

Curriculum Vitae

Dr. SUNGJOON CHO

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Blog: <http://worldtradelaw.typepad.com/ielpblog/>

Recent Appointments

Korean National Diplomatic Academy

Visiting Professor (Summer 2017; Summer 2016; Summer 2015; Summer 2014)

Northwestern University School of Law

Visiting Professor of Law (Spring 2013; Spring 2012)

Fordham University School of Law

Visiting Professor of Law (Fall 2011)

IIT Chicago-Kent College of Law

Professor of Law (May 2011 – Present);

Associate Professor of Law (tenured) (May 2008 – May 2011);

Assistant Professor of Law (August 2003 – May 2008)

Other Selected Affiliations

The International Organization (IO)/International Law (IL) Working Group, the Buffett Institute, Northwestern University

Member of the Advisory Board (September 2016 – Present)

American Society of International Law

Co-Chair, International Economic Law Interest Group (IECLIG) (March 2011-March 2013)

The Korea – European Union Free Trade Agreement

Member of the Dispute Resolution Arbitration Panel (January 2012 - Present)

The Financial Services Commission, the Government of the Republic of Korea

Legal Advisor (March 2015 – February 2016)

Ministry of Trade, Industry, and Energy, the Government of the Republic of Korea
Consultant (June 2013 – December 2015)

Ministry of Strategy and Finance, the Government of the Republic of Korea
International Economic Advisor (July 2009 – June 2011)

Education

Harvard Law School
Doctor of Juridical Science (SJD) (2002)

University of Michigan
Master of Law (LLM) – International Economic Law (1997)

Seoul National University
Master of Public Administration (MPA) (1994);
Bachelor of Law (LLB) (1989)

Selected Honors and Recognitions

Norman and Edna Freehling Scholar
IIT Chicago-Kent College of Law (July 2009 – August 2012)

Stanford/Yale Junior Faculty Forum
“Constitutional Adjudication in the World Trade Organization” (June 2008)

Stanford/Yale Junior Faculty Forum
“Remedying Trade Remedies” (May 2007)

Joint AALS/ASIL Conference on International Law
“Of the World Trade Court’s Burden” (May 2007)

The 101st Annual Conference of the American Society of International Law (*New Voice Panel*)
“Toward an Identity-Oriented Approach of International Law” (October 2006)

Clark Byse Fellowship
Harvard Law School (2000-01)

Overseas Training Scholarship
The Government of the Republic of Korea (1996-98)

Top Prize, the Inaugural Policy Research Paper Contest, Korean Ministry of Finance
 “An Analysis of the Current Account Deficits Stemming from the Import-Driven Structure of Aggregate Demand”) (December 1991)

Teaching / Research Areas

International Economic Law (International Trade Law, International Investment Law, International Business Transactions, International Financial Institutions); Public International Law; International Organizations; Comparative Law (East Asian Legal System); European Union Law; International Relations; Jurisprudence (Law and Philosophy)

Selected Publications

Books and Book Chapters:

[*Social Constructivism and the Social Construction of World Economic Reality*](#), in Edward Elgar Research HANDBOOK ON THE SOCIOLOGY OF INTERNATIONAL LAW (Moshe Hirsch and Andrew Lang eds. *forthcoming* 2018)

[THE SOCIAL FOUNDATIONS OF WORLD TRADE: NORMS, COMMUNITY, AND CONSTITUTION](#) (Cambridge University Press, 2015); **Paperback (2017)**.

- [Reviews and Endorsements](#)
- [Book Lecture at Duke Law School](#) (March 17, 2015)
- [Book Symposium at Northwestern Law School](#) (November 5, 2015)
- [Book Review \(110 Am. J. Int'l L. 596 \(2016\)\)](#)
- [Book Review \(17 J. World Trade & Investment 329 \(2016\)\)](#)

[THE LAW OF THE WORLD TRADE ORGANIZATION THROUGH CASES](#) (2016-17) (with Joseph H.H. Weiler, Isabel Feichtner & Julian Arato) (Online Casebook).

Development by Moving People: Unearthing the Development Potential of a GATS Visa, in DEVELOPING COUNTRIES IN THE WTO LEGAL SYSTEM 457 (Joel P. Trachtman & Chantal Thomas eds. 2009).

