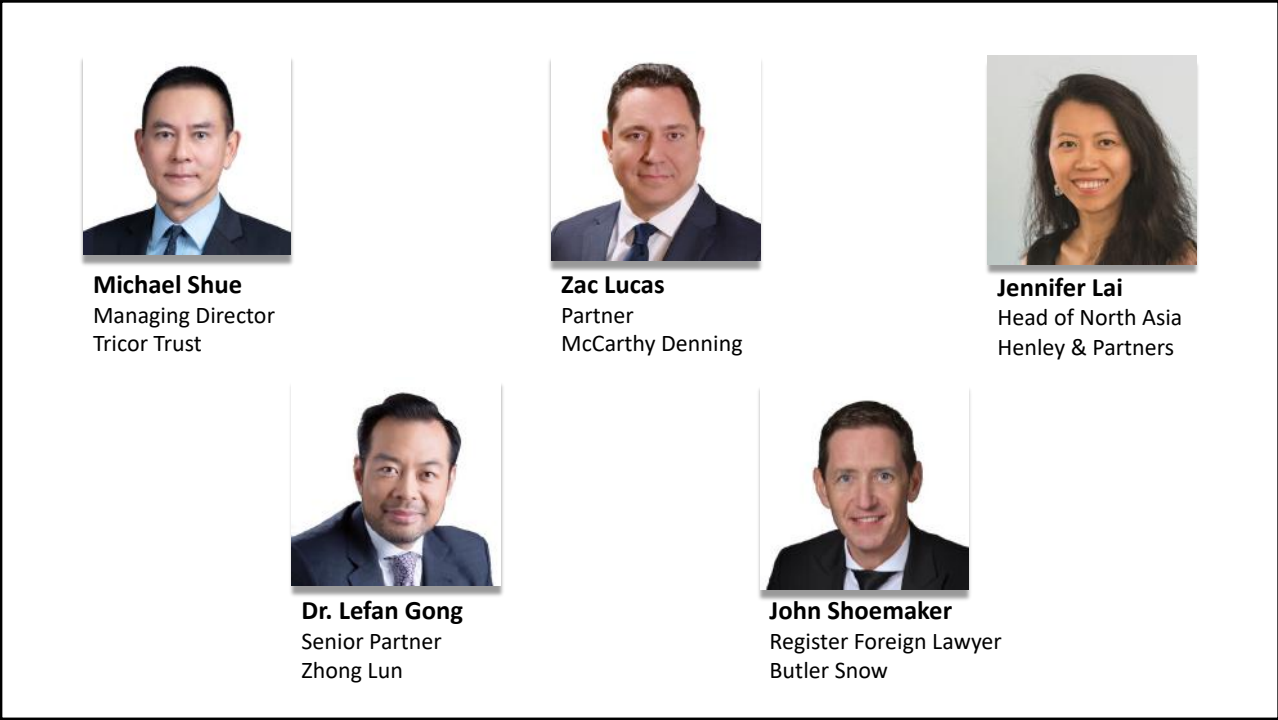





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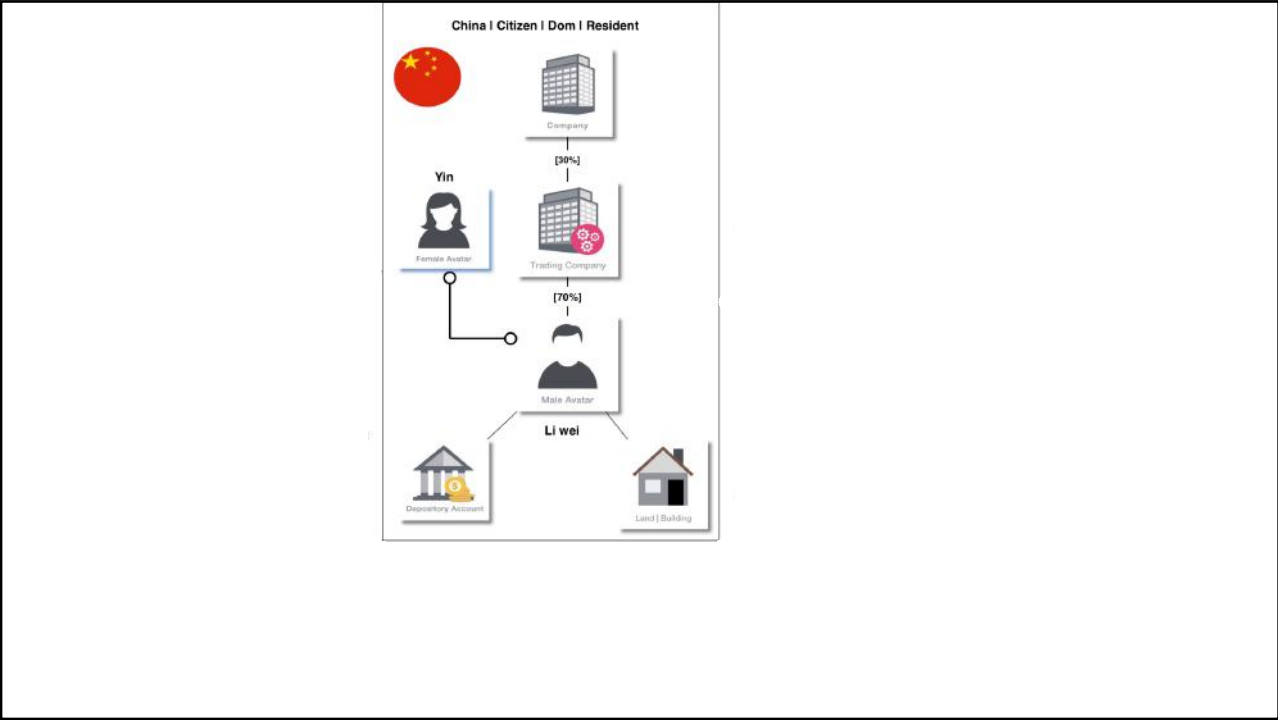
## Agenda:

- **Case Study 1**
  - Domestic China Divorce | Succession | Community Property
- **Case Study 2**
  - Foreign Divorce | Succession | Community Property
- **Case Study 3**
  - EU Emigration | Applicable Programs | Implications 

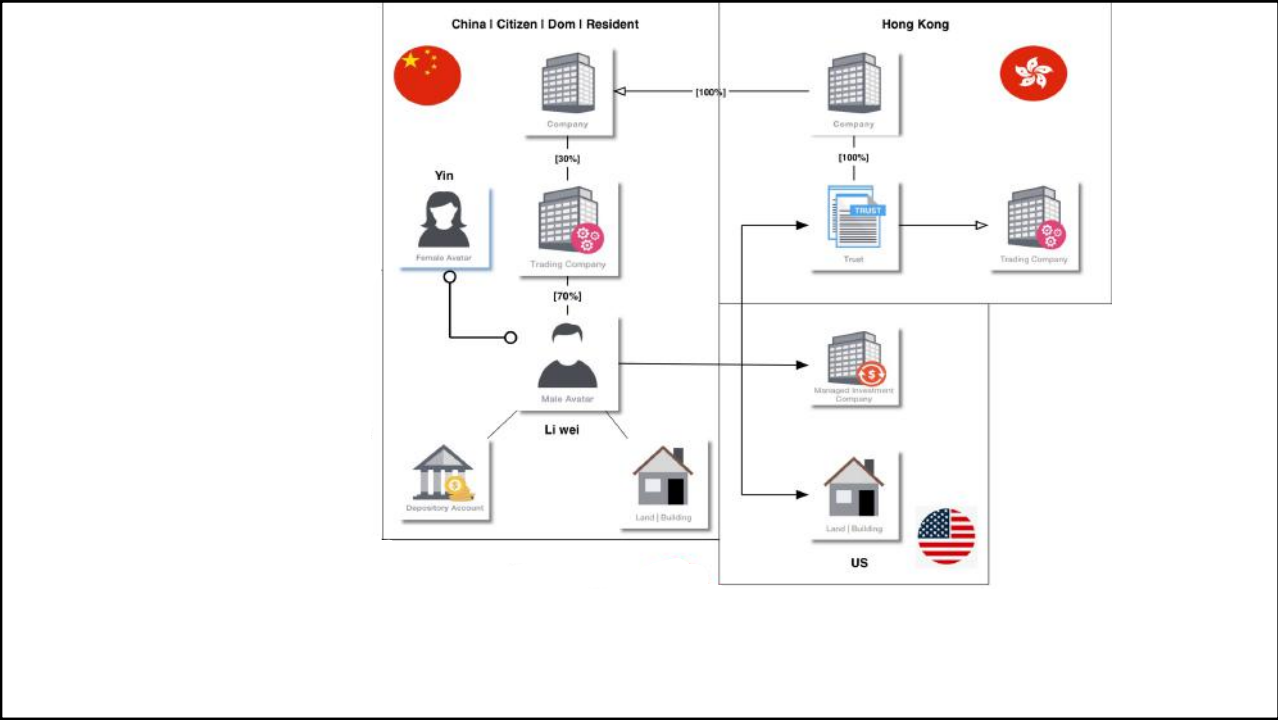
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## Case Study No. 1

