

Malcolm S. McNeil

INTERNATIONAL PRACTICE CO-LEADER

Malcolm focuses on litigation, business, and transactional matters involving international clients.



Practices & Industries

Cannabis
Consumer Products
National Security
Blockchain
Complex Litigation
International Arbitration &
Dispute Resolution

Bar & Court Admissions

California
District of Columbia
Supreme Court of the United States
US District Court, Central District of California
US District Court, Southern District of California
US District Court, Eastern District of California
US District Court, Northern District of California
US Court of Appeals, 5th Circuit
US Court of Appeals, 9th Circuit

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Malcolm has over 35 years of litigation and commercial experience in a wide variety of matters including business/commercial, construction (defect and coverage issues), employment disputes, administrative proceedings, family law, probate, media and entertainment, intellectual property, partnership dissolutions, and real estate. Malcolm also has 25 years of experience resolving civil disputes as a mediator.

Malcolm McNeil 是 Arent Fox 洛杉矶分所的合伙人。他专注于国际商务诉讼以及交易，并在相关法律领域内积累了三十五多年的丰富经验。Malcolm 从事的业务涉及广泛，包括商业，建筑业，劳工纠纷，行政诉讼，家庭法，遗嘱法，媒体及娱乐业，知识产权，企业解散，以及不动产。Malcolm 同时拥有二十五年的民事纠纷调解经验。

Malcolm has litigated issues for a wide variety of businesses including those in the venture capital formation, retail, textile, manufacturing, import/export, real estate investment, aviation and publishing industries. He is keenly aware of the legal and business needs of his clients, and provides strategic solutions to commercial disputes that help enable his clients' businesses to keep moving forward. He also has experience in cross-border negotiations and has an established network of colleagues throughout the globe available to assist in foreign countries as needs arise. Malcolm's practice has included representation of clients in most forums, including a range of administrative forums, statewide and nationally. Known for his leadership and accomplishments, particularly for clients with business interests in China, Malcolm is a panel member on the Shenzhen Court of International Arbitration, the Beijing International Arbitration Commission, and the Harbin Arbitration Commission. Malcolm also serves as the co-chair of Arent Fox's



US Court of Appeals, District of
Columbia Circuit

US Court of International Trade

Education

Loyola Law School, Los Angeles,
JD

Antioch University, BA

International Group.

Malcolm 专注于多领域的民事诉讼，包括风险投资，零售，纺织业，制造业，进出口，房地产投资，航空业，及出版业。他能敏锐地意识到客户的法律和业务需求，并提供商业纠纷的战略解决方案，帮助客户的业务持续发展。他具有丰富的跨国谈判经验，并建立了一个跨越全球的法律业务网络，以协助满足客户在全球各地的法务需求。**Malcolm** 曾在多个法律平台代理客户业务，包括行政，州级，以及国家级平台。**Malcolm** 的领导能力以及成就令他在法律界声名卓著，特别是在涉及中国的商业客户的业务。**Malcolm** 现为北京国际仲裁委员会，深圳国际仲裁委员会，及哈尔滨国际仲裁委员会小组成员。**Malcolm** 还担任 Arent Fox 国际业务组的联合主席。

Client Work 代表性的执业经验

Recently, Malcolm and his team successfully represented a Chinese-based fabricated steel shelving manufacturer in a breach of contract claim in federal court, where a jury awarded his client a verdict of more than \$3.3 million.

近期，**Malcolm** 和他的团队成功地代理了一个中国制造商在联邦法院的违约索赔案，并为他委托人赢得了陪审团超过 330 万美元的判决。

Malcolm has recently mediated/arbitrated the following cases:

Malcolm 最近参与了下述案件的调解与仲裁：

- **General Commercial:** Broad range of complex civil cases involving issues of contract interpretation, buy-sell agreements (including appraisals of real property and businesses), unfair competition, and insurance coverage disputes.
- **一般性商业：** 涉及合同解释、买卖协议（包括房地产和企业的评估）、不公平竞争、保险保险纠纷等问题的复杂民事案件
- **Partnership Disputes:** Partnership disputes and dissolutions involving a variety of businesses, including professional medical partnership disputes.
- **合伙企业纠纷：** 涉及多领域的合伙企业的内部纠纷以及化解，包括专业医疗业合伙企业纠纷。
- **Real Property:** Real property matters have included commercial landlord/tenant disputes, construction, including defect and environmental issues.
- **房地产：** 商业业主/租户的纠纷和建筑纠纷，包括建筑缺陷和环境问题。
- **Employment:** Cases involving employment compensation agreements, including executive employment agreements, discrimination, harassment, and wrongful termination.