Toward a Multilateralized Regionalism in East Asia, in INSTITUTIONAL APPROACH TO THE REGIONALISM 61 (Kazuya Hirobe ed. 2008) (in Japanese).

Is an FTA a Royal Road to Prosperity? Demystifying Trade Regionalism, in STATIC AND DYNAMIC CONSEQUENCES OF A KORUS FTA 89 (2007).

[THE LAW OF REGIONAL ECONOMIC INTEGRATION IN THE AMERICAN HEMISPHERE](#)
(2006) (with Joseph H.H. Weiler) (online course material).

A New Agenda for Peace: International Trade Law as a Practical Discourse, in *TRADE AS THE GUARANTOR OF PEACE, LIBERTY AND SECURITY?: CRITICAL, HISTORICAL AND EMPIRICAL PERSPECTIVES* 63 (Padideh Ala'i et al eds. 2006).

Rethinking APEC: A New Experiment for a Post-Modern Institutional Arrangement, in *WTO AND EAST ASIA* 381 (Mitsuo Matushita & Dukgeun Ahn eds. 2004).

FREE MARKETS AND SOCIAL REGULATION: A REFORM AGENDA OF THE GLOBAL TRADING SYSTEM (2003) (reviewed by Grietje Baars at 11 *INT'L TRADE L. & REG.* 68 (2005)).

Articles, Essays and Comments:

2018 and forthcoming

[Legalizing the ASEAN Way: Adapting and Reimagining the ASEAN Investment Regime](#), 65 *AM. J. COMP. L.* _ (2018) (with Jürgen Kurtz).

[Convergence and Divergence in International Economic Law and Politics](#), 29 *EUR. J. INT'L L.* 169 (2018) (with Jürgen Kurtz).

2017

[International Cooperation and Organizational Identities: The Evolution of the ASEAN Investment Regime](#), 36 *NW. J. INT'L L. & BUS.* 173 (2017) (with Jürgen Kurtz).

[Communitizing Transnational Regulatory Concerns](#), 18 *CHI. J. INT'L L.* 48 (2017) (with Jacob Radecki and Cecilia Suh).

2016

[The Limits of Isomorphism: Global Investment Law and the ASEAN Investment Regime](#), 17 *CHI. J. INT'L L.* 341 (2016) (with Jürgen Kurtz).

[Comparison Excluding Commitments: Incommensurability, Adjudication, and the Unnoticed Example of Trade Disputes](#), 26 *S. C. INTERDISCIPLINARY L. J.* 1 (2016) (with Richard Warner).

2015

[*Double Remedies in Double Courts*](#), 26 EUR. J. INT'L L. 519 (2015) (with Thomas H. Lee).

2014

[*An International Organization's Identity Crisis*](#), 34 NW. J. INT'L L. & BUS. 359 (2014).

[*How the World Trade Community Operates: Norms and Discourse*](#), 13 WORLD TRADE REV. 685 (2014).

[*International Economic Cooperation as a Social Phenomenon: A Reply to Posner & Sykes*](#), 87 S. CAL. L. REV. POSTSCRIPT 30 (2014).

2013

[*Injunctive and Reverse Settlements in Competition-Blocking Litigation*](#), 36 EUR. J. L. & ECON. 243 (2013) (with Keith N. Hylton).

[*Are World Trading Rules Passé?*](#), 53 VA. J. INT'L L. 623 (2013) (with Claire R. Kelly).

[*Reinventing the Development Wheel of the World Trading System*](#) (reviewing SONIA E. ROLLAND, DEVELOPMENT AT THE WORLD TRADE ORGANIZATION (2012)), 16 J. INT'L ECON. L. 481 (2013).

2012

[*Promises and Perils of New Global Governance: A Case of the G20*](#), 12 CHI. J. INT'L L. 491 (2012) (with Claire R. Kelly).

[*Beyond Rationality: Toward a Sociological Construction of the World Trade Organization*](#), 52 VA. J. INT'L L. 321 (2012). (See [Opinion Juris Blog Discussion](#))

2011

[*From Control to Communication: Science, Philosophy and World Trade Law*](#), 44 CORNELL INT'L L. J. 249 (2011).

2010

[*The Demise of Development in the Doha Round Negotiations*](#), 45 TX. INT'L L. J. 573 (2010).

