

## CONSULTANT PROFILE



Name: David Fruitman  
 Position: Regional Competition Counsel/Senior Consultant  
 Location: Phnom Penh, Cambodia  
 Experience: 23 years  
 Nationality: Canadian

## CURRICULUM VITAE

### Membership in Professional Societies:

- Member of the Bar of Ontario

### Key Qualifications:

David has worked on private transactions in Cambodia with a focus on corporate acquisitions, telecommunications, secured transactions and concessions. David has also been active in advising private clients, international organizations and governments on Competition and Consumer Protection Law. Prior to coming to Cambodia, David had substantial experience in Competition, Foreign Investment, International Trade and Privacy Law with two major Canadian law firms. He holds a Post-Graduate Diploma in EC Competition Law (King's College, London), Juris Doctor (University of Toronto, Faculty of Law) and a B.A. (Economics) (University of Toronto).

### Education:

- 2001 – Post-Graduate Diploma in EC Competition Law, King's College, London
- 1997 – Called to the Bar of Ontario
- 1995 – J.D., University of Toronto, Faculty of Law
- 1992 – Studies toward B.A. (Commerce), University of Toronto
- 1991 – B.A. (Economics), University of Toronto

### Employment Record:

- Royal University of Law and Economics**, Phnom Penh, Cambodia  
*Instructor – LLM Programme* (2017, 2019, 2020)  
 Designed and taught competition law course for international Master of Law students
- DFDL**, Phnom Penh, Cambodia (January 2007 — Present)  
*Regional Competition Counsel/Senior Consultant*  
 Consulting duties covering a wide range of legal areas including corporate acquisitions, telecommunications, secured transactions and concessions.

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- **CamEd**, Phnom Penh, Cambodia (October 2006 — October 2008)  
**Instructor – Business and Corporate Law**
  
- **DAVIES, WARD, PHILLIPS & VINEBERG, LLP**, Toronto, Canada (2001 — 2004)  
**Partner**  
Primary focus in competition, foreign investment, privacy and trade law. Practice included advising clients in the financial, construction, manufacturing, technology, transportation and real estate sectors, among others, with respect to mergers, reviewable practices, criminal matters and other matters relating to the Competition Act, reviewing and drafting privacy policies and practices, and advising with respect to other federal regulatory regimes.
  
- **BLAKE, CASSELS & GRAYDON, LLP**, Toronto, Canada (1997 —2001)  
**Associate**  
Primary focus in competition, foreign investment, trade and privacy law including appearing before the Competition Tribunal, preparing submissions to, and negotiating with, the Competition Bureau, advising clients on mergers, reviewable practices and criminal provisions of the Competition Act. Practice has also included advising on general corporate, securities and litigation matters with an emphasis on clients in regulated industries and competition-related issues.

#### Relevant Consulting Projects:

- **GIZ** (April 2020 – ongoing)  
**Consumer Protection Law Consultant, Cambodia,**  
Assisting in drafting regulations for Consumer Protection Law for Cambodian Ministry of Commerce; assisting with ASEAN consumer protection materials and reports; advising and assisting with consumer protection issues and advocacy
  
- **ADB** (February 2020 - ongoing)  
**Consumer Protection Law Consultant, Cambodia**  
Assisting in drafting implementing regulation for Consumer Protection Law for Cambodian Ministry of Commerce; including assisting with consulting workshops and advising relevant officials
  
- **GIZ** (February – April 2020)  
**Competition Law Consultant, Cambodia,**  
Drafting Background on Competition Law for legislators; revising Explanatory Notes on Competition Law; assisting as required with Ministry of Commerce discussions with Ministry of Justice on provisions of Competition Law
  
- **OECD** (February 2020 – ongoing)  
**Competition Law Consultant, Cambodia, Myanmar, Laos**  
Assisting with Logistics Sector Competitiveness Project including conducting meetings, working with relevant government officials and interviews and advising on relevant issues.
  
- **GIZ** (March – June 2019)  
**Competition Law Consultant, Cambodia, Myanmar**  
Workshops and Advice on various issues to assist in drafting for Competition Law for Cambodian Ministry of Commerce and Seminars for Myanmar Competition Commission.
  