- 劳工纠纷：涉及劳工补偿协议的案件，包括高层管理人员的雇用协议、歧视案件，骚扰案件和不当解聘。

Previous Work 先前工作经验

Prior to joining Arent Fox, Malcolm was the leader of the International Practice Group at a national law firm. He was also the principal in his own practice for 20 years focusing on an international base of clients located throughout Europe and Asia.

在加入 Arent Fox 之前，Malcolm 曾在一个全国律师事务所担任国际业务组组长。他在自己的业务领域中有 20 年专注于位于欧洲和亚洲的国际客户的丰富经验。

Professional Activities

- American Bar Association Section of International Law to the Beverly Hills Bar Association, Liaison
- American Bar Association Section of International Law, Vice Chair of the Northeast Asia, Japan & Korea Committee
- American Bar Association Section of International Law to the State Bar of California, Vice Chair of the Asia/Pacific Committee
- American Bar Association Section of International Law to the State Bar of California, Vice Chair of the International Mediation Committee
- American Bar Association Section of International Law to the State Bar of California, Steering Group Member International Trade Committee
- American Bar Association Section of International Law to the State Bar of California, Liaison
- American Bar Association, International Trade Committee, Senior Advisor
- State Bar of California Committee on Alternative Dispute Resolution, Member
- USC School of Law's Institute for Corporate Counsel, Advisory Board Member
- California Fashion Association, Advisory Board Member
- Beverly Hills Bar Association, Executive Committee Member
- Beverly Hills Bar Association Section of International Law to the State Bar of California, Liaison
- Beijing Arbitration Commission, Panel Arbitrator
- Shenzhen International Arbitration Commission, Panel Arbitrator



- Harbin Arbitration Commission, Panel Arbitrator
- Hong Kong Association of Southern California, Director
- International Law Section, Los Angeles County Bar Association, Past Chair
- American Bar Association, China Committee Section on International Law, Co-Chair
- International Association of Young Lawyers (AIJA), Past President and Current Member
- International Bar Association (IBA), Member
- Inter-Pacific Bar Association (IPBA), Member
- Consumers Attorneys Association of Los Angeles, Member
- World Intellectual Property Organization (WIPO), Member
- Hollywood Chamber of Commerce, Member
- University of La Verne Law School, International Civil Litigation, Adjunct Professor

Publications, Presentations & Recognitions

Publications

- Author: "How to Assure the Board's Attention to Cyber Risks," *Daily Journal* (December 2018)
- Co-Author: "Never Ending Story: Sudden Changes to California's Proposed Cannabis Regulations," Arent Fox Alert (November 2018)
- Co-author: "Data Breach Class Action Lawsuits: First Response for Defense - Motion to Dismiss for Lack of Standing," *Pratt's Privacy & Cybersecurity Law Report* (January 2017)
- Author: "The World is Not Enough – Or is It?," *Financier Worldwide* (June 2013)
- Co-author: "SLAPP: Malpractice Coverage Impacted Increasingly by Recent Decisions," *Insurance Advocate* (May 21, 2012)
- Author: "Corporate and Board Member Liability: Developments in the Post-Enron and Sarbanes-Oxley Environment," *International Law Journal and Newsletter*, LACBA (May 7, 2009)

Presentations & Events

- Webinar: SB 766 – The International Arbitration California Gold Rush!