[*The Economics of Injunctive and Reverse Settlements*](#), 12 AM. L. & ECON. REV. 181 (2010) (with Keith N. Hylton).

[*Global Constitutional Lawmaking*](#), 31 U. PA. J. INT'L L. 621 (2010).

2009

[*Of the World Trade Court's Burden*](#), 20 EUR. J. INT'L L. 675 (2009).

[*United States – Continued Suspension of Obligations in the EC – Hormones*](#), 103 AM. J. INT'L L. 299 (2009).

[*Anticompetitive Trade Remedies: How Antidumping Measures Obstruct Market Competition*](#), 87 N. C. L. REV. 357 (2009).

2008

Toward an Identity-Oriented Theory of International Organizations, 102 AM. SOC'Y INT'L L. PROC. 157 (2008).

[*Global Integration and the Complete Public Goods*](#), 8 CHI. J. INT'L L. 553 (2008)

2007

[*Doha's Development*](#), 25 BERKELEY J. INT'L L. 165 (2007).

[*Beyond Doha's Promises: Administrative Barriers as an Obstruction to Development*](#), 25 BERKELEY J. INT'L L. 395 (2007).

[*Toward a New Economic Constitution: Judicial Disciplines on Trade Politics*](#), 42 WAKE FOREST L. REV. 167 (2007).

2006

[*Defragmenting World Trade*](#), 27 NW. J. INT'L L. & BUS. 39 (2006).

[*WTO's Identity Crisis*](#), 5 WORLD TRADE REV. 298 (2006).

2005

[*A Quest for WTO's Legitimacy*](#), 4 WORLD TRADE REV. 391 (2005).

[*A Dual Catastrophe of Protectionism*](#), 25 NW. J. INT'L L. & BUS 315 (2005).

[Linkage of Free Trade and Social Regulation: Moving Beyond the Entropic Dilemma](#), 6 CHI. J. INT'L L. 625 (2005).

2004

[The WTO's Gemeinschaft](#), 56 ALA. L. REV. 483 (2004).

[The Nature of Remedies in International Trade Law](#), 65 U. PITT. L. REV. 763 (2004)

[A Bridge Too Far: The Fall of the Fifth WTO Ministerial Conference in Cancún and the Future of Trade Constitution](#), 7 J. INT'L ECON. L. 219 (2004).

1998-2003

[Breaking the Barrier between Regionalism and Multilateralism: A New Perspective on Trade Regionalism](#), 42 HARV. INT'L L. J. 419 (2001).

[Non-Violation Issues in the WTO Dispute Settlement Framework: Are They the Achilles' Heel of the WTO Dispute Settlement Process?](#), 39 HARV. INT'L L. J. 311 (1998).

[An Analysis of the First WTO Appellate Body Report: Gasoline Case](#), 9 EUR. J. INT'L L. (1998).

Book Reviews and Op-Eds (Shorter Contributions):

2014

[US Should Not Neglect Its Global Leadership Role](#), Fin. Times, May 8, 2014.

2013

[Here Come the Sun Wars: Trade Fights over Solar Panels](#), 7/25/2013 NAT'L L. J. (2013).

[Trade Is Now about Participation, Not Competition](#), FIN. TIMES, Apr. 2, 2013.

[The WTO and Copyright Piracy](#), THE HUFFINGTON POST, Feb. 12, 2013 (with Simon Lester).

2012

[*Bring "Development" Back to the Development Round*](#), 1 BRIDGES AFRICA REV. (no. 6), Dec. 20, 2012.

[*A New Trade Pact for the 21st Century*](#), 8/13/2012 NAT'L L. J. (2012)

[*Trade Is Not about Winners and Losers*](#), FIN. TIMES, Mar. 23, 2012.

[*No More Zeroing?: The United States Changes its Antidumping Policy to Comply with the WTO*](#), ASIL INSIGHTS (Mar. 9, 2012).

[*Free Trade Can Bring Change to North Korea*](#), THE HILL, Jan. 5, 2012.

2011

BOOK REVIEW, 22 EUR. J. INT'L L. 1209 (2011) (reviewing WTO: TRADE IN GOODS (Rüdiger Wolfrum et al. eds. 2011)) (also available at *Global Law Books*, <http://www.globallawbooks.org/reviews/detail.asp?id=693>).

