



## CURRICULUM VITAE

**PHEO M. HUTABARAT**

### PERSONAL INFORMATION

**POSITION:** Senior Partner

**NATIONALITY:** Indonesia

**LANGUAGE SKILLS:** Indonesian and English

### WORK EXPERIENCE

**1995 – PRESENT**

#### **SENIOR PARTNER – HHR LAWYERS**

Pheo graduated from Faculty of Law, Parahyangan Catholic University, Bandung, Indonesia. He is one of the founding partners who established HHR Lawyers in 1996 and a managing partner of the firm.

He has developed an extensive practice both in business commercial and dispute resolution. He has led and acted as practice group leaders within the firm in relation to: (i) Commercial Dispute Resolution; (ii) Corporate and Investment; (iii) Banking and Finance; (iv) Capital Market and Securities; (v) Infrastructure Development; (vi) Trade and Competition; and (vii) Energy and Natural Resources.

His particular experience in structuring legal frameworks, negotiating and providing legal strategy as well as preparing transactions documents for a broad range of transactional arrangements within the areas of practices mentioned above has led him to handle various types of international and domestic projects as well as principal advisor in various litigation as well as domestic and international arbitration cases in favour of numerous multinational companies and Indonesian conglomerate group of companies.

- In **COMMERCIAL DISPUTE RESOLUTION** works, he has involved in various court litigation (including capital market securities litigation), bankruptcy & intellectual property court, administrative court, labor court, Business Competition Supervisory Commission (KPPU), Consumer Dispute Settlement Board as well as in domestic and international arbitration proceedings. Since 2006, he has been awarded by the Asia Pacific Legal 500 as a leading Indonesia practitioner in the area of commercial dispute resolution.
- In **BANKING AND FINANCE** works, he among others involved in various domestic and off-shore loan syndication and other financing documents, inter-creditor agreement, Indonesian security documents and commercial paper transaction involving national and as international financial institutions, as well as in debt restructuring transactions in Indonesia, especially the debt restructuring transactions of various main obligors (group of companies) representing the Indonesian Bank Restructuring Agency (IBRA) during the financial crises in 1998. International Financial Law Review 1000 has been acknowledged him as one of the leading lawyers in the practice of Banking, Project Finance, Restructuring and Insolvency.

	<ul style="list-style-type: none"> <li>• In <b>CAPITAL MARKET AND SECURITIES</b> works, he has acted in representing numerous Indonesian companies in relation to various capital market transactions, e.g. (i) initial public offering; (ii) international and domestic right issues; (iii) merger &amp; acquisition transactions of publicly held companies; (iv) equity as well as debt restructuring; and (v) other related transactions in connection with 144A Offering representing both issuers and buyers interests. IFLR1000 has acknowledged him as one of the leading lawyers in the practice of Capital Markets.</li> <li>• In <b>CORPORATE AND INVESTMENT</b> works, he has represented numerous multinational and Indonesian group of companies in all corporate &amp; investments works, e.g.: (i) merger &amp; acquisition works; (ii) asset acquisition and disposal; (iii) setting up companies (including a foreign investment company); (iv) equity as well as debt restructuring of companies; (v) agency/distribution and franchise issues; (vi) employees related transactions; (vii) complex legal due diligence works; and (viii) insolvency and liquidation of companies.</li> <li>• In <b>REAL PROPERTY</b> works, he has been appointed by international and domestic tourism/resort as well as real property companies in relation to among others: (i) land acquisitions and relinquishments; (ii) titling and strata title; (iii) development of integrated new city project; (iv) mixed-use development projects; (v) BOT, BOO and other real property structured transactions; (vi) restructuring of real property complex; (vii) tourism/resort projects; (viii) international hotel-chain contract arrangements; (ix) hotel, golf and country club projects; and (x) industrial estate related transactions.</li> <li>• In <b>INFRASTRUCTURE DEVELOPMENT</b> works, he has involved in various Indonesian power and infrastructure projects, especially in water projects. In water projects, he represented various international water companies in: (i) advising in water sector regulations in Indonesia; (ii) the privatization of the water facilities; (iii) commercial contracts (e.g. including concession, operation &amp; maintenance, build operate and transfer and other types of water infrastructure contracts); (iv) representing private sectors in the re-negotiation of water commercial contracts with the related government entities; (v) private public partnership and public procurement issues of water infrastructure projects; (vi) water utilities company's transactions and manpower issues; (vii) environmental regulation and prosecutions; and (viii) water project dispute resolution matters, including disputes in relation to the water commercial contract on behalf of the private sectors.</li> <li>• In <b>TRADE AND COMPETITION</b> works, he has involved representing the interests of clients in various agency, distribution and franchise business arrangement, as well as advising clients in relation monopolistic practices and/or unfair business competition matters and representing the clients in the legal proceedings in front of the Business Competition Supervisory Commission (KPPU).</li> <li>• In <b>ENERGY AND NATURAL RESOURCES</b> works, he representing domestic as well as international clients in relation to: (i) the project project finance of an integrated coal railway and waterway system in South Sumatera Province, Indonesia with the proposed total project cost of ± US\$ 490 million; (ii) acquisition and restructuring of plantation large complex estates in Borneo Island; (iii) forestry projects; (iv) coal and mining projects, including coal off-take agreements and mining tenements; and (v) oil and gas projects.</li> </ul>
<b>PROFESSIONAL ACHIEVEMENTS</b>	
<b>ARTICLES/PUBLICATIONS</b>	<p>Pheo has published his articles in the following various reputable publications:</p> <ul style="list-style-type: none"> <li>• As one of the contributors to the Indonesian Chapter of Asia Business Law Journal's <b>Head 2 Head: Taking It to Court</b>, a regional guide to Asia's litigation laws "<b>Enforcement of Foreign Arbitral Awards in Indonesia</b>", 2024;</li> </ul>

