

Partner

Motoi Shimadera

Managing Partner
Daiichi Tokyo Bar Association, Japan Federation of Bar Associations (2000)
The Japanese Society of Insurance Science
New York State Bar Association (2006)
Location
Tokyo Office

Practice Areas

Finance and Insurance

Insurance / Financial Regulations

Corporate and M&A

General Corporate Practice / Corporate Litigations, Disputes and D&O Liabilities / M&A, Reorganization, and Business Alliance

Dispute Resolution

Corporate Litigations, Disputes and D&O Liabilities / Product Liability / Intellectual Property Dispute Resolution

Bankruptcy and Restructuring

Restructuring, Rehabilitation, and Insolvency / Civil Rehabilitation and Corporate Reorganization / Cross Border Insolvency

Employment Law

Employment Consulting / Labor Disputes and Proceedings

Energy and Infrastructure

Electricity / Gas

Industries

Insurance / Real Estate / Information Technology, Internet and Telecommunications / Maritime, Aviation, Transport & Logistics

Life Science, Pharmaceutical and Healthcare

Health and Nursing Care

International Practice

International Commercial Contracts / International Dispute Resolution

Professional Summary

Mr. Motoi Shimadera maintains a wide range of corporate legal practices, and has many clients in major companies.

First, he has a high level of expertise in the field of Insurance, and he provides legal advice to his clients that include major life insurance companies, non-life insurance companies, and mutual aid associations. He has also worked for two years at the Counselor ' s Office of the Civil Affairs Bureau in the Ministry of Justice as a fixed-term government officer. At that time, he was a member of the team behind the legislation of the Insurance Act, which adds to his superior expertise in a variety of legal matters involving insurance, including Insurance claim lawsuits, and alliances between Insurance companies.

Second, Mr. Shimadera has extensive experience in restructuring cases. One of the more famous cases he helped successfully resolve was the cross-border restructuring of a major semiconductor company in Japan. He was the lead attorney of this case and his experience and leadership proved key to the successful outcome.

Third, Mr. Shimadera is highly talented in not only in the above practice areas, but also in litigation, and dispute resolution for every industry. In fact, he has a stellar track record of many innovative victories in international litigation, and disputes regarding e-commerce, insurance claims, and cases related to insolvency law. Through these successes in court and arbitration, he has built a strong relationship with many clients for a long period.

Finally, Mr. Shimadera is also active as an academic; publishing many articles, and books, and presenting his research works at academic conferences. He was awarded the International Insolvency Institute ' s Takagi award (The Foundation for Research in Civil Dispute Resolution) for the article titled " Revalidate DIP corporate reorganization. "

Education & Professional Experience

April 2023 -
Managing Partner, Oh-Ebashi LPC & Partners

2006 - 2008
The Ministry of Justice, Japan, as a fixed-term officer of the Office of the Deputy Director General, Civil Affairs Bureau for the drafting of the Insurance Act

2005 - 2006
Pillsbury Winthrop Shaw Pittman LLP, Los Angeles

2005
Boalt Hall Law School at UC Berkeley (LL.M.)

1998
Kyoto University (LL.B.)

Activities

2011 - 2019
Lecturer, Meiji University, Graduate School of Law

2011 - 2017
Lecturer, University of Tsukuba, Graduate School of Business Sciences

Member of The Japanese Society of Insurance Science

Publications

2026.01.30	6500 Legal Measures for Financial Institutions
2023.03	Legal Status of an Insurance Beneficiary under the Insurance Act: Changes to the Rule and Its Effects on Legal Interpretation
2022.02.14	6000 Legal Measures for Financial Institutions
2021.08	Theory and Practice of Commercial Lines Insurance
2021.06	Points to Consider when Reviewing Directors and Officers (D&O) Liability Insurance " including Utilization of Various Special Clauses in Line with the Business Environment
2020.11	Issues in Interpretation of Insurance Law from a Practitioner's Perspective
2020.01	The Basics and Practice of General Terms and Conditions
2019.08	The Revised Civil Code and Practices on Insurance Business
2019.02	Termination of an Insurance Contract due to a Material Event of Default Caused by a Duplication of Policy Coverage
2019.02	Review of the " Principle of Indivisibility of Premium " under the Insurance Act
2018.12	Interpretation Issues Concerning Duty of Disclosure under the Insurance Act
2018.03	Termination of an Automobile Insurance Contract by the Policyholder ' s Creditor

