



EXPERIENCE WITH CHINA

Tom Klitgaard is an experienced “China Hand.”

He began working with the Chinese government in 1980 as a founding director of the San Francisco-Shanghai Sister City established by then Mayor (now Senator) Dianne Feinstein. In the ensuing thirty years during his membership on the Committee, the Committee and Shanghai worked together on nearly two hundred projects involving commercial, cultural, educational, governmental, legal, and technological exchanges.



For over twenty years, ending in 2010, Tom coordinated the operation of a business management training program with the Shanghai Municipal Government and the Sister City Committee, involving at the end China’s State Owned Assets Supervision and Administration Commission, Pudong Branch, and the Shanghai Economic Management College. The program worked with mid-level managers selected by the Shanghai Municipal Government and had nearly one hundred graduates. The graduates returned to positions in various governmental and commercial organizations in China.

In the period from 1980 to date, Tom has worked as an attorney and occasionally as a consultant with a range of American companies and business enterprises seeking to enter China or to do business there. These companies included Pacific Telesis International, Crowley Maritime, and his own former company, Tandem Computers Incorporated, where he was Senior Vice President and General Counsel.

He has been an Adjunct Professor of Asian Law at the University of San Francisco for nine years. His course touches on the antitrust, civil, commercial, corporate, criminal, and intellectual property laws of China, as well as various cultural aspects of doing business and negotiating with Chinese entities.

A portion of his activities in opening the Chinese market to Pacific Telesis International are discussed in chapter in book about the company entitled Anytime, Anywhere published by the Cambridge University Press.

He has been a member of the panel of international arbitrators of the Beijing Arbitration Commission for the past several years and has lectured at the East China University of Politics and Law in Shanghai and the Shanghai Economic Management College.

In 1999, the President of the Shanghai International Business Institute awarded Tom a certificate of honor for his “outstanding contributions” to and “remarkable achievements” for the Advanced Managers’ Program jointly run by the City of Shanghai and the City of San Francisco.

On this side of the Pacific, Tom served as President of the Chinese Culture Foundation of San Francisco in the 1980’s and is currently a director of the Foundation

Tom is a graduate of the Training For Service Abroad Program in basic Mandarin Chinese at the Monterey Institute for International Studies.

He has published a number of articles on China and lectured on China in the areas of dispute resolution and other topics.

Publications

Asian Legal Systems, 7th Edition (four volumes): Cambodia, China, Hong Kong SAR, Indonesia, Japan, North Korea, South Korea, Laos, Malaysia, The Philippines, Singapore, Taiwan, and Vietnam, University of San Francisco School of Law Instructional Materials (2011)

Updated Insights on Arbitrating Disputes With Chinese Business Entities, US Law (Fall/Winter 2010)

Arbitration Laws and Dispute Resolution in The People's Republic of China: Recent Developments, Symposium on Private Investments Abroad -- Problems and Solutions in International Business, Matthew Bender & Company (1992)

Preferential Treatment for Foreign Investment in The People's Republic of China: Special Economic Zones and Industrial Development Districts, 7 The Hastings International and Comparative Law Review 377 (co-author) (1984)

People's Republic of China Joint Venture Dispute Resolution Procedures, 1 UCLA Pacific Basin Law Journal 1 (1982)

Lectures

Some Information that You May Need to Have to Help Put Emerging China into Perspective for You and Your Grandchildren, San Francisco Committee on Foreign Relations (2010)

The Foreign Corrupt Practices Act, Dealing with Corruption or Attempts to Corrupt in International Business Transactions, Graduate School of Business Administration, San Francisco State University (2009)

How Chinese State Owned Companies Can Identify and Manage Cost Effective Legal Services Which Are Necessary for Their Expansion into the United States Through Sales or Mergers, Shanghai Economic Management College (2007)

Arbitration in the People's Republic of China, Northern California International Arbitration Club (2005)

Transferring International Technology - Modern Methods of Negotiating Technology Transfer Agreements with Chinese Organizations, San Francisco Global Trade Council (1996)

Resolving Trade and Investment Disputes with China, Institute for International Law & Business (1994)

Doing Business with the People's Republic of China, Commonwealth Club of California Business Economics Section (1986)

Negotiating with Chinese Entities, Skills and Challenges, The Chinese Culture Foundation of San Francisco (1984)

Professional Profile

Law Clerk, United States Supreme Court Justice
William O. Douglas, 1961-1962

Associate, Gibson, Dunn & Crutcher, Los Angeles, 1963-1964

Associate, Pillsbury, Madison & Sutro, San Francisco, 1964-1971

Partner, Pillsbury, Madison & Sutro, San Francisco, 1971-1985

Vice President, Senior Vice President, General Counsel and Corporate Secretary, Tandem Computers Incorporated, Cupertino, California, 1985-1992

Senior Vice President and General Counsel, Sega of America, Inc., Redwood City, California, 1992-1996

Partner, Dillingham & Murphy, LLP, San Francisco 1997-present

Education

- LL.B., University of California at Berkeley Law School (Boalt Hall), 1961; First In Class, Editor-in-Chief, California Law Review
- A.B., Summa Cum Laude, University of San Francisco, 1956

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www.dillinghammurphy.com

Dillingham & Murphy, LLP
225 Bush Street, 6th Floor
San Francisco, CA 94104
Phone (415) 397-2700 Fax (415) 397-3300