The Role of the G20 in WTO Governance (Session Report), in [WTO PUBLIC FORUM 2010: THE FORCES SHAPING WORLD TRADE](#) 29-33 (2011) (with Charlotte Sieber-Gasser).

[*Reasons to Reach Doha Round Deal*](#), FIN. TIMES, Feb. 4, 2011.

2010

BOOK REVIEW, 104 AM. J. INT'L L. 324 (2010) (reviewing MARK A. POLLACK & GREGORY C. SHAFFER, *WHEN COOPERATION FAILS: THE INTERNATIONAL LAW AND POLITICS OF GENETICALLY MODIFIED FOODS*).

2009

[*Green Protectionism Is No Less Harmful than Any Other Type*](#), FIN. TIMES, Dec. 8, 2009.

[*A Pirate's Life for Me*](#), THE KOREA TIMES, May 6, 2009.

[*Geithner Gets It Wrong on Yuan*](#), ASIA TIMES, Jan. 28, 2009.

China and U.S. Can Cross-Fertilize, FIN. TIMES, Jan. 20, 2009.

2008

Introductory Note to the WTO Arbitration Report: United States – Measures Affecting Cross-Border Supply of Gambling and Betting Services, Recourse to Arbitration by the United States under Article 22.6 of the DSU, 47 I.L.M. 372 (2008).

[*The Appellate Body Has Reversed the Panel’s Departure from the Zeroing Jurisprudence*](#), ASIL INSIGHTS (UPDATE) (June 6, 2008).

[*The Farm Bill and Free Trade*](#), WALL ST. J., May 7, 2008, at A 19 (with Bernard K. Gordon).

[*A WTO Panel Openly Rejects the Appellate Body’s “Zeroing” Case Law*](#), ASIL INSIGHTS (March 11, 2008).

2007

[*Clinton’s Tough Stance on Trade Will Not Serve U.S. Interests as She Intends*](#), FIN. TIMES, Dec. 7, 2007.

Comment, in WTO LAW AND PROCESS: THE PROCEEDINGS OF THE 2005 AND 2006 ANNUAL WTO CONFERENCES 42-45, 364-66 (Federico Ortino & Sergey Ripinsky eds. 2007).

[*The Bush Administration and Democrats Reach a Bipartisan Deal on Trade Policy*](#), ASIL INSIGHTS (May 31, 2007).

[*Change Distorted Rules*](#), 5/7/2007 NAT’L L. J. 27 (2007).

2006

[*The WTO Panel on the EC-Biotech Dispute Releases Its Final Report*](#), ASIL INSIGHTS (Oct. 26, 2006).

[*The WTO Doha Round Negotiation: Suspended Indefinitely*](#), ASIL INSIGHTS (Sep. 5, 2006).

[BOOK REVIEW, GLOBAL LAW BOOKS \(Sep. 1, 2006\)](#) (reviewing PETROS C. MAVROIDIS & ALAN O. SYKES, *THE WTO AND INTERNATIONAL TRADE LAW: DISPUTE SETTLEMENT* (2005)).

[*‘Plan B’ Is Always Inferior to ‘Plan A,’*](#) FIN. TIMES, Aug. 22, 2006.

[*The WTO Appellate Body Strikes Down the U.S. Zeroing Methodology Used in Antidumping Investigations*](#), ASIL INSIGHTS (May 4, 2006).

[Lumber Deal Caters for Special Interests](#), FIN. TIMES, May 2, 2006.

2005

[Half Full or Half Empty?: The Hong Kong WTO Ministerial Conference Has Delivered an Interim Deal for the Doha Round Negotiation](#), ASIL INSIGHTS (Dec. 29, 2005).

[The Troubled Status of WTO Doha Round Negotiations](#), ASIL INSIGHTS (Aug. 25, 2005).

[The U.S. Opens Salvo at the WTO in the Airbus-Boeing Dispute](#), ASIL INSIGHTS (Jun. 7, 2005).

[Conventional Wisdom No Longer Applies at WTO](#), FIN. TIMES, May 7, 2005.

[The Future of the WTO: Report by the Consultative Board](#), ASIL INSIGHTS (Jan. 2005).

Before 2005

BOOK REVIEW, 5 EUR. L. J. 208 (1999) (reviewing IMPLEMENTING THE URUGUAY ROUND (John H. Jackson & Alan O. Sykes eds.1997)).