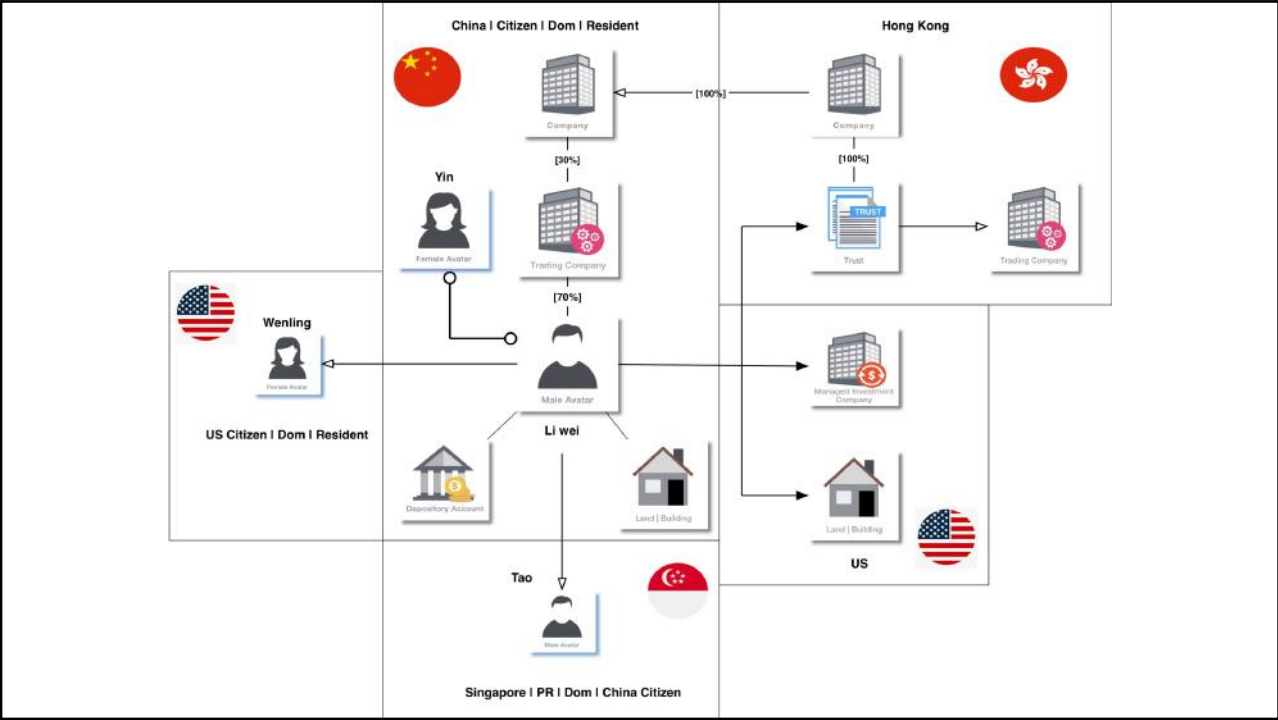
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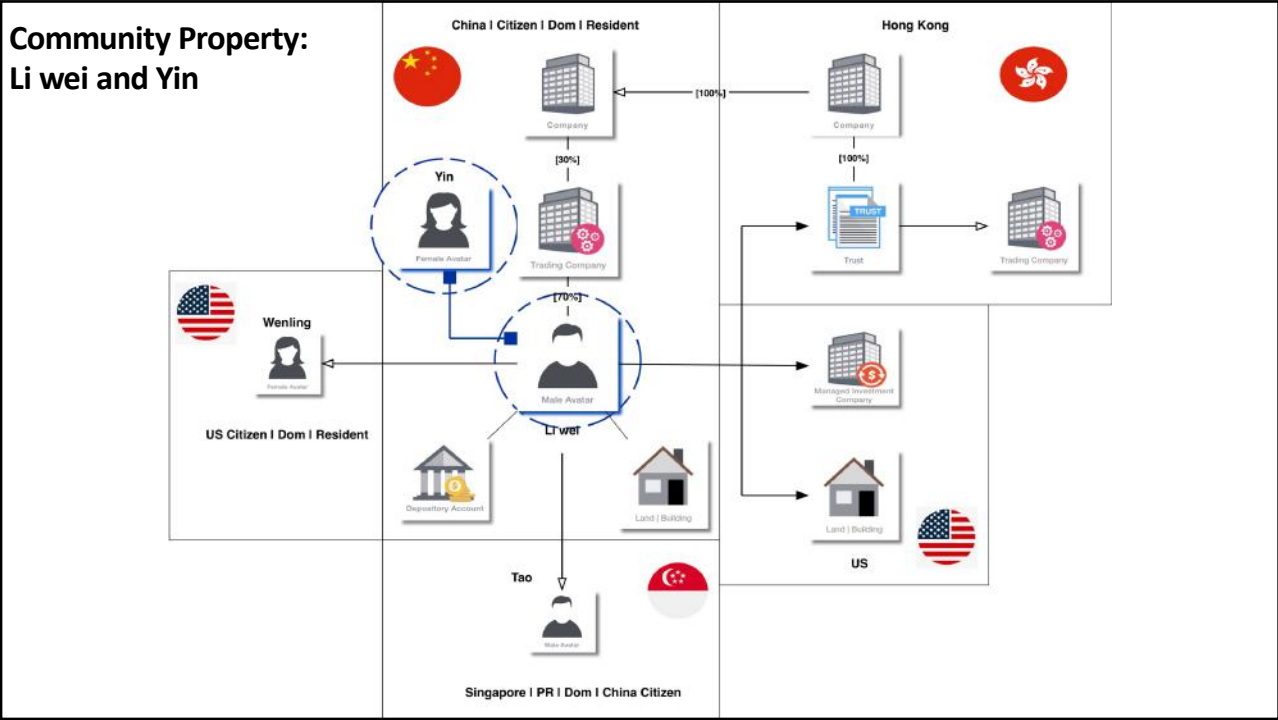
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Domestic Community Property

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### Community Property: Li wei and Yin

- Basis of China Community Property Rules?
- Does Community apply to Inherited Property or Property acquired before Marriage?
- Is a Pre | Post Nuptial Agreement Legally Effective? ➡

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### Community Property: Li wei and Yin

- Can Yin claim Community Rights to property transferred to a foreign Trust?
- Does HK trust law provide protections against a Community Property Claim?
- What about the trust's indirect share (30%) in the China trading company? ➡

11

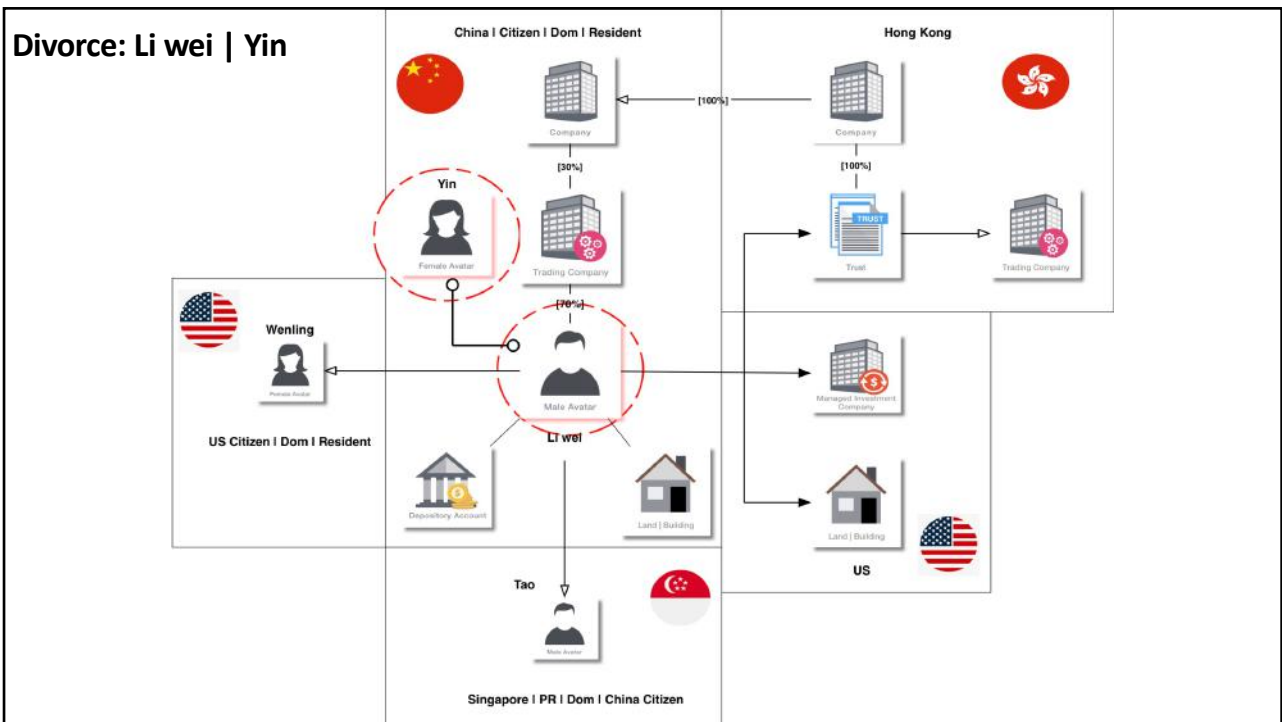
### Community Property: Li wei and Yin

- Would the US recognize foreign Community Property ownership? ➡

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# Domestic Divorce

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**Divorce: Li wei | Yin**

- Basis on which China Court will Exercise Jurisdiction to Grant Divorce?
- Would a China Court seek to (re)distribute or alter Community Property Rights?
- Would a China Court follow and enforce the terms of a Nuptial Agreement? ➡

