

## Kazuaki Nagai

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Kazuaki Nagai is a partner at Anderson Mori & Tomotsune, and has been principally involved in various finance matters such as M&A Finance, Mezzanine Finance, structured finance including securitization and PFI (private finance initiatives). Mr. Nagai also has experience in various fund matters including PE funds and corporate rehabilitation funds, bankruptcy related matters including business rehabilitation and filing of petition for bankruptcy related proceedings, and M&A matters such as reorganization including business transfer and mergers, and subscription and acquisitions of equities including classified shares, and other corporate financial transactions, and general commercial transactions. Mr. Nagai is further engaged in finance matters in relation to energy and natural resources.

## Practice Areas

Finance and Financial Institutions	Structured Finance	Project Finance	PPP/PFI/Concession		
	Asset Management and Investment Funds		Acquisition Finance	Real Estate Finance	
		Financial			
	Banking	Regulation			
M&A	Venture Capital	Private Equity/Funds	M&A/Business Restructuring		
Restructuring/Insolvency and Bankruptcy					
Corporate	Corporate and Commercial Transactions	Corporate Governance			
Real Estate	Real Estate Transactions	Real Estate Investment			
Competition/Antitrust	Merger Control	Distribution and Other Competition Law Matters			
Energy and Natural Resources					
International Practice	Mainland China	India	Other ASEAN countries	United States	EU
Intellectual Property/TMT	Copyright and Entertainment		IT and Telecommunications law and Regulation		

## Topics

Achievements  
Apr 20, 2023

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Achievements  
Apr 14, 2022

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## Practice Groups

Structured Finance Group	Financial Services & Transactions Group	Corporate Transaction Group
Energy Practice Group	Financial Restructuring & Insolvency Group	Asia and Emerging Countries Practice Group
Intellectual Property Law Group	Data Privacy & Digital Group	

## Background

Mar 1990	The University of Tokyo (LL.B.)
Apr 1992	The Legal Training and Research Institute of the Supreme Court of Japan
May 1997	Columbia University School of Law (LL.M)
Sep 1997 - Jul 1998	Associated with Jenner & Block, Chicago
2004 - 2005	Vice Chairman of Bankruptcy Law Review Committee, Daini Tokyo Bar Association
2006	Vice Chairman of Bankruptcy Law and Civil Law Review Committee, Daini Tokyo Bar Association
2008 - 2012	Manager of Bankruptcy Study Group, Daini Tokyo Bar Association
2012 - 2013	Chairman of the Committee Concerning Review of Issues for Encouragement of Dissemination of ABL (Asset Based Lending), Sponsored by Ministry of Economy, Trade and Industry
2015 - 2016	Chairman of the Working Group Concerning Review of Practical Measures of ABL (Asset Based Lending), Etc. Sponsored by Ministry of Economy, Trade and Industry

## Publications

Practice of Standard Revitalization, Q&A150 from Mailing List of Zentoh Net	Kinzai institute for Financial Affairs, Inc.,	Feb 2021
"Bullock v. Bankchampaign, N.A., 133 S. Ct. 1754 (2013) -11 U.S.C. §523 (a)(4): A case where the court decided on the requirements for the exceptions to discharge in bankruptcy"	American Law 2014 No.1	Nov 2014
"Disclosure to Creditors Upon Reorganization Proceedings – From the Perspective of International Creditors," Expediting of Business Rehabilitation, Chapter 5 "Issues surrounding International Restructuring"		Aug 2014
"Various Issues Concerning the Systems of Extinguishment and Stay (Prohibition) of Security Interests," participated as a panelist in the symposium "Bankruptcy and Security Interests"organized by the Bankruptcy Study Group of the three Tokyo Bar Associations		Jul 2014
NBL No. 1029		
Non-typical Security Interest (Bankruptcy, Security Interest & Guaranty)	Shoji Homu	May 2014
"Position of the creditors under Chapter 11-type proceedings," in Revitalization theory taking lead in the new era	Shoji Homu	May 2013
Q&A: Strategies for Corporate Law Practice in Asia and Emerging Countries	Shoji Homu	Apr 2013
"Focus on Trends of Practical Finance by Lawyers," in Careful Selection of Comments about Authority of Finance	Nihon Kajoshiki Shuppan Kabushikigaisha	Feb 2013
Report of Research Group on Expediting Business Rehabilitation (2nd season) V "Various Issues Concerning International Aspects of Bankruptcy Practice" (Vol. I and II)	NBL, No. 994 and Vol. 995	Feb 2013
Report of Research Group on Expediting Business Rehabilitation II "Issues on Pre-package Type Civil Rehabilitation and Measures for Solution of the Issues"	NBL, No. 922	Feb 2010
Practice of Standard Revitalization, Q&A120 from Mailing List of Zentoh Net	Kinzai Institute for Financial Affairs, Inc.,	Jan 2010
Content of Action Paulienne under the Fundamental Principles of Revised Law of Obligations	Ginko Homu 21, No. 710	Dec 2009
Q&A of Law and Financial Practices regarding the Financial Act for Local Municipalities	Ginko Homu 21, No.676	Jul 2007
Impacts of Financial Products Transactions Law on Turnaround Funds	Turnaround Manager	Jul 2006
New Corporation Law and Financial Transactions	Economic Legal Research Institute	Sep 2005
"Legal Points on Intellectual Property Collateral Financing"	Ginko Homu 21, No. 650	Sep 2005

