



Banking and Finance Litigation

In the aftermath of the global financial crisis and the more recent accusations regarding LIBOR and foreign currency exchanges, banks and other financial institutions need now, more than ever, to reduce and manage legal, regulatory, financial and reputational risks.

An important part of the risk management exercise is the investigation, identification and monitoring of contentious and regulatory issues across each international centre of operation, partnering with litigation and regulatory counsel attuned to your needs in relevant jurisdictions.

We are experienced in handling large and complex investigations and claims, both domestic and international, and are regularly instructed by some of the largest financial institutions in relation to their most substantial and sensitive disputes. Our big case experience means that we are accustomed to managing large multi-disciplinary teams across international borders, spanning the life cycle of a dispute from investigation, through contentious regulatory proceedings to litigation or arbitration.

Our experience is deep and diverse and includes representing banks and financial institutions in a full range of financial disputes, before courts and tribunals around the globe. We are equally comfortable litigating before the High Courts of England, Frankfurt, Hong Kong or Singapore, the US District Court for the Southern District of New York or the Moscow Arbitrazh Court. We arbitrate before all the major arbitral institutions and were a founding sponsor of the PRIME Finance arbitration and mediation tribunal, established in the Hague specifically to resolve disputes relating to complex financial transactions.

CAPABILITES

Investment banking and structured finance litigation

We have acted on a number of the most significant cases in the investment banking arena since the collapse of Lehman Brothers in 2008. These matters are typically high value, both in terms of quantum, and reputational and precedential risk.

Corporate and retail banking

We have extensive experience handling the full range of corporate and retail banking disputes, and we are able to combine our experience and expertise in all major financial centres with regional strength to coordinate multi-party and class action litigation, including representation of underwriters in US shareholder class actions.

Regulatory enforcement and disputes

We offer legal knowledge and practical advice on a wide range of issues relating to all the global financial services regulatory bodies, including the US Department of Justice, Federal Reserve Bank, the US Office of the Comptroller of the Currency, the US Securities and Exchange Commission, the Financial Conduct Authority, the Prudential Regulation Authority, various European and European Union regulatory and supervisory bodies, the Securities and Futures Commission of Hong Kong, Australian Securities and Investments Commission and many others. The team regularly undertakes internal investigations for

both wholesale and retail firms and assists clients with self-notification issues, responses to supervisory enquiries and investigations by the enforcement divisions of regulatory bodies, and we appear before the various regulatory tribunals, committees and panels when action is taken.

Fraud and asset tracing

We are experienced in the investigation and prosecution of fraud (civil and criminal) and in tracing misappropriated assets across national borders. We are also experienced in assisting financial institutions to respond to freezing and disclosure orders served on them and in defending them against direct allegations of fraud.

EXPERIENCE

- Acting for Australian noteholders in the landmark Belmont Park case brought in England to establish payment priority under a US\$12.5 billion Lehman synthetic CDO program and coordinating parallel proceedings in the New York Bankruptcy Court and District Court.
- Representing a major international bank in related proceedings in New York and Tanzania courts arising out of the financing of a power plant in Dar-es-Salaam.
- Conducting various regulatory, governance and compliance investigations and reviews for financial institutions.
- Providing global FATCA and privacy advice to leading financial institutions.
- Advising a major UK lender in connection with an investigation of mortgage fraud in a portfolio of in excess of 400 mortgages on 'buy to let' properties.
- Representing two major banks in relation to a US\$2 billion swap dispute in Italy.
- Advising a Russian bank in relation to several arbitrations and in obtaining injunctive relief in connection with a number of credit default swaps.
- Representing a major international bank in related proceedings in London and the UAE in a US\$120 million claim arising out of disputed title to an oil cargo.
- Advising an international banking group in relation to a €140 million claim in respect of a high profile takeover of a financial institution by a banking consortium.
- Acting for a financial services group in relation to payment protection insurance claims, advising on the implementation of a root cause analysis, the British Bankers' Association Review and representing the firm in a related dispute with its insurers regarding its customer redress programme.
- Conducting an investigation for an international bank in relation to forex trading with a major Chinese company and advising on a related HKSFCA and Commercial Crime Bureau investigations.
- Acting in parallel litigation and arbitration proceedings relating to a large international Ponzi scheme involving entities in Liechtenstein, Cyprus, and St Vincent & the Grenadines, resulting in a multi-million RICO judgment in the US.
- Advising a major international bank in connection with theft, fraud and money laundering involving funds misappropriated in South Africa and wired through Hong Kong and thereafter layered through various banks in a number of jurisdictions.
- Representing the United States Federal Deposit Insurance Corporation as receiver for numerous failed banks throughout the United States in post-insolvency disputes regarding capitalization, ownership of assets and similar matters.