15

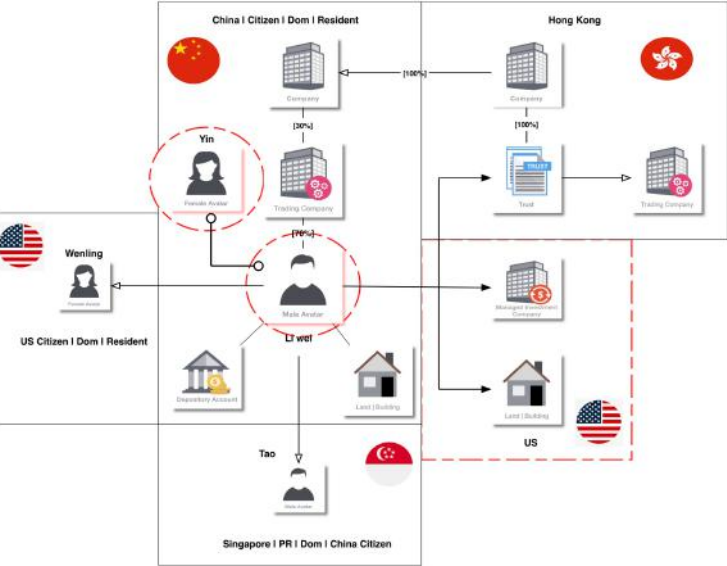
**Divorce: Li wei | Yin**

- Would a China Divorce Court seek to make an order varying or terminating the HK Trust?
- Whether HK law provides any “Firewall Defense”?
- Would a China Divorce Court seek to make an order against the Trust’s indirect shares in the China trading company? ➡

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Divorce: Li wei | Yin

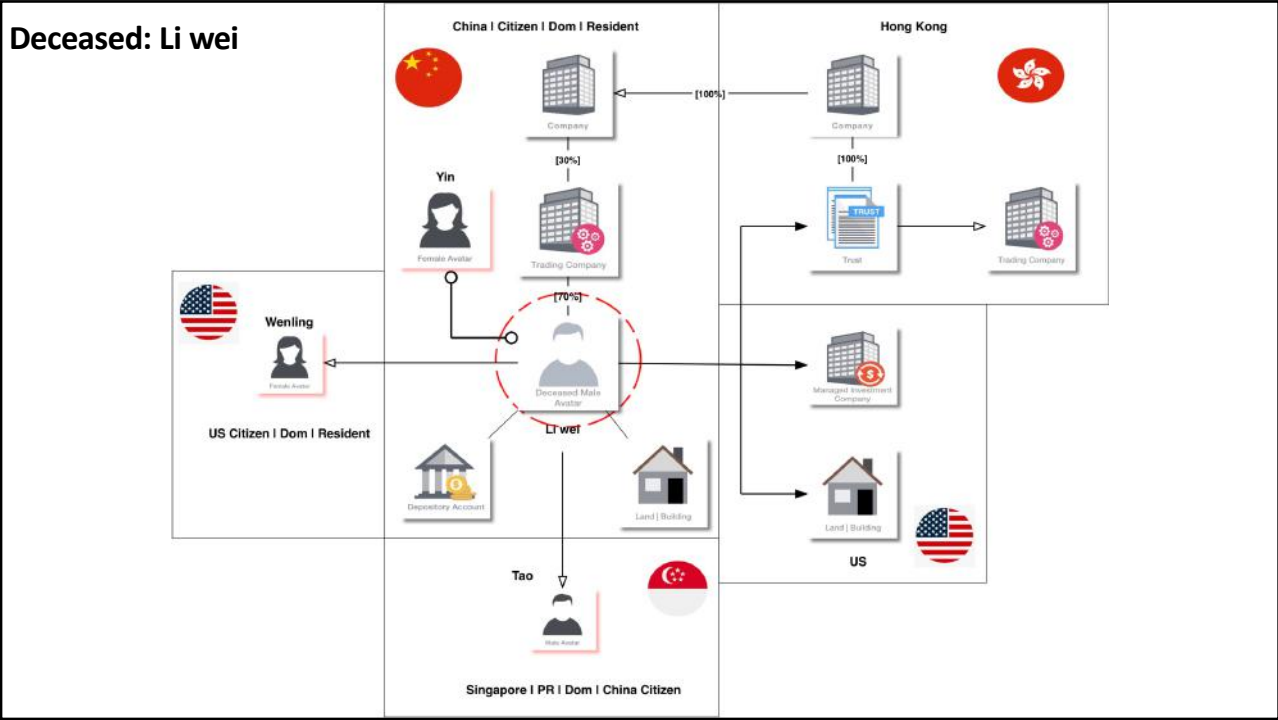


• Would a China Divorce Court seek to make an order against Foreign property? ➡

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# Domestic Succession

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- Basis and application of China Succession Laws
- Does China Succession Law include Forced Heir rights?
- Is it possible to agree to vary Inheritance Rights?
- Does China Succession Law permit any Testamentary freedom? ➡

20

**Deceased: Li wei**

- Does China Succession Law permit heirs to “*claw back*” transfers made to a foreign trust?
- Does HK trust law provide protection against an inheritance or succession “*claw back*” claim?
- What about the indirect shares (30%) held by the trust in the China trading company? ➡

21

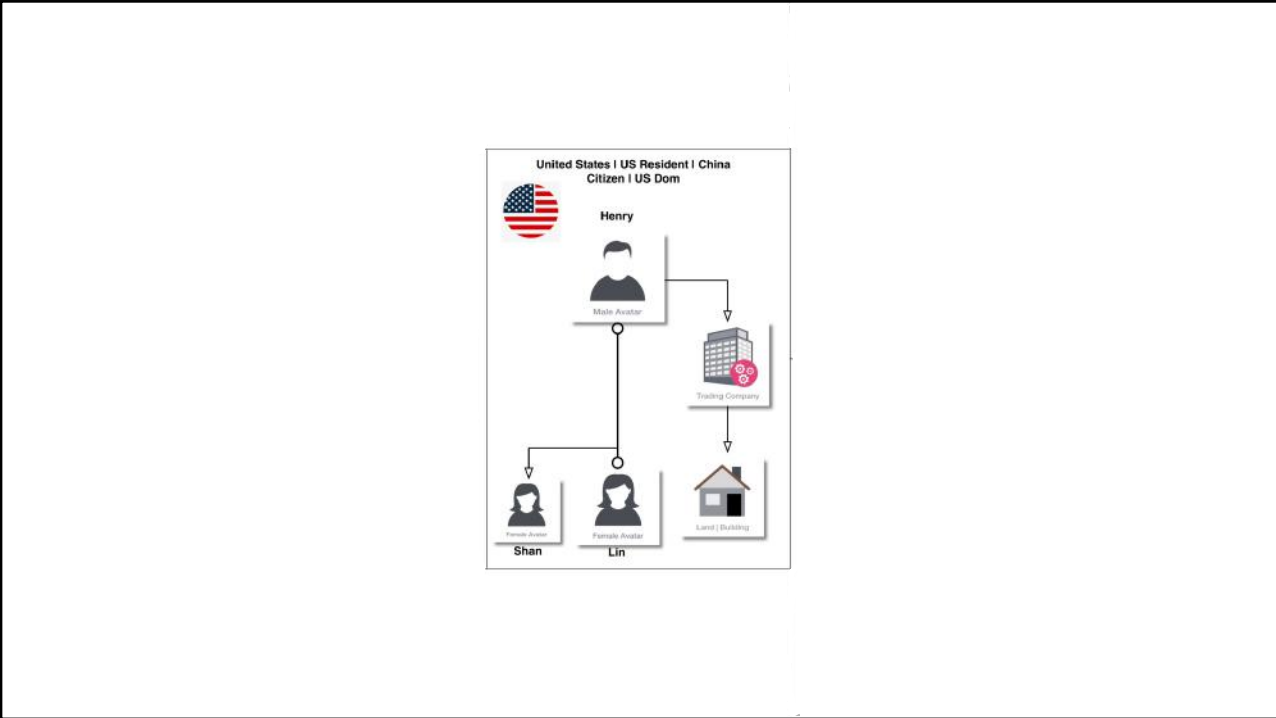
**Deceased: Li wei**

- Which Succession Law will apply to US company shares: China or US?
- Which Succession Law will apply to US Land: China or US?
- Is there any state and/or federal estate tax implications? ➡