Amicus Curiae Briefs:

[Brief for Sungjoon Cho as Amicus Curiae Supporting Complainant \(China\)](#), *United States – Definitive Anti-Dumping and Countervailing Duties on Certain Products from China*, WT/DS 379/R (Appellate Body, Dec. 14, 2010).

[Brief for Sungjoon Cho as Amicus Curiae Supporting Defendant \(China\)](#), *China – Measures Affecting Imports of Automobile Parts*, WT/DS339/R, WT/DS340, WT/DS/342 (Appellate Body, Oct. 10, 2008).

Selected Presentations:

2017

“The Hermeneutical Foundation of Comparative Law,” the Common Grammar Workshop,” **Collegio Carlo Alberto** (Torino, Italy), October 9, 2017.

“Judicial Lawmaking as a Cognitive Dimension of Precedent,” the Third Annual Workshop on Sociological Inquiries into Int’l Law, **University of Copenhagen**, April 28, 2017.

2016

“Law, Markets, and Globalization: An East Asian Perspective,” the East Asian Legal Studies Center, **University of Wisconsin School of Law**, November 3, 2016.

“[Converging Divergences: Toward a Common Law of International Economic Relations](#),” the PluriCourts conference, **University of Oslo** (Norway), August 25, 2016.

“Valuing Global Value Chains,” the ICON conference, **Humboldt University** (Berlin, Germany), June 19, 2016.

“The Social Foundations of World Trade,” **WTO Headquarter** (Geneva, Switzerland), May 12, 2016.

“Legalizing the ASEAN Way: Towards a Comparativist Understanding of Legalization in the ASEAN Investment Regime,” Presented to the NCCR Trade Regulation Brown Bag Seminar, **World Trade Institute** (Bern, Switzerland), May 11, 2016.

“Precedent as a Social Phenomenon: System, Language and Symbol,” Presented to the Center for Law, Regulation and Governance of the Global Economy, **University of Warwick School of Law**, May 9, 2016.

“Communitizing Transnational Regulatory Governance,” The WTO 20th Anniversary Academic Symposium, **Harvard Law School**, April 28, 2016.

2015

“The Social Foundations of World Trade,” [Book Symposium](#), **Northwestern Law School**, November 5, 2015.

“Precedent as a Social Structure,” Workshop on Sociological Inquiries into Int’l Law, **Univ. of Toronto**, October 9-10, 2015.

“Communitizing Regulatory Problems,” [SASE Conference](#), **London School of Economics**, July 3, 2015 (with Cecilia Suh & Jacob Radecki).

“The Social Foundations of World Trade,” [Book Lecture](#), **Duke Law School**, March 17, 2015.

“Converging Divergences: A Common Law of International Trade and

Investment,” Presented to the *Law and Globalization Seminar*, **Yale Law School**, February 24, 2015.

“The WTO Doha Round: Recent Developments and Perspectives for Practitioners,” Presented to the **Chicago Bar Association**, February 19, 2015.

2014

“The Social Structure of WTO Jurisprudence,” Presented to the *Workshop on International Law as Behavior*, **Tillar House** (American Society of International Law), November 13, 2014.

“How the World Trade Community Operates: Norms and Discourse,” Presented to the *Global Legal Studies Colloquium*, **University of Wisconsin Law School**, September 22, 2014.

“How the World Trade Community Operates: Norms and Discourse,” Presented to the *Sociological Inquiries into Int’l Law Workshop*, **London School of Economics**, May 16, 2014.

“The Social Foundations of World Trade,” Presented to the *Int’l Law/Int’l Relations Colloquium*, **Cornell Law School**, April 14, 2014.

“Between Scylla and Charybdis: Recent Challenges in Korean Corporate Governance,” Presented to the *Corporate Law in Asia Symposium*, **University of Michigan Law School**, February 21, 2014.

2013

“Toward the World Trade Community: The Evolution of the World Trading System,” Presented to the *International Law Workshop*, **Harvard Law School**, November 6, 2013.

“International Trade Implications of the Intra-Korean Economic Cooperation,” Presented to the **Korean Ministry of Trade, Industry, and Energy**, July 8, 2013.

“Transnationalizing the Judicial Sphere,” Presented to the **Wharton School** (University of Pennsylvania), April 25, 2013.