INSIGHTS

Publications

Intellectual Property and Technology News (Asia Pacific) May 2019

15 MAY 2019

[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS SERIES](#)

Intellectual Property and Technology News (Asia Pacific) is our biannual publication designed to report on worldwide development in intellectual property and technology law, offering perspectives, analysis and visionary ideas.

Global Insight - Issue 27, December 2018

17 DEC 2018

[RESTRUCTURING E-NEWSLETTER - GLOBAL INSIGHT SERIES](#)

As we send this final edition of Global Insight for 2018, Rick and I would like to thank you for your continued support of our multi-award-winning Global Restructuring Group.

Restructuring Global Insight - News, views and analysis from DLA Piper's Global Restructuring Group

3 OCT 2018

[RESTRUCTURING E-NEWSLETTER - GLOBAL INSIGHT SERIES](#)

Welcome to our 26th edition of Global Insight with another selection of restructuring items from our colleagues around the World.

Restructuring Global Insight - Canada's steel industry, credit default swaps, schemes, and more

9 MAY 2018

[RESTRUCTURING E-NEWSLETTER - GLOBAL INSIGHT SERIES](#)

Welcome to our 24th edition of Global Insight with another selection of restructuring items from our colleagues around the World.

Global Insight - Loans for financial institutions, bipartisan Bankruptcy Reform, and more

7 MAR 2018

[RESTRUCTURING E-NEWSLETTER - GLOBAL INSIGHT SERIES](#)

Welcome to our 23rd edition of Global Insight with another selection of restructuring items from our colleagues around the World.

Preparing for a payment card data breach: what should businesses do?

15 NOV 2017

In this article, DLA Piper's lawyers consider that there were an estimated 164 million payment cards in use in the UK in 2016 and how, with almost £4 billion being spent using contactless cards alone in April 2017 and new breach notice requirements coming into force soon, those involved (including card brands and merchants) need to consider how to respond to breaches, and potential alternatives to storing card data in the future. Payment card data is a major target of hackers.

Claims management companies face stronger regulation

17 JUL 2017

BANKING DISPUTES QUARTERLY

Tighter regulation of Claims Management Companies is edging closer as the Financial Guidance and Claims Bill makes its way through parliament.

New Pre-Action Protocol for Debt Claims in force from 1 October 2017. Are you ready?

22 JUN 2017

BANKING DISPUTES QUARTERLY

After a lengthy consultation period, the Pre-Action Protocol for Debt Claims has now been finalised and will come into force on 1 October 2017. This protocol will apply to lenders who are seeking payment of a debt from an individual/ sole trader, as a debtor or guarantor. Now is the time to update your systems and procedures to accommodate the new protocol requirements.

Lowick Rose LLP (in liquidation) v Swynson Ltd - claimant unable to recover damages from negligent professional where losses suffered by related third party

5 JUN 2017

BANKING DISPUTES QUARTERLY

Lenders contemplating claims against negligent professionals should think carefully about the impact the refinancing of loans might have on potential recoveries. This recent Supreme Court decision, which prevented both a lender and its ultimate owner from recovering over £15 million in damages from an accountancy firm which had admitted liability in negligence, serves as a cautionary tale.