	<ul style="list-style-type: none"> <li>• A contributor to the Indonesian Chapter of <b>“The Restructuring Review”</b> on the 11<sup>th</sup> Edition (2018), 10<sup>th</sup> Edition (2017), and 9<sup>th</sup> Edition (2016), Law Business Research Ltd.;</li> <li>• As one of the contributors in <b>The Professional Lawyers 2018</b> published by Men’s Obsession, 2018;</li> <li>• As one of the contributors to the Indonesian Chapter on <b>“Arbitration”</b>, published by Getting the Deal Through, Law Business Research Ltd, 2018.</li> <li>• As one of the contributors to Indonesian Chapter on <b>“Product Liability Global Guide”</b>, 2017, Practical Law;</li> <li>• As one of the contributors to Indonesian Chapter on <b>“Company Law Guide”</b>, 2017, Lexis Nexis;</li> <li>• A contributor to the Indonesian Chapter of <b>“Initial Public Offerings”</b>, 2017 and 2016, Getting the Deal Through;</li> <li>• As one of the contributors to the Indonesian Chapter on <b>“Enforcement of Foreign Judgement”</b>, published by Getting the Deal Through, Law Business Research Ltd, 2017, 2016 and 2015;</li> <li>• A contributor on <b>“Construction &amp; Real Estate”</b> to Expert Guide, 2015;</li> <li>• A contributor to the Indonesian Chapter on <b>“Product Liability: Jurisdictional Comparisons”</b>, The European Lawyer Reference, 1st Edition 2014, Thomson Reuters (Professional ) UK Limited;</li> <li>• As one of the contributors to the Indonesian Chapter on <b>“Labour &amp; Employment in 39 Jurisdictions Worldwide”</b>, published by Getting the Deal Through, Law Business Research Ltd, 2014;</li> <li>• A contributor to the Indonesia Chapter on <b>“The Dispute Resolution Review Book”</b>, 4<sup>th</sup> Edition 2011, Law Business Research Ltd.;</li> <li>• <b>“Indonesian Chapter of law and practice of Product Liability Defenses in Indonesia”</b>, Product Liability Defenses Book 2007, DRI – The Voice of Defense Bar;</li> <li>• A contributor to the Indonesian Chapter on <b>“International Arbitration 2006: A Practical Insight to Cross-Border International Arbitration Work”</b>, Global Legal Group, 2006;</li> <li>• A contributor to the Indonesian Chapter on <b>“Merger Control – The International Regulation of Mergers and Joint Ventures in 54 Jurisdictions Worldwide”</b>, Getting the Deal Through, Global Competition Review, 2006;</li> <li>• A contributor to the Indonesian Chapter on <b>“The Asia Pacific Antitrust &amp; Trade Review 2005”</b>, the International Journal of Competition Policy and Regulation, Special Report, Global Competition Review, 2005;</li> <li>• <b>“Merger Control Worldwide”</b>, Cambridge University Press, 2005; and</li> <li>• One of the contributors on <b>“Legal Aspect of Free Trade: An Overview of the Readiness of the Indonesian Law in Implementing Free Trade”</b> (<i>Aspek Hukum dari Perdagangan Bebas, Menelaah Kesiapan Hukum Indonesia dalam Melaksanakan Perdagangan Bebas</i>), Citra Aditya Bakti, 2003.</li> </ul>
<p><b>CONFERENCES</b></p>	<p>Pheo has actively been requested as a speaker in relation to law firm management and law issues in the following numerous international as well as domestic conferences:</p> <ul style="list-style-type: none"> <li>• As a speaker and Indonesian representative at the <b>“Symposium on Laws and Practices of Real Estate in South East Asia’s Four Countries – Indonesia, Philippines, Laos and Cambodia”</b>, held by the Japanese Ministry of Justice and the International Civil &amp; Commercial Laws Centre Foundation (<b>“ICCLC”</b>) in Osaka, Japan on 26 October 2023;</li> <li>• As a speaker at the Atma Jaya Catholic University Jakarta’s Corporate Legal Academy Talk Show regarding <b>“Understanding the Different Perspective of Working in a Law Firm and a Company”</b> on 29 July 2023;</li> <li>• As a speaker at the Indonesian Economic Updates in Hamburg, Germany on June 2015 for the <b>“Economic Potentials Through Maritime Sector Development”</b>;</li> <li>• As a regular speaker in the training for Advocate in 2010 until to date regarding</li> </ul>

