



## Taro Awataguchi

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Taro Awataguchi is well experienced in advices on various finance transactions including asset-based lending, and representation of large creditors and strategic buyers in major financial restructuring cases. In the corporate reorganization case of Spansion Japan Limited (semi-conductor manufacturer), he represented the first-ever secured creditors committee officially admitted in the history of Japanese corporate reorganization cases and achieved full recovery plus award through contribution for successful business reorganization of the reorganization company. He also has been repeatedly appointed by the Tokyo District Court as the trustee in bankruptcy, including a notable bitcoin-related case. Taro has extensive experience in disputes and litigations as well in the matters of finance, insolvency and corporate law. He was included in the 2018 Edition of The Best Lawyers in Japan for banking and finance law. He is a fluent speaker at important domestic and international conferences on finance and insolvency law, and has experience of teaching the Companies Act of Japan in a university. He is the head of the operating committee of ABL Association in Japan.

### Practice Areas

Finance and Financial Institutions	Restructuring/Insolvency and Bankruptcy	Government Investigations and Crisis	Corporate
M&A	Real Estate	Management	
Dispute Resolution	Estate	Economic Security and International Trade	

### Topics

Achievements  
Apr 14, 2022

Best Lawyers 2023

Books  
Mar 2022

Startup Law

Achievements  
Dec 16, 2021

Chambers Asia-Pacific 2022

## Practice Groups

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Financial Restructuring & Insolvency Group

Financial Services & Transactions Group

Corporate Crisis Management Practice Group

## Background

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Mar 1995

Waseda University (LL.B.)

## Publications

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Startup Law	CHUOKEIZAI-SHA	Mar 2022
Introduction to Japanese Business Law & Practice Fifth Edition	Anderson Mori & Tomotsune	Nov 2021
Lexology Getting The Deal Through: Restructuring & Insolvency 2022 (Japan Chapter)	Lexology Getting The Deal Through: Restructuring & Insolvency 2022	Nov 2021
Contemporary Issues in Collateral Law: Conception toward New Collateral Legislation	Shojihomu Co., Ltd.	Oct 2021
Movement towards the Movables and Claims Collateralization Legislation and its Impact on Securitizations	SFJ Journal Vol.23	Aug 2021
The Coordinate Axes of Movables and Claims Collateralization Legislation	Kinyu Homu Jijo, No. 2167	Aug 2021
Outline of "Study Group Report on Collateral Legislation Focusing on Movables and Claims" and Points to Note in Practice	Business Houmu (August 2021)	Jun 2021
New Trends in Financial Schemes Backed by Business Cash flows - Case Study on United Airlines' MileagePlus Financing -	Kinyu Homu Jijo, No. 2163	Jun 2021
Leading Cases in Insolvency Law 6th Ed.	Bessatsu Jurist No.252	Jan 2021
Lexology Getting The Deal Through: Restructuring & Insolvency 2021 (Japan Chapter)	Lexology Getting The Deal Through: Restructuring & Insolvency 2021	Nov 2020
Global Legal Insights - Blockchain & Cryptocurrency Regulation 2021 (Japan Chapter)	Global Legal Insights - Blockchain & Cryptocurrency Regulation 2021	Oct 2020
Doing Business in Asia Pacific - IBA Asia Pacific Regional Forum, September 2020	Doing Business in Asia Pacific guidebook	Sep 2020
The International Comparative Legal Guide to: Lending & Secured Finance 2020 (Japan Chapter)		Apr 2020
Getting the Deal Through: Restructuring & Insolvency 2020 (Japan Chapter)	Getting the Deal Through: Restructuring & Insolvency 2020	Dec 2019
Global Legal Insights to: Blockchain & Cryptocurrency Regulation 2020 (Japan Chapter)		Oct 2019
Introduction to Japanese Business Law & Practice Fourth Edition	Anderson Mori & Tomotsune	Sep 2019
Legislation of the Bond Administration Assistant and Relaxation of the Bondholders' Meeting	Business Houmu (Vol.19 No.6)	Apr 2019
The International Comparative Legal Guide to: Lending & Secured Finance 2019 (Japan Chapter)		Apr 2019
Recent Enhancement in Protection of Trade Creditor Claims in Japan – Amendments to the Industrial Competitive Enhancement Act	INSOL World First Quarter 2019	Apr 2019
Case Analysis on Structured Covered Bond	Kinyu Homu Jijo, No. 2108	Feb 2019
The Essence and Various Aspects of Title Retention	Social Development and Civil Code Studies (Theses in celebration of the 70th birthday of Professor Koji Ohmi)	Jan 2019
Getting the Deal Through: Restructuring & Insolvency 2019(Japan Chapter)	Getting the Deal Through: Restructuring & Insolvency 2019	Dec 2018
What is "Inability To Pay Debts" under the Civil Code and Bankruptcy Act of Japan?	MUSASHINO HOGAKU No.9	Oct 2018
Existing Amount Principle Under The Bankruptcy Act And Retroactivity Of Set-Off	Kinyu Homu Jijo, No. 2097	Sep 2018
Global Legal Insights to: Blockchain & Cryptocurrency Regulation 2019 (Japan Chapter)		Sep 2018
Request for debt discharge in the non-statutory out-of-court workout and "suspension of payment" - Case study: Judgment by Osaka District Court on March 22, 2017	Kinyu Homu Jijo, No. 2094	Jul 2018
The International Comparative Legal Guide to: Fintech 2018 (Japan Chapter)		May 2018
The Discussion on the Scope of the Five Important Supreme Court Precedents regarding Insolvency and Implication for the Future	Banking Practice Kinyu Homu Jijo, No. 2087	Apr 2018