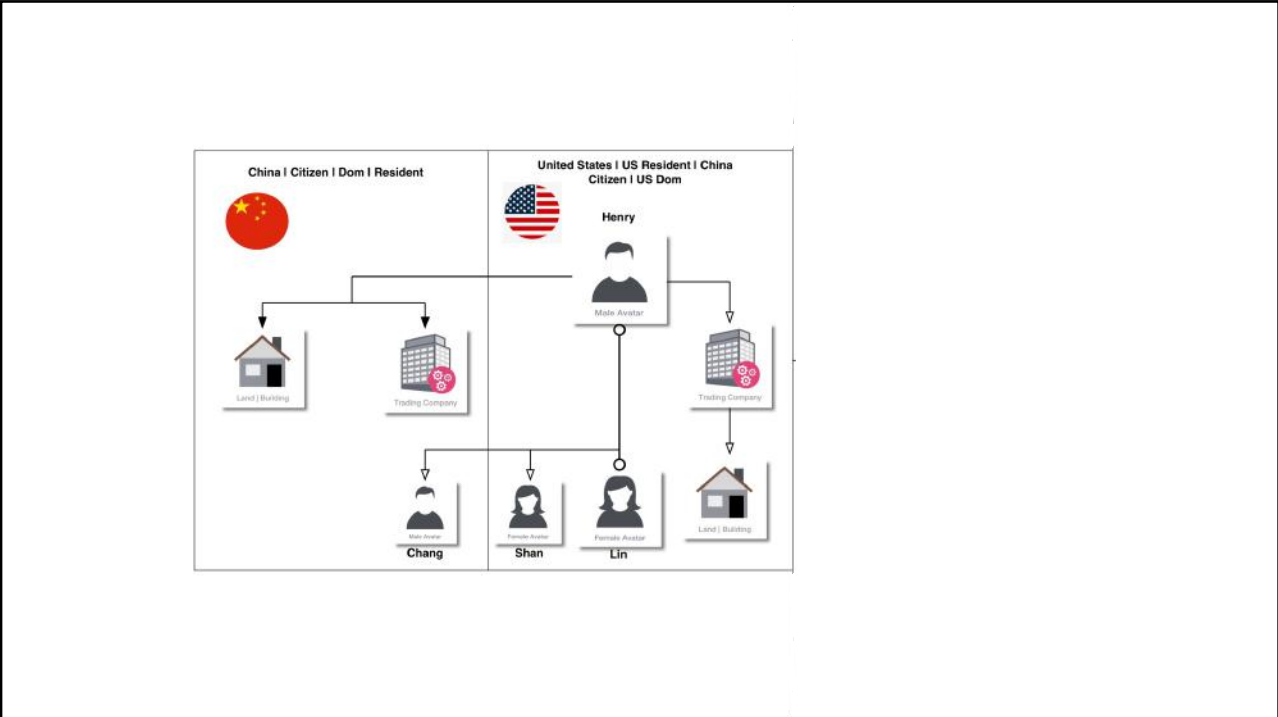
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# Case Study No. 2

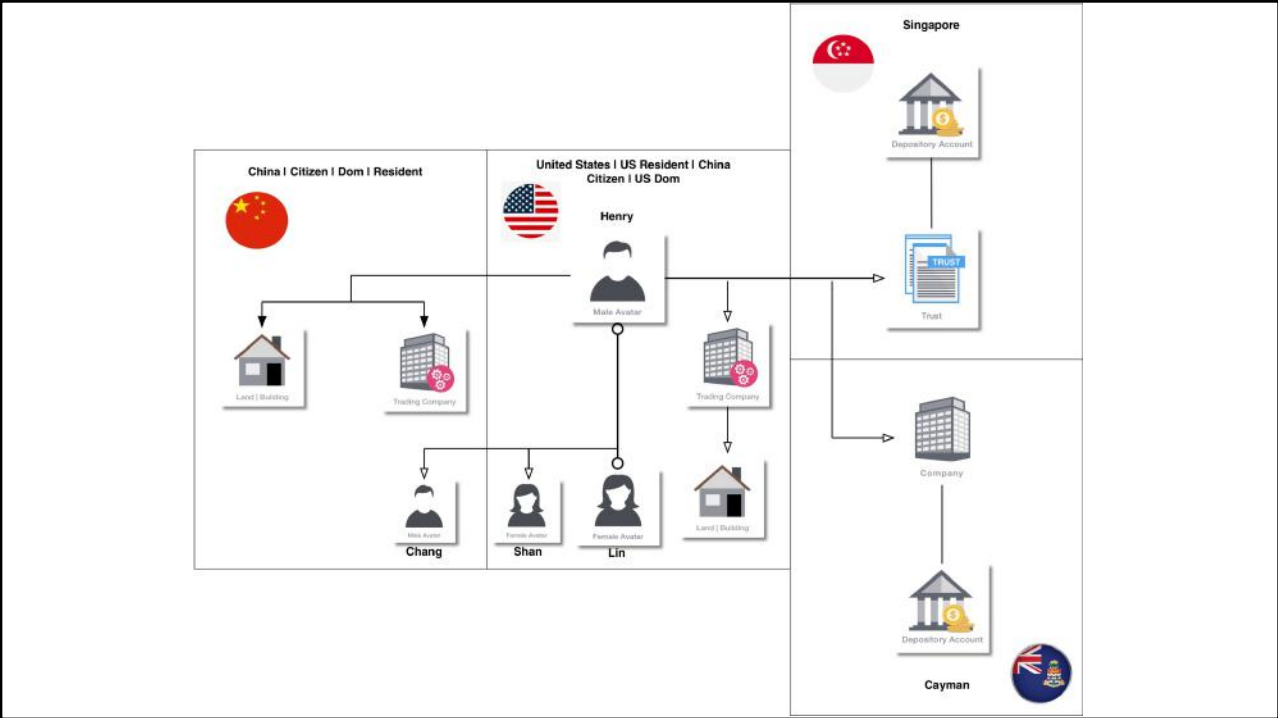
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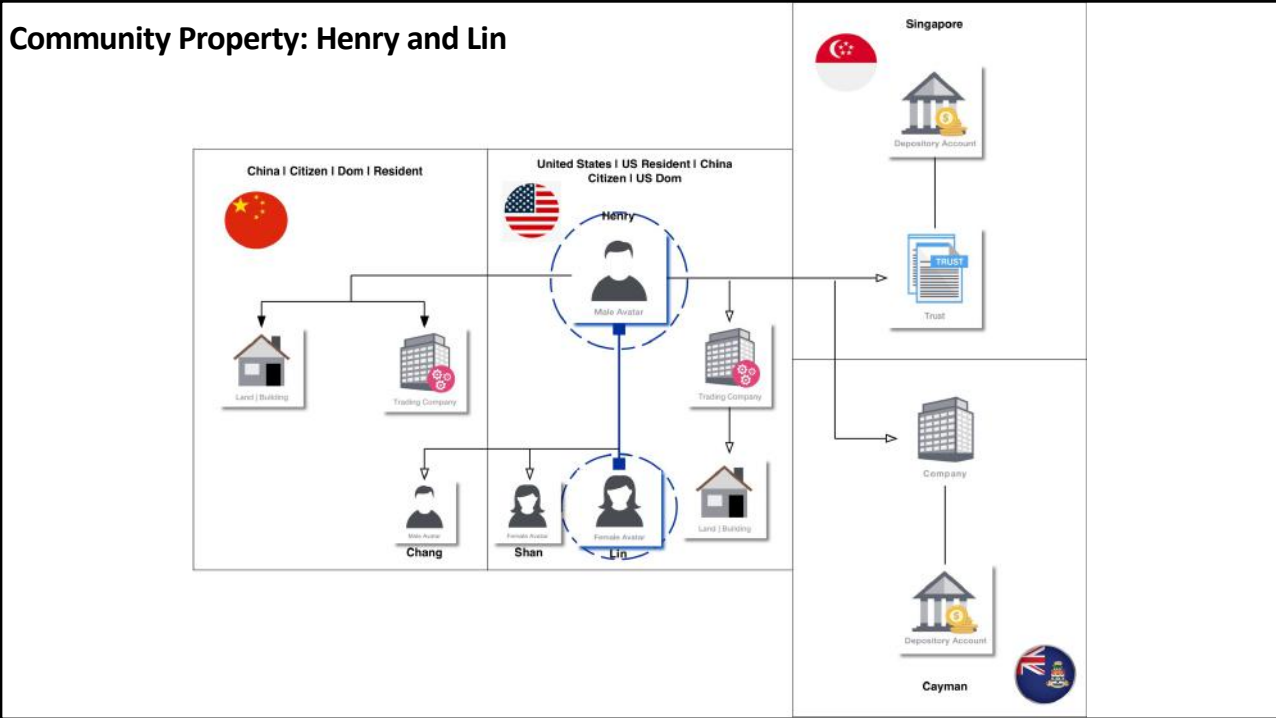
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# Foreign Community Property

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### Community Property: Henry and Lin

The diagram illustrates the legal structure of Henry and Lin's assets. Henry is a US Resident and China Citizen, and Lin is a China Citizen and US Resident. They have assets in China (Land/Building, Trading Company) and the US (Trading Company, Land/Building). They also have assets in Singapore (Depository Account, Trust) and Cayman (Company, Depository Account).

- Basis of Community Property Rights in the US?
- Application to Inherited and Pre-Marriage Property?
- Is a Pre | Post Nuptial Agreement legally valid? ➡