	<p>“<b>Law Firm Management: A Practical Approach</b>”, held by the Faculty of Law of Parahyangan Catholic University with Indonesian Advocate Association (AAI), West Java Indonesia;</p> <ul style="list-style-type: none"> <li>• As a speaker at the 2<sup>nd</sup> Annual Negotiating and Drafting Commercial Contracts Indonesia Conference on November 2009 regarding: “<b>Effectively Managing and Preventing Potential Disputes in Commercial Contracts in Indonesia</b>”, held by Asia Business Forum;</li> <li>• As a single speaker at a one-day workshop held by Fortress Intelligence in Singapore on September 2009 regarding: “<b>Indonesian Employment Law</b>”;</li> <li>• As a speaker at the Asia Pacific Law Firm Management Conference in Singapore on September 2009 regarding: “<b>Law Firm Marketing: Successfully Establishing Your Brand in the Law Firm Marketplace</b>”, held by Asia Business Forum;</li> <li>• As a speaker at the Training for Advocates on July 2009 regarding: “<b>A Guide to Law Firm Management: An Observation in Practice</b>”, held by DPC AAI Bandung and Faculty of Law University of Padjadjaran Bandung;</li> <li>• As a speaker at the Training for Advocate on August 2008 regarding: “<b>Company’s Organization (including Merger and Acquisition)</b>”, held by the Indonesian Advocate Organization (PERADI) in cooperation with Indonesian Legal Aid and Human Right Association (PBHI);</li> <li>• As one of speakers at the seminar on “<b>Commercial Laws in Indonesia</b>”, both separately held in (a) Singapore and (b) Kuala Lumpur (Malaysia) on May 2008, regarding: “<b>Debt Recovery in Indonesia</b>”. Organised by: Convention Pro International with supporting organisations: Singapore Accountancy Academy and CIMA Singapore;</li> <li>• As one of speakers at the seminar on “<b>Commercial Laws in Indonesia</b>”, both separately held in Singapore and Kuala Lumpur (Malaysia) on August 2006, regarding: (i) “<b>General Regulatory Framework for Foreign Investors in Indonesia</b>” and (ii) “<b>Contracts under Indonesian Laws</b>”. Organised by: Convention Pro International with supporting organisations: Singapore Accountancy Academy and CIMA Singapore;</li> <li>• As a speaker at the Commercial Laws in Indonesia Seminar in Singapore and Kuala Lumpur, Malaysia on November 2005 regarding: (i) “<b>Business Contracts under Indonesian Laws</b>” and (ii) “<b>Dispute Settlement: Court Proceeding and Arbitration</b>”. Organised by: Convention Pro International with supporting organisations: Singapore Accountancy Academy and CIMA Singapore;</li> <li>• As a speaker at the Training for Advocate on October 2005 regarding: (i) <b>Legal Audit &amp; Legal Opinion</b> and (ii) <b>Company’s Organisation</b>, held by the Faculty of Law of Parahyangan Catholic University and Pasundan University in cooperation with Indonesian Lawyers Association (<i>Ikatan Penasehat Hukum Indonesia - IPHI</i>), West Java, Indonesia;</li> <li>• As a speaker at the International Bar Association Conference in Auckland, New Zealand on October 2004 regarding: “<b>Environmental Damage In Indonesia: Liability, Compensation and Restoration</b>”; and</li> <li>• As a speaker in other various in-house seminars and workshops especially designed for the clients and limited audiences.</li> </ul>
<p><b>PROFESSIONAL MEMBERSHIPS</b></p>	<ul style="list-style-type: none"> <li>• Vice President of The Congress of Indonesian Advocates (<i>Kongres Advokat Indonesia - KAI</i>).</li> <li>• Member of the Indonesian Association of Capital Market Legal Consultant, in which he licenced as a Capital Market Legal Consultant (HKHPM).</li> <li>• Member of the International Bar Association (IBA).</li> </ul>
<p><b>PROFESSIONAL/BUSINESS /SOCIAL ORGANIZATION</b></p>	<p>He was appointed as the National Chairman of the Alumni Association of the Faculty of Law of University of Parahyangan, Bandung, for the period of 2010 – 2013.</p>