- **FNF** (August 2015 - March 2016)  
**Competition Law Consultant, Myanmar**

Consulting with Myanmar government officials in relation to competition law regulations including preparing report on draft regulations, reviewing and incorporating comments of other experts, presentations and consultations with officials on report and recommendations.

- **GIZ** (July 2014)  
**Competition Law Consultant, Myanmar**  
Training Myanmar government officials on competition law principles.

#### Details of Major Projects Undertaken:

CAMBODIA	
<b>Sale of interest in major power plant development – Vendor</b>	<b>2014</b>
Acting on behalf of the vendor of a sale of a majority interest in a Cambodian power plant project.	
<b>Acquisition of Mobile Payment Provider – Purchaser</b>	<b>2011</b>
Acting for the purchaser to acquire a leading Cambodian mobile payment services company from an international financial institution.	
<b>Merger of Major Cambodian Mobile Telecommunications Companies</b>	<b>2011</b>
Acting on behalf of one of the merging parties in the leading merger in Cambodian mobile telephony – providing corporate and regulatory advice.	
<b>Financing of Leading Cambodian Mobile Telecommunications Company – Borrower</b>	<b>2011</b>
Acting on behalf of borrower on refinancing of loans by major foreign bank.	
<b>Acquisition of Mobile Payment Provider – Purchaser</b>	<b>2010</b>
Acting for the purchaser to acquire a leading Cambodian mobile payment services company.	
<b>Leveraged Buy-Out – Largest Telecom Operator – Borrower</b>	<b>2009</b>
Acting for the borrower on the then largest private financing in Cambodia for the purchase of a majority stake Mobitel, then Cambodia’s largest telecom operator. The transaction included a USD 421M financing by ANZ Bank, Standard Bank and Hedge Funds, Voted as the “Asia Deal of the Year” by Telecom Finance magazine – the industry standard’s magazine.	

#### Selected Publications and Appearances:

- Contributing Author (Cambodia Chapter), Research Handbook on Asian Competition Law (Edward Elgar Publishing, 2020)
- Presenter, Study Visit of Myanmar Competition Commission at Philippines Competition Commission (May 2019)
- Presenter, Consultation Workshop on Draft Competition Law, Ministry of Commerce, Cambodia (April 2019)
- Contributing Author (Cambodia Chapter), Competition Law in Mainland Southeast Asia (Winyuchon Publication House, 2018)
- Presenter, Council of Ministers Consultation Workshop on Draft Competition Law of Cambodia, 6 June 2018, Phnom Penh
- Presenter/Panellist, GCR Live, Annual Law Leaders Asia-Pacific, Singapore (2014-19)
- Special Lecturer, Principles of Competition Law, LL.M. Program, Royal University of Law and Economics, 2017
- Participant, Workshop on SMEs and Competition Law, Chiang Mai, January 2017
- Presenter, Asian Competition Forum, Hong Kong (2014-18)
- Presenter (Cambodia), Competition in Mainland ASEAN, Bangkok, July 2016

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- Presenter, ASEAN Conference on Trade and Investment Laws, Chiang Mai, April 2014
- Contributing Author (Vietnam Chapter), The Political Economy of Competition Law In Asia (Edward Elgar, 2013)
- Contributing Author (Cambodia, Lao, Thailand, Vietnam Chapters) The Essentials of Merger Review (ABA, 2013)
- Presenter (Competition Law), Corporate Legal Counsel Forum 2011, Bangkok, Thailand, March 2011
- Panel member, launch meeting of CUTS project on Unfair Trade Practices in ASEAN, Hanoi, Vietnam, March 2011
- Presenter ABA Tele-Seminar, “Around the World in 90 Minutes: New Developments in Merger Review”, March 2010
- Invited Speaker, Workshop on Competition Policy and Law for Cambodia, Royal University of Law and Economics, Phnom Penh, Cambodia, March 2006
- Contributing Author (Cambodia, Lao PDR, Thailand, Vietnam) ABA International Antitrust Committee Year-in-Review, 2010, 2009 & 2008 Editions
- Contributing Author (Cambodia, Laos, Thailand, Vietnam) ABA Merger Committee, Review of International Merger Regimes, 2010 & 2009 Editions
- Author, Abuse of Dominance in Developing Economies, published by CUTS International, 2005

**Languages:**

	Speaking	Reading	Writing
English	Excellent	Excellent	Excellent

**BANGLADESH**

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