2012

“Network Governance: A Framework,” Presented to the [Enforceable Codes of Conduct Workshop](#), the **Federal Trade Commission**, November 29, 2012.

“Network Governance: A Framework,” Presented to the *Future of Liberal Internationalism* Workshop, **Princeton University**, May 4, 2012.

“Double Remedies in Double Courts,” The **Northwestern University School of Law** Faculty Workshop, April 5, 2012.

“Innovations in the North and South,” The *Global Legal Education Forum*, **Harvard Law School** (Panelist), March 24, 2012.

2011

“Breaking the Frame between Public International Trade and Private International Business,” Presented to the *2011 ASIL Research Forum*, **UCLA Law School**, November 5, 2011 (with Claire Kelly).

“Redefining an International Organization: A Paradigm Shift,” Presented to the 2nd Colloquium on *Globalization of Law, International Organizations, and International Law*, **University of Chicago Law School**, May 6-7, 2011.

“Discriminatory Taxation in International Trade: Toward the Law of Trading Nations,” Presented to the *Jean Monnet Seminar*, **New York University School of Law**, April 18, 2011 (with Joseph Weiler).

“Promises and Perils of New Global Governance,” Presented to the *International and Comparative Law Colloquium*, **George Washington University Law School**, March 7, 2011.

2010

“How the U.S. Constitution Treats International Law,” Presented to the **Korean Constitutional Court**, December 27, 2010.

“Promises and Perils of New Global Governance,” Presented to the *ASIL-IEcLIG Biennial Conference* (“International Economic Law in a Time of Change”) held at **University of Minnesota**, November 18-20, 2010 (with Claire Kelly).

“From Control to Communication: Science, Philosophy and World Trade Law,” Presented to the **ASIL 104th Annual Conference** (The “Risk, Science, and Law in the WTO” Panel), held in Washington DC, March 25th, 2010.

2009

“Science, Hermeneutics and International Law: Rethinking the *Hormones* Dispute,” Presented to the *ESIL-ASIL Research Forum* (Changing Futures?: Science and International Law) held at **University of Helsinki**, Finland, October 2-3, 2009.

“An Identity Crisis of International Organizations,” Presented to the Regional Colloquium on *Globalization of Law, International Organizations, and International Law*, **Northwestern University**, September 25-26, 2009.

“The Emergence of Constitutional Norms in the WTO,” Presented to the *Third Trade Law Forum*, **Korean Ministry of Foreign Affairs and Trade**, June 18, 2009.

“Science, Hermeneutics and International Economic Law: Rethinking the ‘Hormones’ Dispute,” Presented to the *WTO Scholars’ Forum*, **University College London** (UCL), Law Faculty, May 21, 2009.

“Is the WTO Passé?: Exploring the Meaning of the Doha Debacle,” Presented to the *Institute of International Economic Law* (IIEL), **Georgetown Law Center**, April 6, 2009.

“An Identity Crisis of International Organizations,” Presented to the **Harvard Law School** Graduate Forum, February 26, 2009.

* Presentations prior to 2009 are available on request.

Selected Working Papers and Works-in-Progress

“[A Common Law of International Trade and Investment](#)” (with Jürgen Kurtz)

“[Precedent as a Social Phenomenon: System, Language and Symbol](#)”

“[A Trans-Judicial Dialogue and the Globalizing of Administrative Law](#)”

“Discriminatory Taxation in International Trade: Toward the Law of Trading Nations” (with Joseph H.H. Weiler)

Pre-Academic Career

Legal

Seoul District Prosecutors’ Office, Ministry of Justice, Seoul, Korea
Deputy Prosecutor (November 1992 - March 1993)

Kim & Chang, Seoul, Korea
Legal Researcher (January - April 1990)

Financial Regulation

Ministry of Finance and Economy, Kwachon, Korea
Deputy Director, Financial Cooperation Division (May 1994 - June 1996);
Deputy Director, Special Insurance Division (February - May 1994);
Deputy Director, International Organization Division, Ministry of Finance,
Kwachon, Korea, May 1991 - February 1992

Professional Qualifications

New York Bar (Admitted in 2001);
Korean Bar (Licensed in 1994);
Korean Higher Civil Service Exam (Passed in 1989)

Languages

English (fluent);
Korean (native)

Interests

Movie; Music; Running