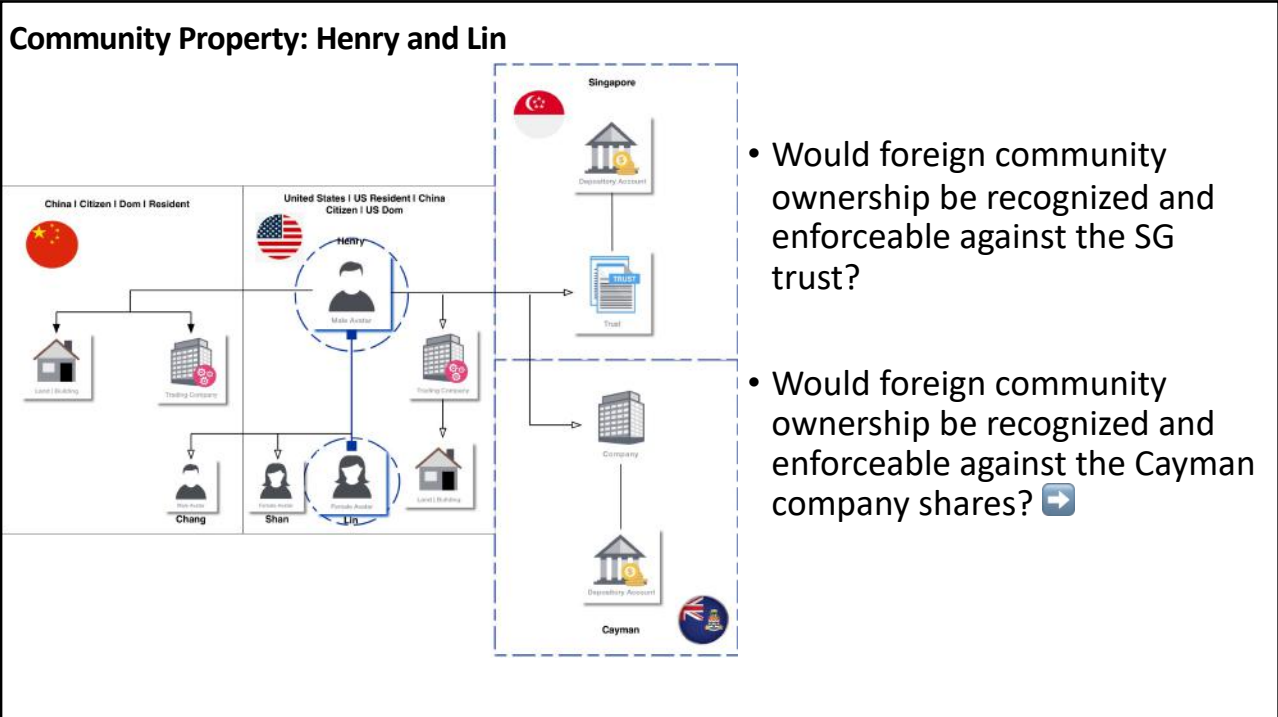
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### Community Property: Henry and Lin

The diagram illustrates the legal structure of Henry and Lin's assets. Henry is a US Resident and China Citizen, and Lin is a China Citizen and US Resident. They have assets in China (Land/Building, Trading Company) and the US (Trading Company, Land/Building). They also have assets in Singapore (Depository Account, Trust) and Cayman (Company, Depository Account).

- Would a Foreign Community Property ownership be recognized in China? ➡

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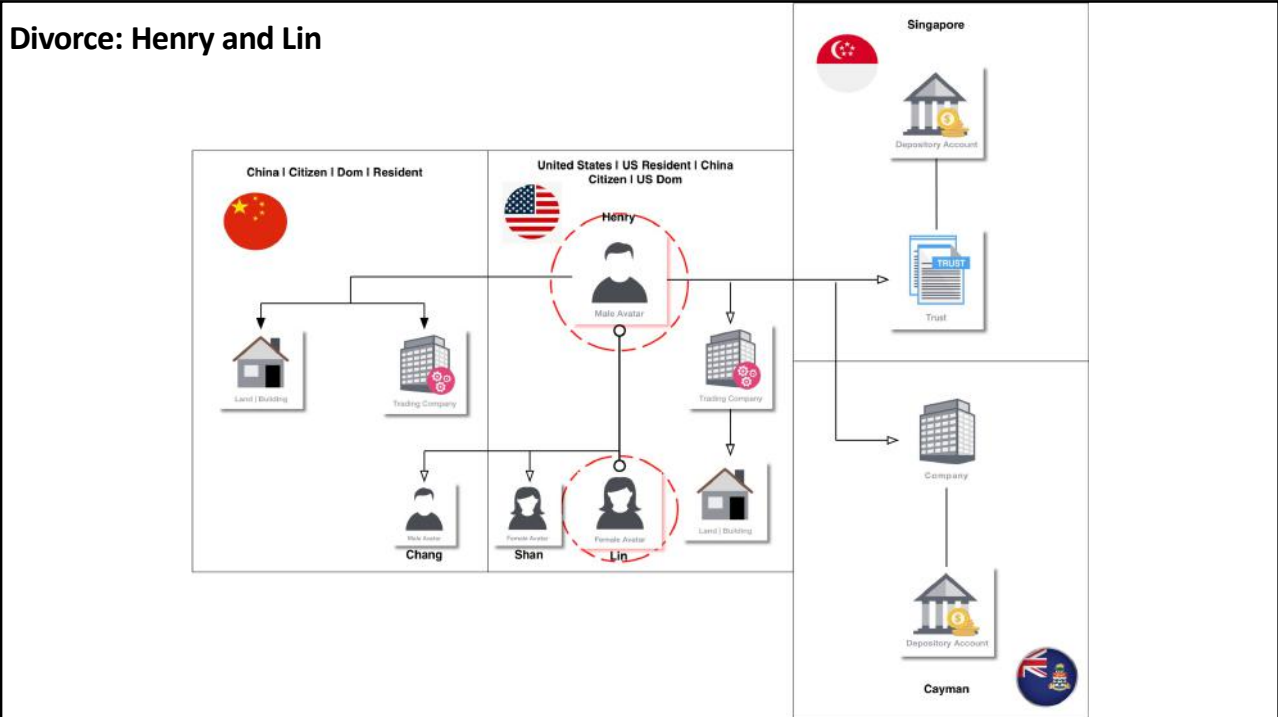


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Foreign Divorce

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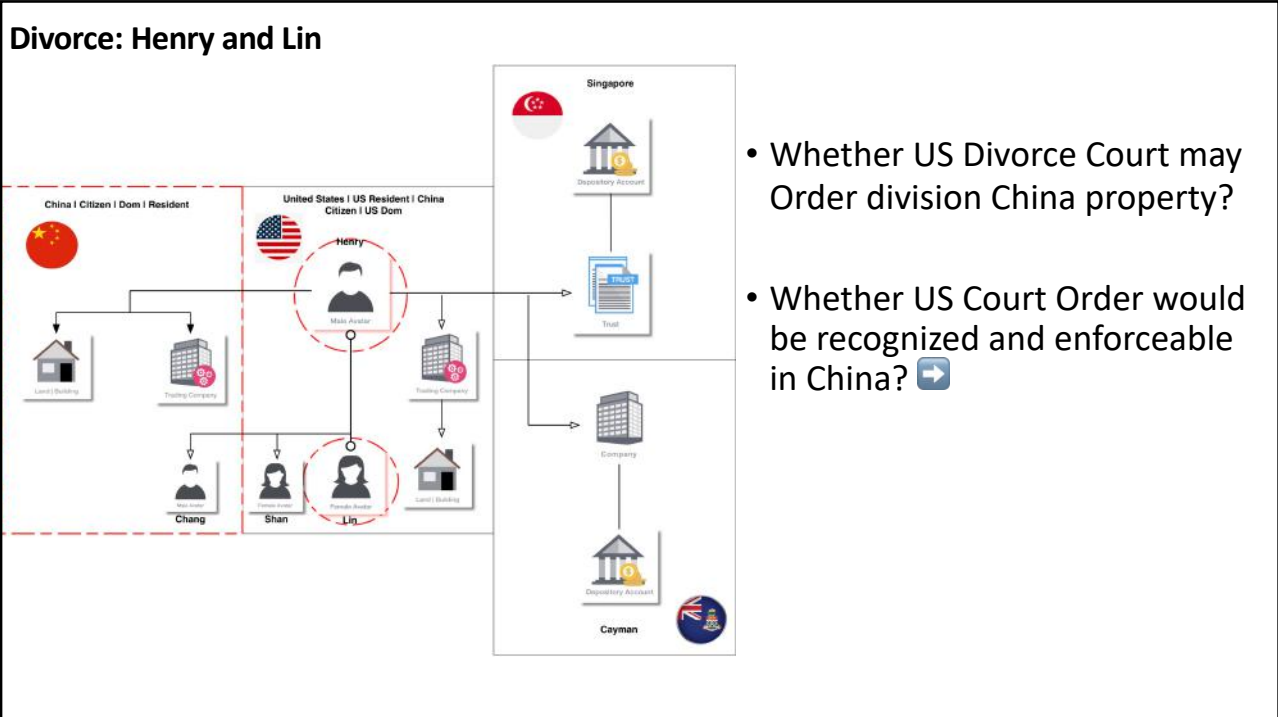


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### Divorce: Henry and Lin

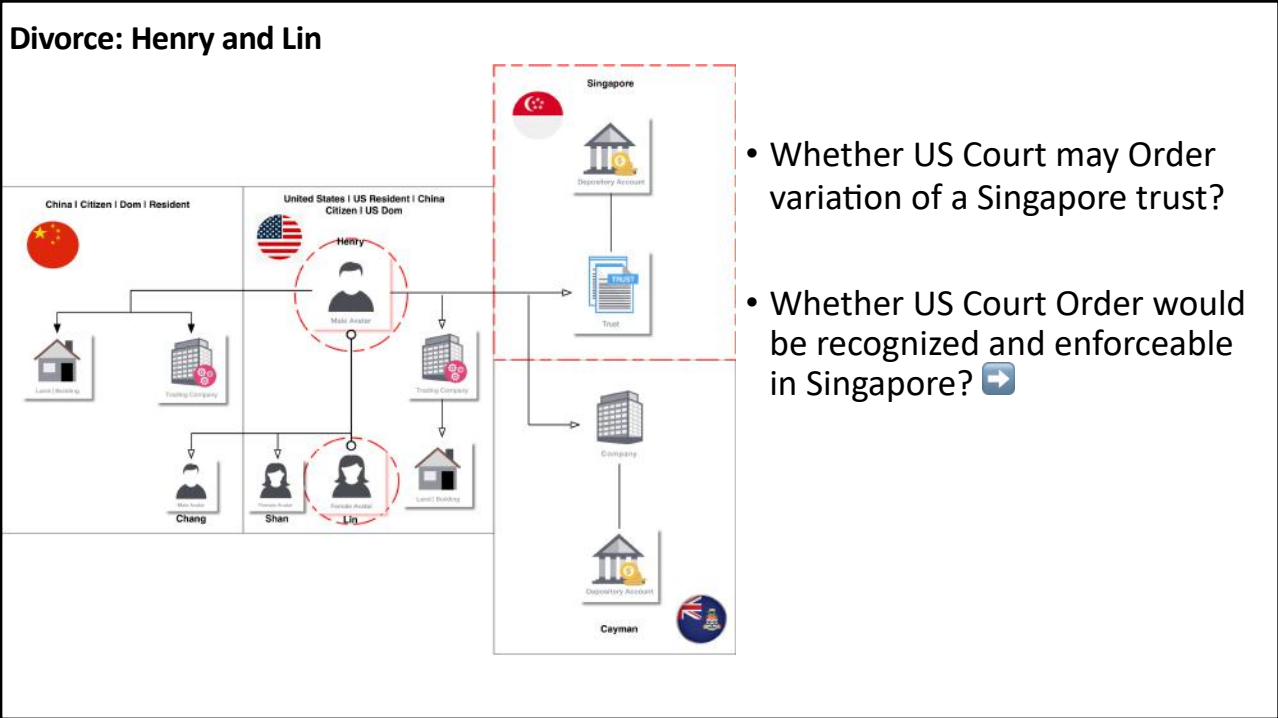
- Basis on which US Court will exercise Jurisdiction in Divorce Proceedings?
- Would a US Divorce Court seek to (re)distribute or alter Community Property Rights?
- Whether Pre | Post Nuptial Agreements legally effective? ➡