NEWS

DLA Piper announces launch of Artificial Intelligence practice

14 MAY 2019

DLA Piper announced today the launch of its Artificial Intelligence practice, which will focus on assisting companies as they navigate the legal landscape of emerging and disruptive technologies, while helping them understand the legal and compliance risks arising from the creation and deployment of AI systems.

DLA Piper (Canada) LLP ranked in 2019 *Canadian Legal Lexpert Directory*

3 MAY 2019

DLA Piper (Canada) LLP is pleased to announce that thirty-eight of the firm's lawyers have been recognized as leading practitioners in the 2019 edition of the *Canadian Legal Lexpert Directory*.

Bretton Woods Law Canada to join DLA Piper (Canada) LLP's Montréal office

1 MAY 2019

DLA Piper (Canada) LLP is pleased to announce it has reached an agreement with the Montréal office of Bretton Woods Law Canada. Effective May 1, 2019, Bretton Woods Canada's team of four lawyers and an articling student will join DLA Piper Canada's Montréal office.

DLA Piper announces partnership promotions for 2019

1 APR 2019

DLA Piper is proud to announce that 77 lawyers have been promoted to its partnership. The promotions are effective as of April 1, 2019 in the United States and May 1, 2019 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 43 different offices throughout 20 countries.

DLA Piper announces launch of Blockchain and Digital Assets practice

26 FEB 2019

DLA Piper announced today the launch of its Blockchain and Digital Assets practice, which will offer strategic advice on a global basis to address the needs of companies implementing blockchain technology solutions and creating and deploying digital assets.

DLA Piper (Canada) LLP welcomes new litigation counsel Katrina Edgerton-McGhan

11 FEB 2019

DLA Piper (Canada) LLP welcomes Katrina Edgerton-McGhan to the firm's Calgary office as Counsel in the Litigation, Arbitration and Investigations Group. Katrina brings with her a broad commercial litigation practice with deep experience in complex litigation and regulatory work and insurance law.

Kate Brown de Vejar joins DLA Piper as global co-chair of International Arbitration

22 JAN 2019

DLA Piper announced today that Kate Brown de Vejar has joined the firm's Litigation practice as a partner in Mexico City and New York.

DLA Piper (Canada) LLP recognized in 2019 *Legal 500 Canada* guide

7 DEC 2018

DLA Piper (Canada) LLP is pleased to announce that 42 firm lawyers across 17 practice areas have been recommended in the latest edition of the *Legal 500 Canada*.

DLA Piper and IKM Advocates secure victory for the Republic of Kenya defeating a US\$2 billion ICSID claim

24 OCT 2018

In a decisive victory for the Republic of Kenya, DLA Piper and DLA Piper Africa member firm, IKM Advocates, have successfully defeated the claim estimated to be worth US\$2 billion in arbitration proceedings brought by a mining investor, Cortec Mining Kenya Limited. The claim was brought under the bilateral investment treaty (BIT) between the UK and Kenya dated 13 September 1999. The arbitration took place under the auspices of the World Bank's International Centre for Settlement of Investment Disputes (ICSID), with the hearing taking place in Dubai in January 2018. The Tribunal issued its award on 22 October 2018.

DLA Piper Canada recognized by *Chambers Canada* 2019

27 SEP 2018

DLA Piper (Canada) LLP is pleased to be recognized as an industry leader in the 2019 edition of *Chambers Canada*. With 34 lawyers recognized across 20 practices areas, this is DLA Piper Canada's strongest showing to date.

Best Lawyers in Canada 2019 recognizes 72 DLA Piper (Canada) LLP Lawyers

22 AUG 2018

DLA Piper (Canada) LLP is pleased to have once more increased its rankings in the 2019 edition of *Best Lawyers*, with close to one-third of the firm's lawyers recommended as leading practitioners in Canada across key practice areas.