Handbook for Bankruptcy Practice Considered with Comparison between Revitalization, Rehabilitation and Bankruptcy	Zaikai	Sep 2005
Shoho Sha		
Guide to Japan's New Corporation Law: An analysis of the new corporate system based upon a review of the new provisions		Aug 2005
Noteworthy Points for Financing Based on Aggregated Movable Property for Secured Party	Ginko Homu 21, No. 648	Jul 2005
The Essence of PFI Practice	Yuhikaku Publishing Co., Ltd	Dec 2004
Practical and Legal State, Issues and Future Developments Concerning Financing Based on Movable Property	Ginko Homu 21, No. 631	Apr 2004
(Serial) Points of the Practice of Business Turnaround Assistance, [The 3rd] Practice of Turnaround Funds and DIP Finance and etc.,		Feb 2004
Kinyu Homu Jijo, No. 1698		
Series: Practical Points on Assistance for Business Rehabilitation, III. Practice of Business Rehabilitation Funds and DIP Finance, Etc.,		Feb 2004
Kinyu Homu Jijyo, No. 1694		
Various Issues Surrounding Business Rehabilitation Financing Agreements	Ginko Homu 21, No. 627	Jan 2004
Issues of Business Turnaround Finance Bonds - Basic Structure and Points of DIP Finance	Ginko Homu21, No.627	Jan 2004
Series: Practical Points on Assistance for Business Rehabilitation, I. Various Procedures for Business Rehabilitation	Kinyu Homu Jijyo, No. 1694	Dec 2003
Consideration concerning Practical and Legal Issues Concerning PFI (18)	PFI News No. 66	Aug 2003
Practice in Finance for Corporate Rehabilitation - Funds for Corporate Revitalization Utilizing Trust	Ginko Homu 21, No. 619	Jun 2003
Financing for Corporate Rehabilitation - Corporate Revitalization Funds	Ginko Homu 21, No. 619	Jun 2003
Practical Issues and Future Development Concerning PFI Related Agreements (Vol. I and II)	Vol. 1633 (July 5, 2002) and Vol. 1634 (July 15, 2002)	Jul 2002
Domain Names Turn Japanese	International Internet Law Review	Mar 2001
Possibilities of Application of the Hart-Scott-Rodino Antitrust Improvements Act to Transactions in Japan	International Legal Strategy, Vol. VII, No. 5	May 1998

## Lectures

Basic Lecture of Project Finance - Course of Renewable Energy -	Regional Banks Association of Japan	Jan 27, 2014
Corporate Law as Incentive Mechanism	Dai-ichi Tokyo Bar Association	Jul 24, 2008
Intellectual Properties and Finance	San-sha Houmu Kenkyu Kai	Feb 7, 2006
Project Finance in Japan - Focusing on PFI -		Oct 19, 2004
Present State and Future Developments concerning Security Interest and Guarantee including Security Interest on Chattel		Oct 6, 2004
Financial Facsimile News Seminar		
Models for Corporate Rehabilitation - DIP Finance, Rehabilitation Fund and Debt Equity Swap	Anderson Mori & Tomotsune	Jan 23, 2003
Project Finance for PFI Model Business on Continuous Power Generator of Kanamachi Water Purification Plant, Waterworks		Feb 16, 2001
Department of Tokyo Metropolitan Government	NPO Japan PFI · PPP Association	

## Achievements

Apr 20, 2023	The Best Lawyers in Japan™ 2024
Apr 14, 2022	Best Lawyers 2023
Apr 15, 2021	Best Lawyers 2022
Apr 9, 2020	Best Lawyers 2021
Apr 4, 2019	Best Lawyers 2020
Nov 29, 2017	The Legal 500 Asia Pacific 2018
Nov 10, 2016	The Legal 500 Asia Pacific 2017
Nov 13, 2015	The Legal 500 Asia Pacific 2016
Nov 20, 2014	The Legal 500 Asia Pacific 2015
Nov 13, 2013	The Legal 500 Asia Pacific 2014
Nov 30, 2012	The Legal 500 Asia Pacific 2013
Dec 8, 2010	Legal 500 2010/2011

Professional Admissions

Japan (1992)  
New York (1998)

Professional and Academic Associations

Daini Tokyo Bar Association

Languages

Japanese (first  
language)                      English