Company Ltd., in its agreement to sell Alamo 7, its latest solar power plant development project, to New York-based energy company ConEdison Development.
- OCI Enterprises Inc., the North American subsidiary of OCI Company Ltd. of Seoul, Korea, in the US\$430 million sale of a controlling stake of OCI Resources LP, a NYSE-listed master limited partnership, to Ciner Enterprises Inc.
- One of the world's largest financial services groups in its participation in a US\$700 million preferred shares offering by a Chinese group-discount company.
- A major Asian engineering, construction and energy conglomerate on its bid to partner with the Government of the Republic of Uganda to construct a crude oil refinery in Uganda with an estimated capacity of 60,000 barrels per day and with an estimated US\$2.5 billion+ project cost.
- POSCO, a South Korea-based steel-making company, in its investments in the Chile-based lithium exploration companies Li3 Energy, Inc. and Pan American Lithium Corp.
- A major Asia-based telecommunications company in its cross-border acquisition of a significant stake in another telecommunications company, with an expected transaction value of more than US\$600 million.
- SK Telecom Co., Ltd., South Korea's largest mobile telecommunications service provider, in its sale of a 3.7% stake in China Unicom (Hong Kong) Limited back to China Unicom for approximately US\$1.3 billion, as well as its US-registered offering of American Depositary Shares of SK Telecom valued at more than US\$1 billion.
- Gmarket Inc., South Korea's largest e-commerce provider, in eBay's all cash public tender offer for up to 100% of Gmarket for US\$1.2 billion, and in the agreement by Yahoo! Inc. to acquire a 10% stake in Gmarket from Oak Investment Partners.

In the corporate, finance and capital markets spaces, prior to joining Milbank Mr. Cho advised:

- A leading Korean conglomerate in its establishment and formation of an overseas renewable energy focused infrastructure fund.
- A securities company and asset manager in connection with an offshore financing of a proposed commercial retail property in Ho Chi Minh City, Vietnam.
- A consortium of Korean investors in the offshore mezzanine financing of a commercial multi-use real estate development in Ho Chi Minh City, Vietnam.
- E-Land Fashion China Holdings, Limited and E-Land Fashion Hong Kong Limited, subsidiaries of Eland World Limited, a leading retail company headquartered in Korea, in their US\$225 million term loan facility refinancing and US\$75 million revolving loan facility financing guaranteed by Eland World Limited.
- OCI Resources LP on its master limited partnership initial public offering (IPO) and listing on the New York Stock Exchange.
- SK Innovation Co., Ltd. and SK Technology Innovation Company in connection with their senior secured convertible note investment in HelioVolt Corporation, a producer of thin film solar PV modules. The initial funding of US\$9.5 million closed on June 20, 2013.
- Celltrion, a leading biopharmaceutical company, on the offering of its US\$300 million convertible bond.
- OCI Company Ltd., a South Korea-based global producer of polysilicon, in its US\$700 million offering of global depositary receipts and listing in Singapore.
- SK Telecom Co., Ltd., South Korea's largest mobile telecommunications service provider, in its US-registered offering of American Depositary Shares of SK Telecom valued at more than US\$1 billion.

- Gmarket Inc., South Korea's largest e-commerce provider, in its US\$144 million initial public offering on the NASDAQ Stock Market.

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#### ADDITIONAL DETAILS

##### EDUCATION

Chicago-Kent College of Law, J.D.

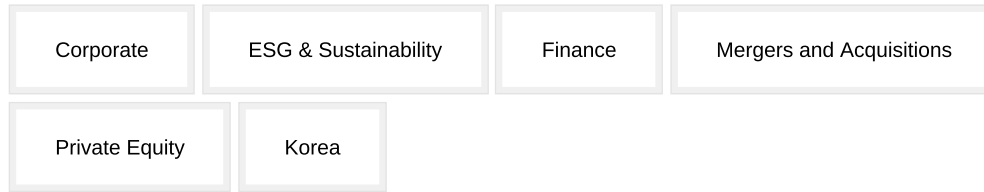
University of California at Los Angeles, B.A.

##### ADMISSIONS

California

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#### EXPERIENCE



#### FEATURED NEWS

Careful Planning: Secure the International Law Protections in Investment Treaties When Investing in the Renewable Energy Sector in Southeast Asia

*Chambers* Ranks 18 Milbank Attorneys in 26 Practice Areas Top Tier in Asia-Pacific 2024 Guide

Milbank Continues Private Equity Growth with Addition of Paul Bennett

Milbank Represents SK bioscience in US\$84.5M Novavax Investment

Milbank Expands Global Corporate Practice with Addition of Partner David K. Cho