Panel Discussion "The Decade and Future of Asset Based Lending" The Turnaround & Credit Management, No.160	Apr 2018
The International Comparative Legal Guide to: Lending & Secured Finance 2018 (Japan Chapter)	Apr 2018
The Lending and Secured Finance Review - 3rd Edition (Japan Chapter)	Sep 2017
The International Comparative Legal Guide to: Fintech 2017 (Japan Chapter)	May 2017
The International Comparative Legal Guide to: Lending & Secured Finance 2017 (Japan Chapter)	May 2017
Virtual Round Table - Bankruptcy & Restructuring 2016	Apr 2017
The Lending and Secured Finance Review - 2nd Edition (Japan Chapter)	Oct 2016
The International Comparative Legal Guide to: Lending & Secured Finance 2016(Japan Chapter)	May 2016
The Lending and Secured Finance Review - Edition 1 (Japan Chapter)	Sep 2015
Essential Points of Japan M&A Practice Shoji Homu	May 2015
The International Comparative Legal Guide to: Lending & Secured Finance 2015(Japan Chapter)	May 2015
The International Comparative Legal Guide to: Lending and Secured Finance 2014	Jan 2014
The International Comparative Legal Guide to: Lending and Secured Finance 2013	Jan 2013
Unprecedented Secured Creditors Committee's Actions in Spansion Japan's Corporate Reorganization Case - Unprecedented Results Achieved by Proactive Actions Through the Reorganization Proceedings Both in Japan and the United States The Lawyers	Apr 2011

## Lectures

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"The Coordinate Axes of Movables and Claims Collateralization Legislation" (Speaker at the 38th symposium titled "Recent Past and Near Future of Movables and Claims Collateralization Regime" held by Japan Association of the Law of Finance) Japan Association of the Law of Finance	Oct 17, 2021
Basics of Outsourcing Agreement Shojihomu Co., Ltd.	Oct 1, 2021
Practices on Cross-Border Insolvency Cases in Asia Legal Execution, Ministry of Justice, Thailand	Jun 29, 2017
Legal Issues surrounding Cryptocurrency and Blockchain FN Communications	Sep 2, 2016
Global Approaches and Legal Issues Relating to Financing Stock Research Ltd	Sep 7, 2006

## Achievements

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Apr 14, 2022	Best Lawyers 2023
Dec 16, 2021	Chambers Asia-Pacific 2022
Sep 9, 2021	Who's Who Legal: Fintech & Blockchain 2021
Apr 15, 2021	Best Lawyers 2022
Apr 9, 2020	Best Lawyers 2021
Apr 4, 2019	Best Lawyers 2020

## Professional Admissions

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Japan (2002)

## Professional and Academic Associations

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INSOL (International Association of Restructuring, Insolvency & Bankruptcy Professionals)  
EAAIR (The East Asian Association of Insolvency & Restructuring)  
ABL Association  
Tokyo Bar Association (Insolvency Study Group)  
Japanese Association for Business Recovery  
Japan Insolvency Practitioners' Network

Lecturer, Atomi University (2017, Companies Act)

Professor, Graduate School of Musashino University (2018, finance law and insolvency law)

## Languages

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Japanese (first  
language)

English