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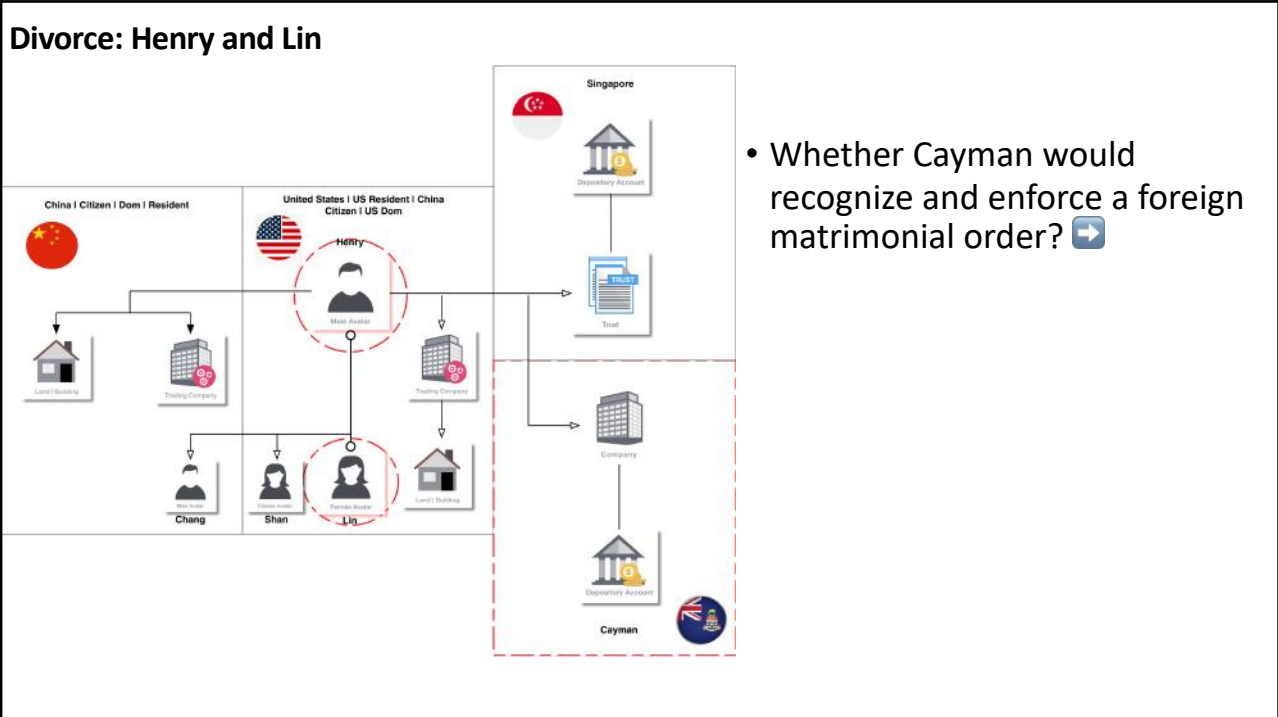
- Whether US Divorce Court may Order division China property?
- Whether US Court Order would be recognized and enforceable in China? ➡

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- Whether US Court may Order variation of a Singapore trust?
- Whether US Court Order would be recognized and enforceable in Singapore? ➡

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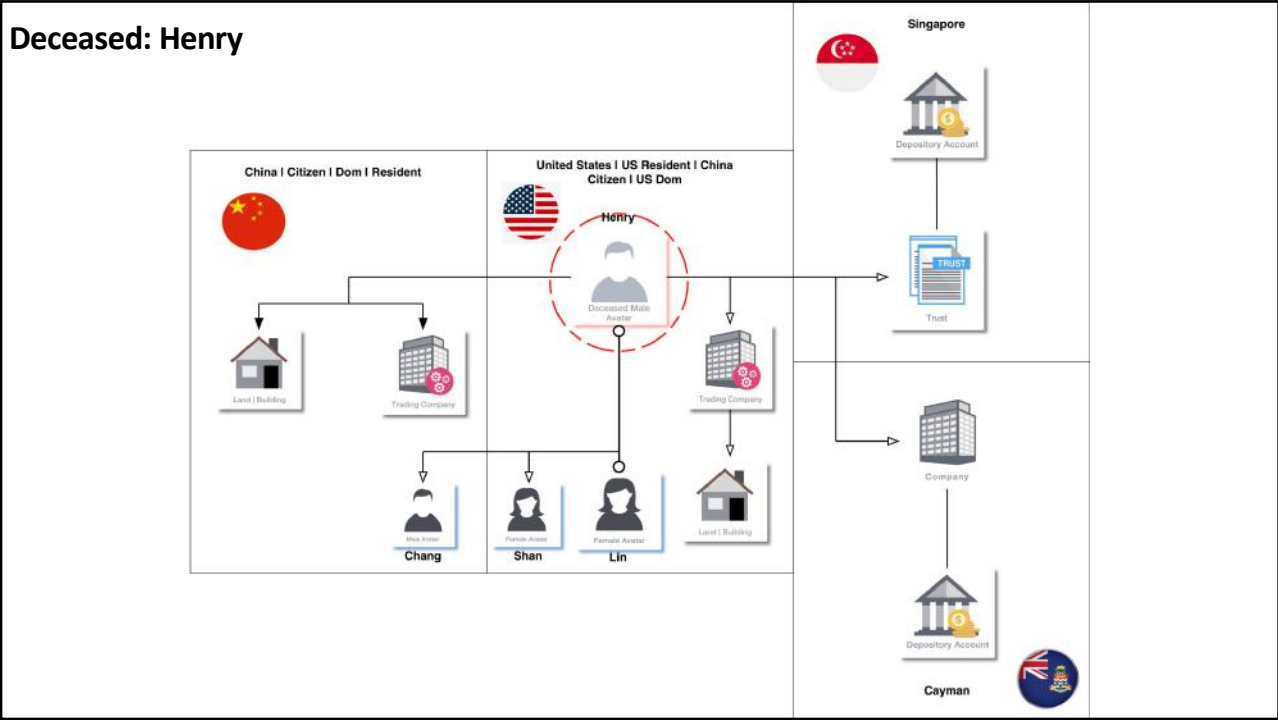


• Whether Cayman would recognize and enforce a foreign matrimonial order? ➡

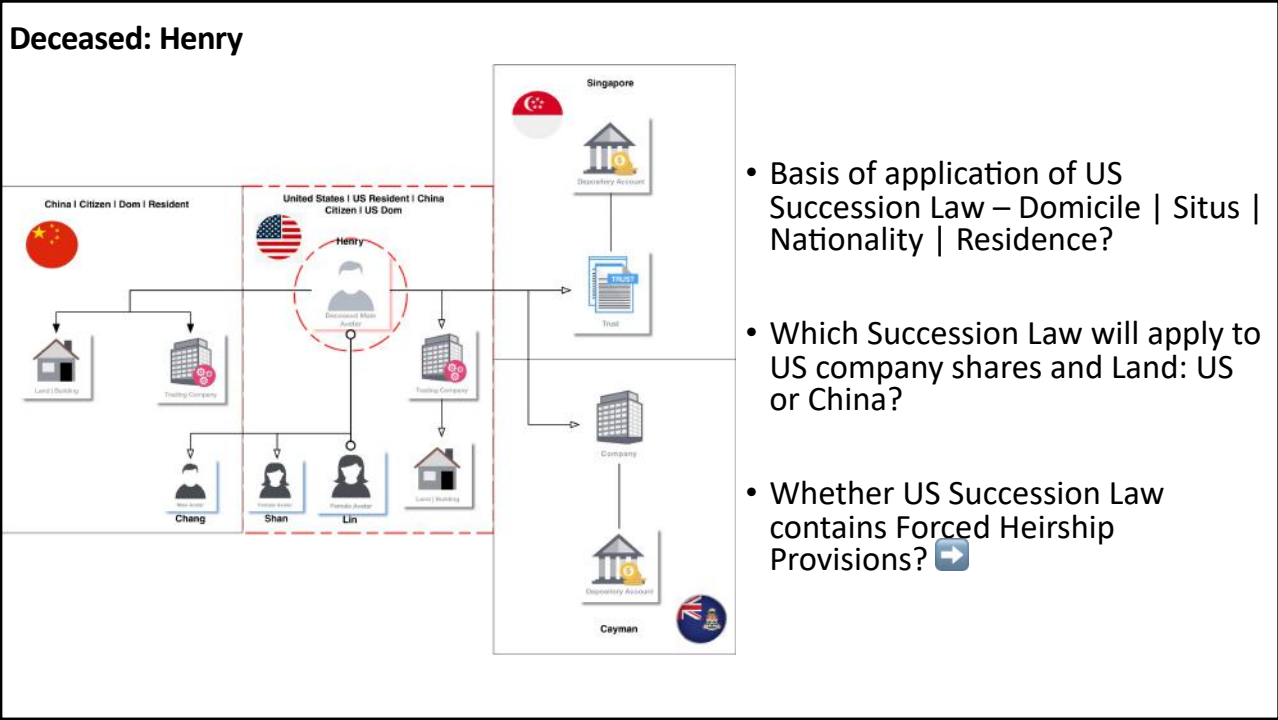
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Foreign Succession