<b>ACCOLADES</b>	<ul style="list-style-type: none"> <li>• Hukumonline Practice Leaders Awards – in Practice Group: Arbitration Litigation &amp; Dispute Resolution, Aviation, Bankruptcy Insolvency &amp; Restructuring, Capital Market Debt &amp; Equity, Competition Antitrust, Corporate/M&amp;A, Labor &amp; Employment, Property Real Estate, and Shipping &amp; Logistics (2024).</li> <li>• The A-List Asia Business Law Journal – Indonesia’s Top Lawyers (2018-2024).</li> <li>• Benchmark Litigation Asia-Pacific – Litigation Star in Commercial and Transactions (2021- 2024).</li> <li>• The Legal 500 Asia Pacific – Recommended Lawyers in Shipping (2023-2024).</li> <li>• IFLR 1000, Financial and Corporate – Highly Regarded in Banking, Restructuring, and Insolvency (2018- 2023).</li> <li>• Asialaw – Distinguished Practitioner in Dispute Resolution (2018-2023).</li> <li>• Asian Legal Business – Asia Super 50 Disputes Lawyers (2023).</li> <li>• Asian Legal Business – Dealmakers of Asia (2022).</li> <li>• Leaders in Law Global Awards – Capital Market Expert of the Year in Indonesia (2021).</li> <li>• The Legal 500 Asia Pacific – Leading Individuals in Dispute Resolution (2009-2019).</li> </ul>
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CONTACT DETAILS	
<b>Telephone</b>	+62 - 21 - 5091 3991
<b>Facsimile</b>	+62 - 21 - 5091 3992
<b>E-mail</b>	<a href="mailto:pheo.hutabarat@hhrlawyers.com">pheo.hutabarat@hhrlawyers.com</a>
<b>Mobile</b>	+62 - 815 - 1010 - 8966
<b>Website</b>	<a href="http://www.hhrlawyers.com">http://www.hhrlawyers.com</a>