2018.01	Despite Being Prepared for Management Risks, There May Still be Unexpected Risks! - Pitfalls of ‘ Business Insurance ’
2017.09	Practices Unforeseen at the Enactment of the Insurance Act and Issues for the Future - Focusing Mainly on the Issue Concerning One-sided Mandatory Rules
2017.02	Practices on Directors and Officers (D&O) Liability Insurance
2016.12	Derivative Actions, and Directors and Officers (D&O) Liability Insurance
2014.10	Corporate Rehabilitation Clinic (No. 46): “ The Reorganization Case of Chotokan (Grand Hotel Hamamatsu) - DIP Corporate Reorganization of a Hotel Business Rooted in the Regional Economy ”
2013.09	Policy Terms of Cooperative Insurance, Are They Good Enough? – Study of Insurance Policy Terms as a ‘ Contract, ’
2013.04	Points to Note in Concluding into Insurance Contract for Company Properties or Liability for Damages
2013.03	On the Third Anniversary of the Enforcement of the Insurance Act
2012.12	Insured Accident Caused by a Third Party and Discharge of the Insurer ’ s Liability
2012.10	[Special Topic] Use of Business Insurance and its Legal Risks / Points to be Checked on Business Insurance Contracts
2012.06	Benefits and Potential Legal Risks of Business Insurance
2012.04	Scope of Subrogated Claims under Personal Injury Insurance
2012.03	Manifestation of Intention to Change Insurance Beneficiary(ies)
2011.07	The Latest Insurance Circumstances
2011.05	Examination of the DIP-Type Corporate Reorganization - Spansion Japan (3) Issues on Concurrent Bankruptcy in U.S-Japan
2011.04	Examination of the DIP-Type Corporate Reorganization - Spansion Japan (1) Corporate Reorganization Proceedings on Spansion Japan
2010.05	A Consideration on Cancellation Filing by Insured
2010.04	New Practice of the General (or non-life) Insurance, Commentaries on the General Insurance Investigation Practice under the Insurance Law
2010.04	Commentaries on Insurance Law -Life Insurance / Fixed Return Accident and Health Insurance
2009.06	Revised Guidelines for Supervision on the New Insurance Law
2009.05	Series of Questions & Answers, Questions & Answers on Insurance Law
2009.04	The Effects of the New Insurance Law on Insurance Sales at Banks
2008.11	New Insurance Law - the book to read first!
2008.09	Commentaries on Insurance Law (1)-(5)
2008.07	Law on Insurance Framing and Drafting Materials - Overview of the New Law, Old and New Chart
2004.03	Theories, Practices, Formats Concerning the New Corporate Reorganization as a Practitioner of a Trustee
2003.09	Recent Reform of Japan ’ s Corporate Reorganization Act(co-authored)

Seminars/Lectures

2020.02.19	Seminar on "Points of the Amended Companies Act / Case Studies of Utilization of Directors and Officers Liability Insurance"
2019.05.20	The Basics and Practice of General Terms and Conditions - Organizing the Points to be Reviewed in Consideration of the Civil Code Reform
2019.02.18	Points to Consider on Business Insurance by Enterprises - Hidden Pitfalls in Insurance and the Practical Handling of Contract Execution and Insurance Claims

2018.09.26	Must-Know Knowledge on "Insurance" for the General Affairs and Legal Team
2018.05.18	The Basics of and Practices on General Terms and Conditions - Points to Review in Consideration of the Civil Code Reform -
2017.11.28	Potential Effects of the Amendments of the Law of Obligations on Mutual-Aid Practices
2017.10.23	The Civil Code Reform and Issues in Concluding Insurance Contracts (Series of 5 Sessions)
2017.09.19	The Basics of and Practices on General Terms and Conditions - Points to Review in Consideration of the Civil Code Reform (Law on Obligations) -
2017.05.22	The Basics of and Practices on General Terms and Conditions - Points to Review in Consideration of the Civil Code Reform (Law on Obligations) -
2017.02.27	Points for Corporations to Consider about Business Insurance - Pitfalls of Insurance and Business Practices concerning the Handling thereof in Concluding Contracts and Claiming for Insurance Money -
2016.10.30	Current Status of and Issues concerning Practices that are Different from Those Contemplated at the Time of the Enactment of the Insurance Act - Focusing on the Issue of One-Sided Mandatory Provisions
2015.11	The Basics of and Business Practices concerning Directors and Officers Liability Insurance (D& O Insurance) - Using Insurance as a Precaution Against Claims Involving Corporate Officers&Liability -
2015.09	The Basics of and Practices on General Terms and Conditions - Points to Review in View of the Civil Code Reform (Law on Obligations) -
2015.03	Business Rehabilitation of Local Companies and the Role of Financial Institutions - Based on Business Recovery Cases Using the Prepackaged DIP-style Corporate Reorganization
2014.01.23	The Current Situation, which is Different from that Assumed at the Time of Enactment of the Insurance Act, and Recent Regulation Trends - Points in Reviewing Practices concerning Policy Conditions and Payment -
2012.12.04	Notes on Business Insurance Contracts - To Avoid Troubles in Claiming Insurance -
2012.07.19	Amendment to the Civil Code and Cross-Border Transactions of Our Country - Increasing Foreign Businesses and Role of Insurance Companies -
2011.02.16	Does New Insurance Law Work?
2010.06.05	Interpretation of Insurance Law (I) to (VI)
2009.10.24	Issues and Visions Concerning the New Insurance Law
2009.10.06	The Effects of Insurance Law on the Practice of Product Planning and Insurance Agency, and the Preparatory Points for the Enforcement Thereof
2009.09.16	Compliance Matters at Banks and Insurance Companies after the Enforcement of the New Insurance Law, mainly regarding the Effects on Sales of Insurance Packages and Collateral Operations
2009.08.28	Compliance Matters for Insurance Companies under the Revised Guidelinse for Supervision, Seven Months before the Enforcement of the New Insurance Law
2009.02.27	Practical Reminders for the Enforcement of the New Insurance Law, Commentaries on the Significant Matters as a Drafter of the Law

Languages

Japanese and English