



Peerasanti Somritutai

Partner

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Languages

- Thai
- English

Education

- LL.M in Corporate and Securities Laws, London School of Economics and Political Science, UK
- LL.B, Thammasat University, Thailand

Professional Qualifications

- Member, the Lawyers Council of Thailand

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Profile

Peerasanti is a partner with Kudun and Partners Limited. He mainly focuses his practice on corporate, mergers and acquisitions including acquisition and disposal of equity interest in listed companies, non-recourse and limited-recourse project financing, real estate financing and development, as well as energy and infrastructure projects. He has represented domestic and award-winning cross-border transactions for both local and international clients across multiple industries, including financial institutions, real estate, hotels and resorts, consumer goods and services, transportation and logistics, and industrial and manufacturing.

Areas of Expertise

- Corporate and M&A, including acquisition and disposal of equity interest in listed companies
- Non-recourse and limited-recourse project financing
- Real estate financing and development
- Energy and infrastructure

Professional Experience

- Associate, Energy & Infrastructure Team, Hunton Andrews Kurth
- Associate, Real Estate Team, DLA Piper (Thailand)
- Associate, International Legal Counsellors Thailand (ILCT)
- Senior Legal Consultant, PwC Thailand
- Associate, LS Horizon

Recent Awards and Rankings

- Rising star lawyer in Corporate and M&A by Asialaw, 2022

Practice Focus

A selection of matters in which Peerasanti has been involved include:

Corporate and M&A, and Real Estate Transactions

- Representing Prima Marine Public Company Limited — a full-service provider in the marine transport industry and one of the largest fully integrated business operator in oil tanker and oil and petroleum storages in Thailand — on the acquisition from Thai Oil Public Company Limited — a subsidiary of PTT Group and the

largest oil refinery in Thailand — of all equity interests in Thairoil Marine Co., Ltd. (including indirect acquisitions of TM's subsidiaries including TOP Maritime Services Co., Ltd.) of a total value of approximately THB 1.2 billion (USD 39.9 million).

- Representing Areeya Property Public Company Limited, a leading real estate developer listed on the Stock Exchange of Thailand (SET), on the divestiture of Mega 1 and Mega 2 Projects to Real Asset Development Co., Ltd. — an extremely rare sale and purchase transaction involving the "during-construction" residential condominium projects located in Bangkok's Bang Na area, a rapidly growing suburb near to the Suvarnabhumi International Airport at the approximate value of THB 1.1 billion (USD 37 million).
- Representing Thai affiliates of one of the largest US private equity fund/alternative asset managers serving many of the world's most prominent investors on: (i) the approximately USD 20 million-worth acquisition of a hotel from a Stock Exchange of Thailand (SET)-listed company for the approximately USD 50 million-worth further construction and development as a new hotel; (ii) the approximately USD 40 to 50 million-worth acquisition of assets through the Legal Execution Department (LED); and (iii) the potential acquisitions of other hotels and office buildings, each in Bangkok or another commercially popular location in Thailand.
- Representing Raimon Land Public Company Limited (RML) on its joint venture investment with Tokyo Tatemono Asia Pte. Ltd., an investment arm in Southeast Asia of Tokyo Tatemono Group, one of the biggest real estate developers in Japan, for the construction and development of a luxury hotel in a prime location in Bangkok, Thailand.
- Representing subsidiaries of Assetwise Public Company Limited on (i) the divestiture of all condominium units in one of the residential condominium buildings in Kave Town Shift (Bangkok University) Project to Siamhome Management Pte. Ltd. at the approximate value of THB 450 million (USD 15 million), and (ii) the brokerage and agency agreements with several brokers and agencies respecting the Kave Town Shift (Bangkok University) and Atmoz Ratchada-Huaikwang Projects.
- Representing VL Layan Company Limited on its approximately THB 400 million (USD 13 million)-worth purchase of real estate properties in Phuket from Layan Hill Residence Company Limited and on its entry into a hotel rental program with MHG Phuket Limited for the management of the properties purchased as a hotel under the world-renowned hotel brand.

