



Partner

Hirotake Tanaka

Osaka Bar Association, Japan Federation of Bar Associations (2010)

New York (2018)

Location

Osaka Office

Practice Areas

Corporate and M&A

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

Bankruptcy and Restructuring

Restructuring, Rehabilitation, and Insolvency / Civil Rehabilitation and Corporate Reorganization / Out-of-Court Restructurings /
Distressed M&A/DIP Finance / Cross Border Insolvency

International Practice

International Commercial Contracts / North America

Life Science, Pharmaceutical and Healthcare

Research and Development / M&A / Health and Nursing Care

Professional Summary

Hirotake Tanaka focuses his practice on restructuring and bankruptcy. Since joining Oh-Ebashi in 2010, he has worked on a large number of bankruptcy cases, which spread across different fields including a land developer, golf course management company, medical group, public service company, transport company, food company etc. and his cases are almost all of extreme large scale involving debts of billion dollars. Furthermore, he is familiar with not only legal liquidation but also private arrangements. He has also succeeded in some complex cases such as the one transferred from civil rehabilitation proceedings to company reorganization proceedings via bankruptcy proceedings, the details of which are explained in his article “ New Approach for the Use of Corporate Reorganization Proceedings ” .

In addition to the bankruptcy filed, he has dealt with M&A transaction cases and crisis management cases as his day-to-day legal practice. Based on his broad experiences and toughness, he has played significant roles in various cases.

Education & Professional Experience

2017-2018

Morgan, Lewis & Bockius LLP (New York)

2017

University of California Los Angeles School of Law (LL.M.)

2009

Kyoto University Law School (J.D.)

2007

Kyoto University (LL.B.)

Publications

2023.08.24	Thematic-based: Legal Practice in the Healthcare Business
2023.08.08	Bankruptcy of a Party that Agreed to Resolve Disputes through Arbitration Proceedings
2022.01.11	Are bankruptcy creditors expected to pay attention to public announcements in the official gazette? (decision of the Utsunomiya District Court on May 13, 2021, Hanrei Times No. 1489, p. 69)
2021.06.08	A Case in Which the Right of Avoidance was Held to be Established with Respect to a Notice of Shortfall in So-called “ Kizoku-seisan (Liquidation of Security While Retaining Ownership) ” (Judgment by the Osaka District Court on December 20, 2019)
2020.08.11	Points to Consider for Open Innovation from the Perspective of Insolvency Law (Referring to a Joint R&D Agreement with a Start-up)
2020.03.10	Bankruptcy of Licensor and the Consequences for License Agreements
2019.12.10	Various Aspects of the US Bankruptcy Law #6 –Validity of Contract Termination on the Basis of “ Filing Bankruptcy ”
2019.07.09	Various Aspects of the US Bankruptcy Law #5 –Venue for Chapter 11 filings
2019.06.11	Various Aspects of the US Bankruptcy Law #4 –Can Receivables be Collected through Offsetting?
2019.05.14	M&A in the Framework of Statutory Insolvency Procedures
2019.02.12	Various Aspects of the US Bankruptcy Law #3 – Automatic Stay
2018.12.21	FAQ on Investments in Medical Organizations
2018.12.11	Various Aspects of the US Bankruptcy Law #2 – Automatic Stay I
2018.10.10	Various aspects of US Bankruptcy Law #1 - How bankruptcy is viewed differently in Japan and the United States
2015.12	Commentaries on the Bankruptcy Act (Vol. 1)
2014.02	New Approach for the Use of Corporate Reorganization Proceedings – The case in which, after having been shifted from a civil rehabilitation case to a bankruptcy case, the bankruptcy trustee filed a petition to commence corporate reorganization proceedings and, under such corporate reorganization proceedings, the trustee successfully formed an agreement with secured creditors and disposed the building built on leased land, including completed parts of construction (concrete basement and the like) thereof

Seminars/Lectures

2024.10.25	【Online Seminar】 Series of Seminars on M&A in Various Business Fields (4): Pharmacies
2024.08.21	【Online Seminar】 Series of Seminars on M&A in Various Business Fields (2): Medical Devices
2022.07.20	【Online Seminar】 Series of M&A Legal Practice Seminars (12): Basics of M&A Investment Regulations through Comparison between Japan and the United States
2022.02.09	【Online Seminar】 Life Science Practice Seminar No.5: Practices of Compliance with the Pharmaceutical and Medical Device Act (Focusing on Development of the Compliance Structure and Monetary Penalty System)
2021.05.27	【Online Seminar】 Points to Note in Contracting with Overseas Bio Ventures
2020.05.15	【Online Seminar】 Dealing with Novel Coronavirus Related Matters II: Notes on M&A with a Company under a Civil Rehabilitation Proceeding
2020.02.27	【Osaka】 FIRRMA will Comprehensively Take Effect in February 2020: Learn through Q&A regarding the Latest CFIUS Review Procedure
2020.02.21	【Tokyo】 FIRRMA will Comprehensively Take Effect in February 2020: Learn through Q&A regarding the Latest CFIUS Review Procedure
2020.02.19	【Osaka】 Risk Management & Compliance Seminar Answers to Questions You are Hesitant to Ask: Legal Responsibility of a Listed Company for Accounting Fraud and Management of Third Party Committees

2020.02.14	【Tokyo】Risk Management & Compliance Seminar Answers to Questions You are Hesitant to Ask: Legal Responsibility of a Listed Company for Accounting Fraud and Management of Third Party Committees
2019.06.14	Summary of Products Liability Systems in Foreign Countries and Practices Thereunder - Focusing on the Systems to Report and Recall Defective Consumer Goods in the United States, European Countries and China
2019.04.18	Most Suitable Measures to be Taken against Business Partners in Bankruptcy Proceedings in Japan and the U.S.A. in view of Case Studies
2019.02.28	【Tokyo】Seminar on the Recall System for Chinese, Japanese, American and European Products
2019.02.19	【Osaka】Seminar on the Recall System for Chinese, Japanese, American and European Products
2019.01.28	【Tokyo】The Cutting Edge of the CFIUS Review Process since the Enactment of FIRRMA
2018.12.07	【Osaka】The Cutting Edge of the CFIUS Review Process since the Enactment of FIRRMA
2018.10.26	【Tokyo】M&A Legal Practices - Turning the Insolvency of Business Partners and Competitors into a Business Opportunity
2018.10.10	【Osaka】M&A Legal Practices - Turning the Insolvency of Business Partners and Competitors into a Business Opportunity

Languages

Japanese and English