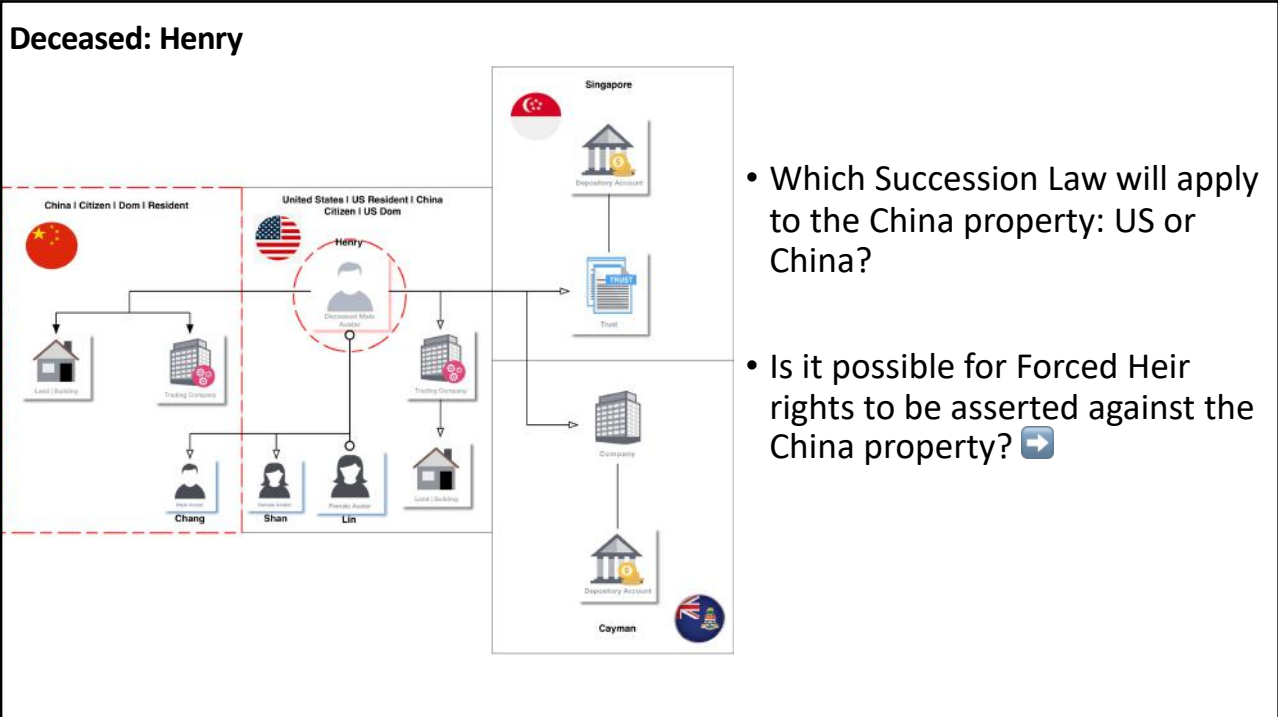
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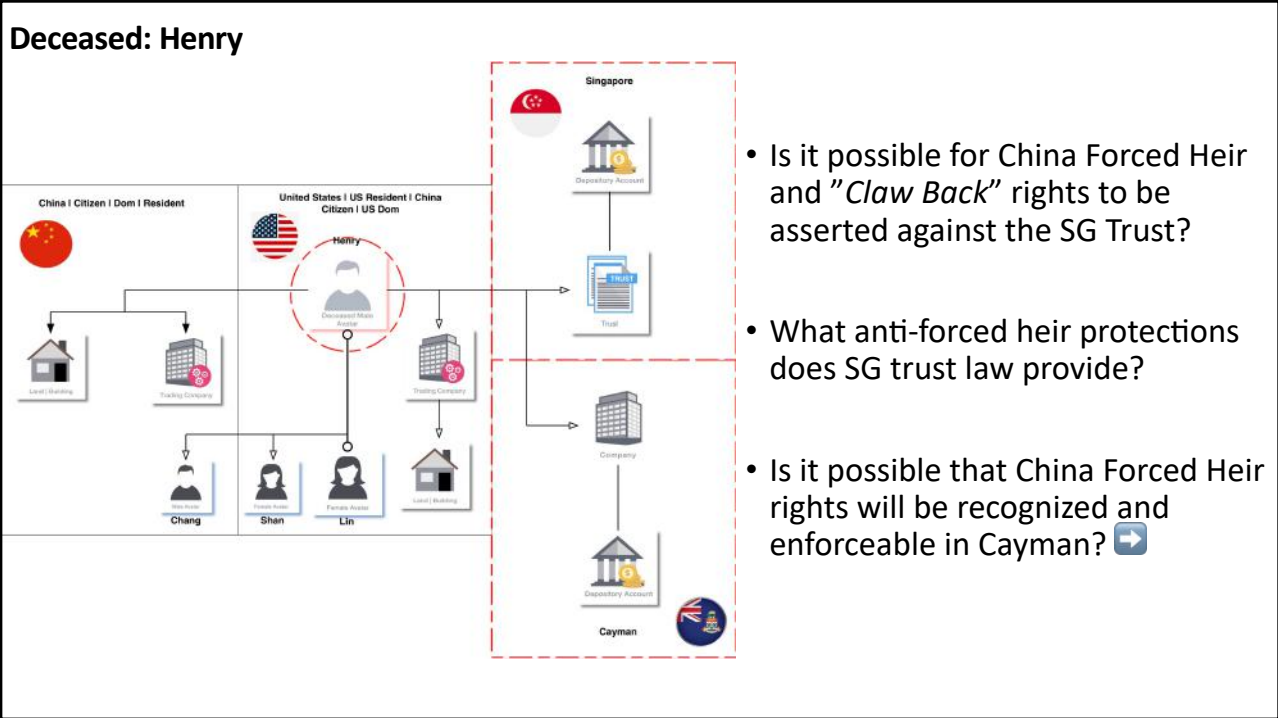
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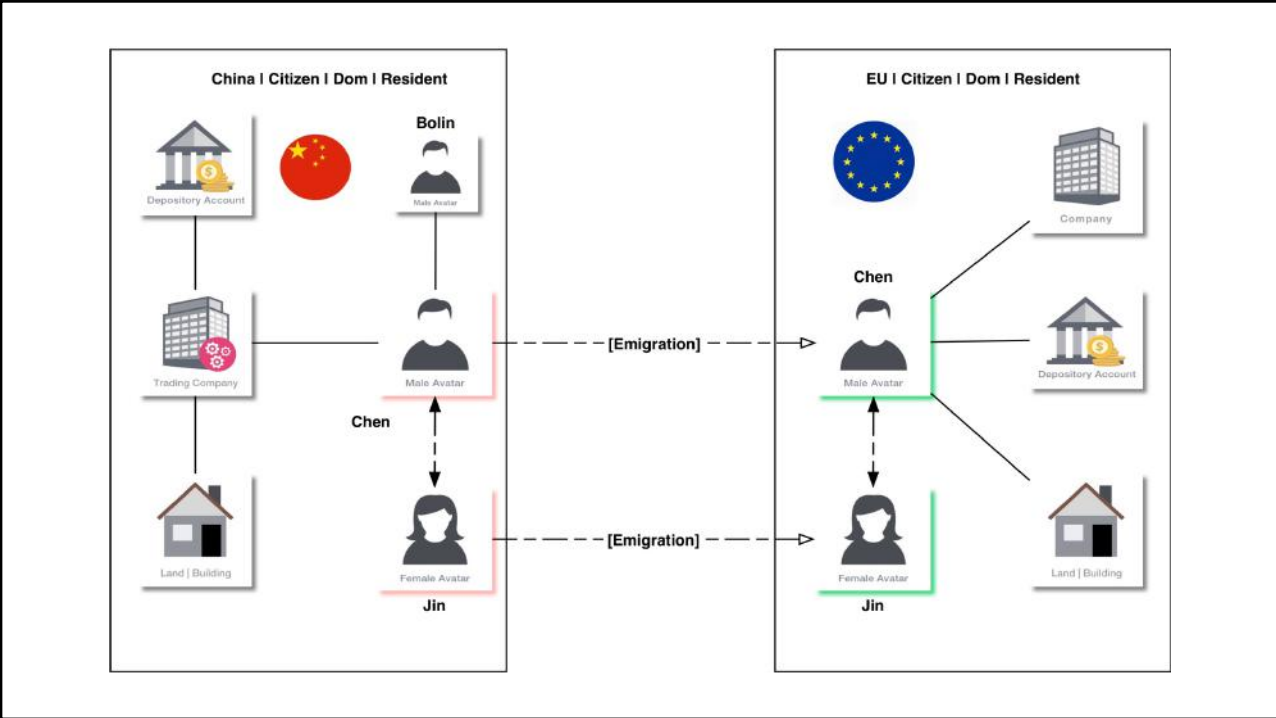
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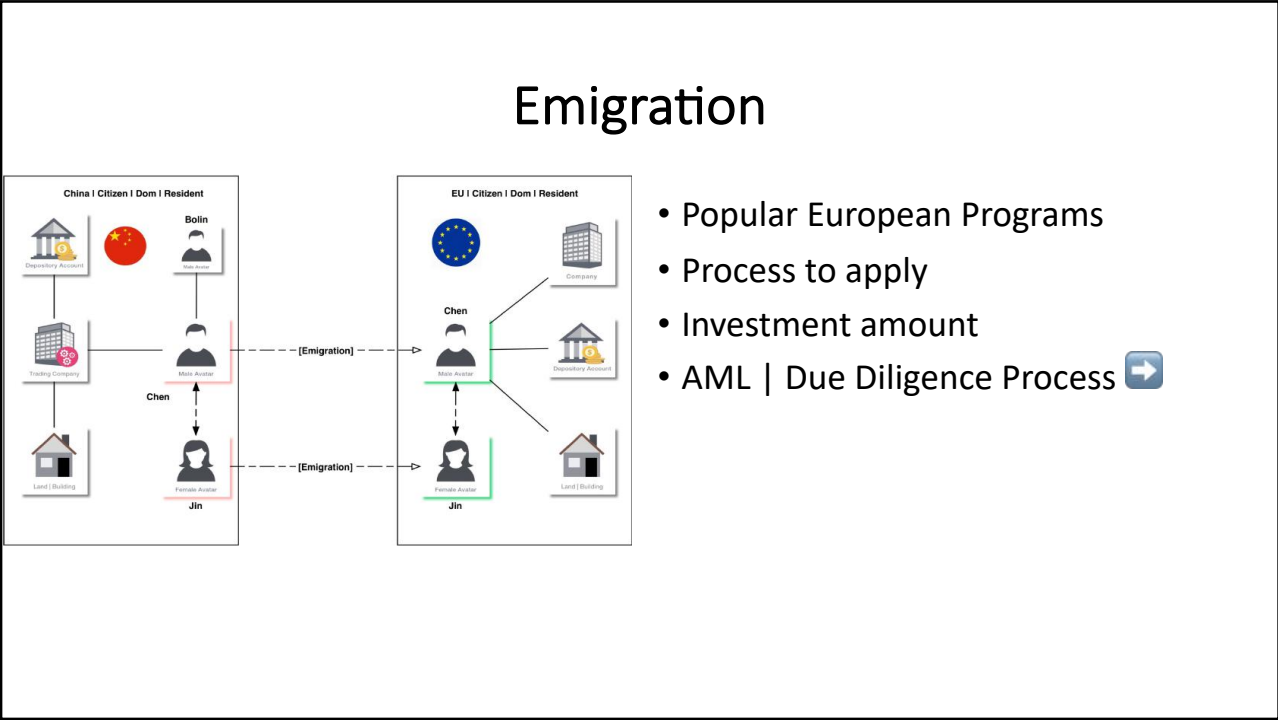
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# Case Study No. 3