Financing

- Representing Phelps Dodge International (Thailand) Limited (PDITL), a subsidiary of Stark Corporation PCL., in the acquisition financing extended by United Overseas Bank (Thai) PCL and Kasikornbank PCL in the aggregate facilities value of approximately THB 7.5 billion (USD 239 million) for indirect acquisition of all equity interests in Dong Viet Non-Ferrous Metal and Plastic Joint Stock Company (Dovina) and Think Phat Cables Joint Stock Company (Thipha) in Vietnam. This strategic acquisition has

strengthened PDITL's cable business in the Southeast Asia region.

- Representing Dovina and Thipha, post-acquisition subsidiaries of PDITL, in the financing arrangements for revolving working capital extended by United Overseas Bank Limited in Singapore and United Overseas Bank (Vietnam) Limited in the aggregate facilities value of approximately USD 55 million for operations, expansion and further development in Dovina and Thipha.
- Representing Standard Chartered Bank Korea Limited as a Thai lender legal advisor on its extension of a working capital facility in the aggregate facility value of approximately USD 15 million to Dayou Winia (Thailand) Co., Ltd., a Thai-registered subsidiary of WINIADIMCHAE Co., Ltd, one of the prominent suppliers of electronic devices and appliances in Korea.
- Advising Export-Import Bank of China Tianjin Branch (CEXIM Tianjin) from a Thai law perspective on the approximately USD 83 million-worth guarantees indirectly provided to the State Railway of Thailand, as an employer, in support of the Consortium of China Railway International Co., Ltd. and China Railway Design Corporation, as a contractor, under the Trackwork, Electrical and Mechanical (E&M) System, EMU and Training Contract of the cooperation between the government of Thailand and the government of the People's Republic of China on Bangkok – Nong Khai HSR development for regional connectivity (Section 1 Bangkok – Nakhon Ratchasima).
- Representing the major shareholders of several Stock Exchange of Thailand (SET)-listed companies, as sellers/borrowers, on securities lendings (both REPO and non-REPO) offered or extended by private equity funds based in US, North America and Asia, with average securities value of USD 40-50 million per transaction.
- Assisting Bangkok Bank Public Company Limited (BBL) in its involvement of the rehabilitation of Thai Airways International Public Company Limited (THAI) as one of THAI's creditors with preparation and finalization of the Thai translation of the 2002 ISDA Master Agreement (including its Schedules and Confirmations) made between BBL and THAI.

Commercial Contracts

- Advising Areeya Property Public Company Limited, a Stock Exchange of Thailand (SET)-listed leading real estate developer, in connection with the Soonthareeya Ratchadamri Project, the luxury leasehold residential condominium project developed on the prime land on Ratchadamri Road owned by Vajiravudh College, on the preparation, finalization and implementation of (i) the template of a sublease agreement of residential unit to be entered into with leasehold owners, and (ii) the template of a non-exclusive marketing agency agreement to be entered into with prominent real estate agencies in Thailand (including CBRE and Jones Lang LaSalle).
- Advising XET Limited, a partner of King's College School Wimbledon (International) Limited who operates the King's College School, Wimbledon in London, the United Kingdom, on the preparation, finalization and implementation of the template for an

employment agreement respecting King's College International School, a newly founded prestigious international school in Bangkok, Thailand.

- Representing one of the biggest Stock Exchange of Thailand (SET)-listed leisure & hospitality companies on the hotel management contracts with several local hotel owners in Thailand.
- Representing Eka Global Company Limited, one of world's largest producers of unique plastic packaging products, on (i) its sale of products to an Australian-based food manufacturer including its affiliates throughout Asia, and (ii) its purchases of supplies from vendors through the preparation of standardized terms and conditions to a supply agreement.

General Advice

- Advising Delivery Hero (Thailand) Co., Ltd., the operator of "foodpanda" in Thailand, on multiple investment structuring alternatives and the optimization of foodpanda's businesses from legal and commercial perspectives.
- Representing a group of private equity investors (both Thais and foreigners) on their fishery investments and businesses in Thailand.