- California Lawyers Association, Litigation Section, September 5, 2018
- International Lawyers: Past, Present & Future, AIJA 56th International Young Lawyers Congress, Brussels, August 28, 2018
 - Doing Business in and with Emerging Markets 2016, Presented by: Practising Law Institute, New York, NY, July 7, 2016
 - Bioenergy Economic & Policy and Sustainable Development (Moderator), Presented by: 5th Annual World Congress of Bioenergy, Xi'an, China, September 24, 2015
 - 2015 International Institute of Air and Space Law (IIASL) Conference, (Moot Court Judge) Presented by: Leiden University, Beijing, China, April 9, 2015
 - How To Series, (Moderator) Presented by: International Association of Young Lawyers, Hong Kong, China, March 29, 2014
 - 2013 LegalPorts Conference, (Moderator) Presented by: Port of Los Angeles, Los Angeles County Bar Association, Long Beach Bar Association & Keesal, Young & Logan Long Beach, CA, September 26, 2013
 - 6th Annual Global Outsourcing Summit (Speaker), June 15, 2013
 - Mergers and Acquisitions Seminar (Speaker) Presented by: International Association of Young Lawyers, February 1, 2013
 - Your Passport to Getting the Information You Need from Abroad: The Nuts and Bolts of International Discovery (Speaker) Presented by: Beverly Hills Bar Association's Barristers Workshop and the International Law Committee, Beverly Hills, CA, May 29, 2012
 - Recent Legal and Business Developments in Global Trade (Chair) Presented by: Los Angeles County Bar Association, Los Angeles, CA, May 3, 2012
 - Due Diligence Investigations: What To Look for and How to Find It (Panelist) Presented by: International Investigations Seminar, San Francisco, CA, March 16, 2012
 - Contract Session: Sales/Distribution Agreements (Speaker) Presented by: The International Association of Young Lawyers (AIJA) International Trade & Transport Symposium, Los Angeles, CA, October 14, 2011
 - International Protection of Life Sciences Advancements (Speaker) Presented by: BIT's 1st Annual World Congress of Bioenergy Dalian, China, April 26, 2011
 - Practical Issues for Doing Business Abroad (AKA Expect The Unexpected ... Or Stay Home!) (Speaker) Presented by: International Section of the Los Angeles County Bar Association: 2010 Annual Seminar For Corporate Counsel Temecula, CA, September 25, 2010
 - Emerging Market Summit (Speaker) Presented by: AP-CEO Changchun China, September 1-4, 2010
 - International Financial Law and Institutions – Islamic Banking Issues, Latin



American Trends and Asian Future (Speaker) Presented by: Southwestern Law School: 2021 International Law Ten Years from Now, Los Angeles, CA, February 26, 2011

- Representing Foreign Parties in Lawsuits (Speaker) Presented by: State Bar of California 82nd Annual Meeting, September 11, 2009
- Litigation and Alternative Dispute Resolution in the U.S. (Speaker) Presented by: Los Angeles County Bar Association International Section Presentation to Law Society of England and Wales, Los Angeles, CA, August 2, 2010
- The Nuts and Bolts of International Arbitration and Litigation (Speaker) Presented by: Los Angeles County Bar Association, International Law Section Inglewood, CA, June 16, 2010
- Work-Life Balance and the Economic Crisis: Is Work-Life Balance Dead? (Speaker) Presented by: ABA: 2010 Spring Meeting, New York, April 13, 2010
- How To Handle An International Client (Presenter) Presented by: State Bar of California, Section Education Institute, March 11, 2010
- Civil Liability of Board Members in the United States: Lessons from Enron and Worldcom (Speaker) Presented by: The 3rd Annual Global Outsourcing Summit, September 3, 2009

Recognitions

- Recipient of the Lifetime Achievement Award from the International Association of Young Lawyers
- Named to “Southern California’s Top Rated Lawyers” by *Legal Leaders* (2013)
- Recognized by the Southern California edition of *SuperLawyer* (2014-2017)
- Recognized by Martindale-Hubbell as “AV Preeminent” which is the highest peer rating
- Named an honorary lifetime member to the Lahore High Court Bar Association for his efforts to free imprisoned Pakistani attorneys

Life Beyond the Law

Malcolm sits on the Board of Regents for California Lutheran University; he is a past member of the Board of Trustees of The Chicago School of Professional Psychology and current Board Member Chair of the Enrollment Management Committee of Woodbury University, and past chair of the Board of Trustees of Antioch University Los Angeles. Malcolm is also a member of the British Academy of Film and Television Artists (BAFTA) in Los Angeles.

Malcolm 现为加州路德大学摄政委员会会员；他是芝加哥职业心理学院董事会的前



任成员；伍德伯里大学招生管理委员会现任董事会主席；洛杉矶安提阿大学董事会前任主席。Malcolm 也是英国电影电视艺术家协会洛杉矶的成员。