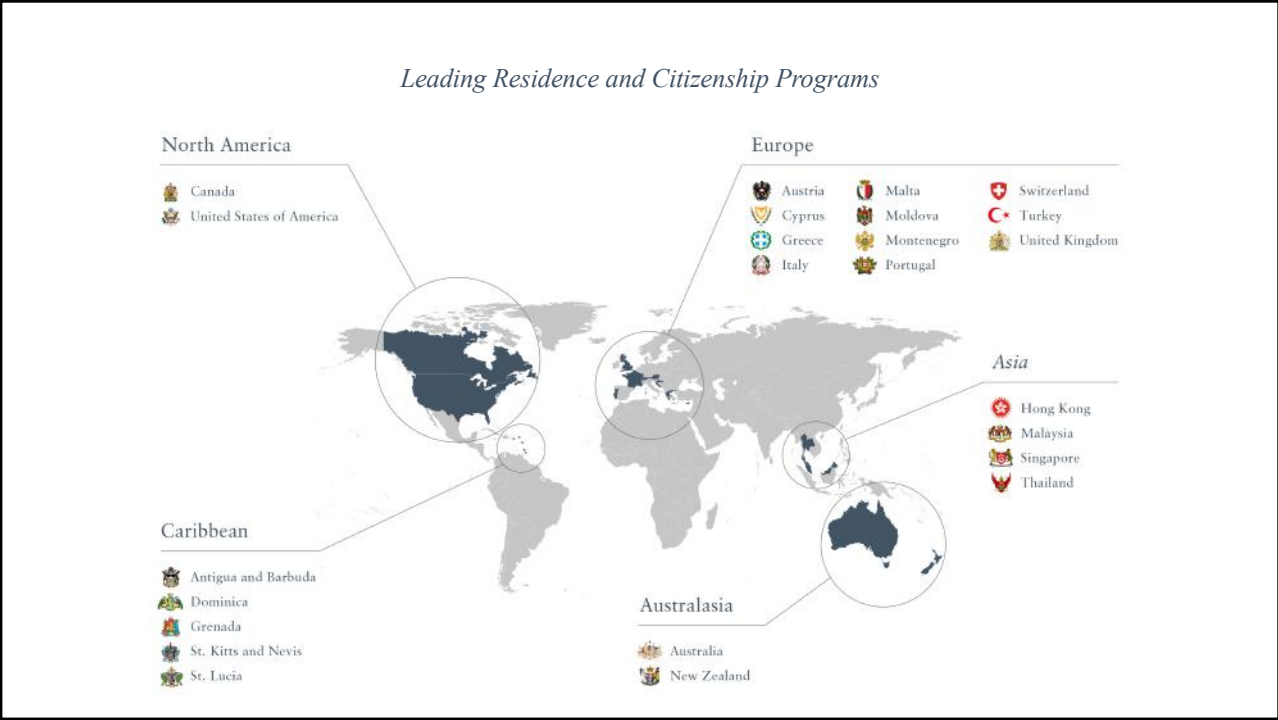
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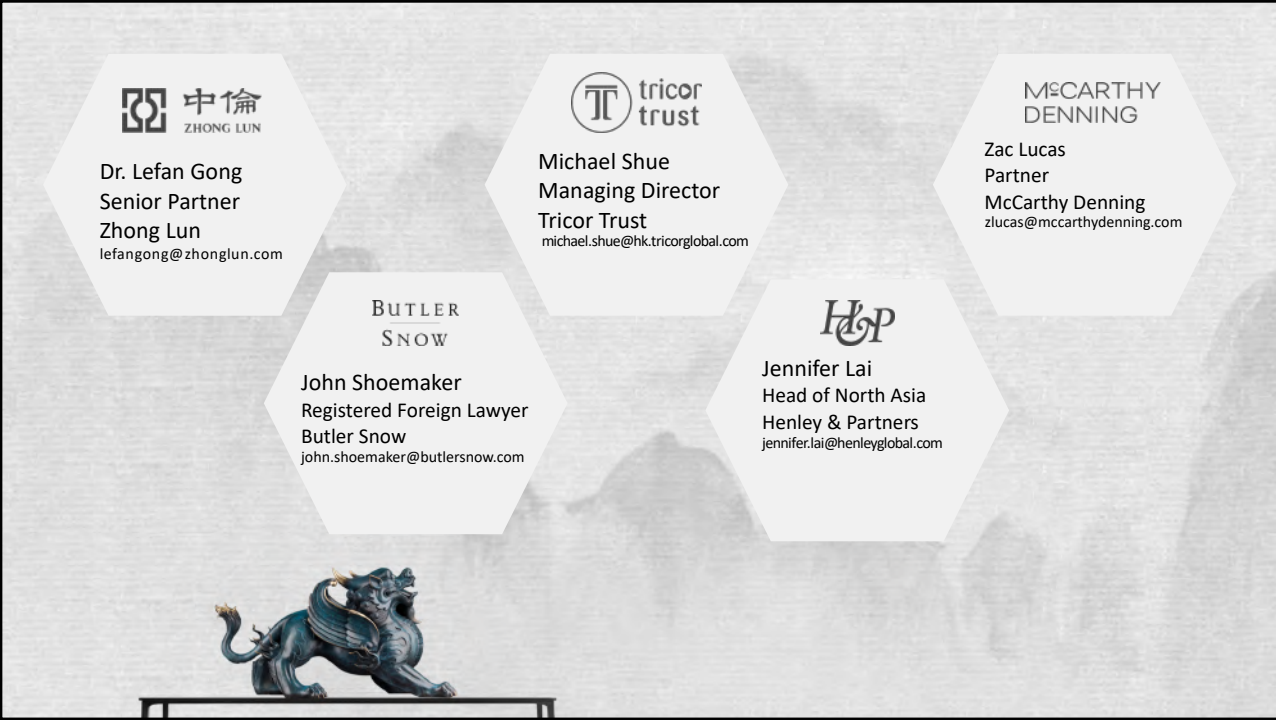


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# Q&As

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