DLA Piper (Canada) LLP welcomes new associate Ashley Boyes

7 AUG 2018

DLA Piper (Canada) LLP is pleased to welcome Ashley Boyes to the firm's Toronto office as an associate in the Litigation, Arbitration and Investigations group.

DLA Piper (Canada) LLP welcomes new litigation associate Stephen Kroeger

25 JUN 2018

DLA Piper (Canada) LLP is pleased to welcome Stephen Kroeger to the firm's Edmonton office as an associate in the Litigation, Arbitration and Investigations Group.

DLA Piper (Canada) LLP welcomes new litigation associate Michelle Thomarat

28 MAY 2018

DLA Piper (Canada) LLP is pleased to welcome Michelle Thomarat to the firm's Toronto office as an associate in the Litigation, Arbitration and Investigations Group.

DLA Piper (Canada) LLP has strongest showing to date in 2018 *Canadian Legal Lexpert Directory*

2 MAY 2018

DLA Piper (Canada) LLP is pleased to announce that forty-three of the firm's lawyers have been recognized as leading practitioners in the 2018 edition of the *Canadian Legal Lexpert Directory*. The firm was also featured as a leader in eleven different practice areas.

DLA Piper Canada welcomes new associate Titus Totan

23 APR 2018

DLA Piper (Canada) LLP is pleased to welcome Titus Totan to the firm's Toronto office as an associate in the Employment Group.

DLA Piper Canada welcomes Jessica Sullivan

9 APR 2018

DLA Piper (Canada) LLP is pleased to welcome Jessica Sullivan to the firm's Vancouver office as an associate in the Wills, Estates and Trusts group.

DLA Piper announces partnership promotions for 2018

3 APR 2018

DLA Piper is proud to announce that 62 lawyers have been promoted to its partnership. The promotions are effective as of 1 April 2018 in the United States and 1 May 2018 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 42 different offices throughout 20 countries.

DLA Piper (Canada) LLP welcomes new litigation associate Nivi Ramaswamy

2 APR 2018

DLA Piper (Canada) LLP is pleased to welcome Nivedhya (Nivi) Ramaswamy to the firm's Toronto office as an associate in the Litigation, Arbitration and Investigations Group.

DLA Piper advises Timor-Leste on historic maritime treaty

6 MAR 2018

DLA Piper has been advising the Government of Timor-Leste, for more than four years, on its historic maritime treaty with the Australian Government, signed today at the United Nations Headquarters in New York, following the successful outcome of a compulsory conciliation process.

DLA Piper (Canada) LLP welcomes new litigation associate Wendy Sun

5 MAR 2018

DLA Piper (Canada) LLP is pleased to welcome Wendy Sun to the firm's Toronto office as an associate in the Litigation, Arbitration and Investigations Group.

Businesses still not fully aware of Data Protection issues

31 JAN 2018

DLA Piper has released its second Data Privacy Snapshot report, finding that once again, company global privacy programs have gaps in meeting increasingly demanding global privacy principles. Significantly, it appears that many companies are falling short of data protection obligations under the General Data Protection Regulation (GDPR), which will start to apply from 25 May

2018.

Stephen Matthews joins DLA Piper's Litigation practice in New Jersey

17 JAN 2018

DLA Piper announced today that Stephen Matthews has joined the firm's Litigation practice as a partner in the Short Hills, New Jersey, office.

DLA Piper (Canada) LLP welcomes six new partners

8 JAN 2018

DLA Piper (Canada) LLP is delighted to welcome six new additions to the partnership, effective January 1, 2018.

DLA Piper (Canada) LLP welcomes important additions to the Restructuring group

31 DEC 2017

DLA Piper (Canada) LLP is delighted to welcome Edmond Lamek as Partner and Danny Nunes as Associate Counsel to our national Restructuring group. Both Edmond and Danny will join our Toronto office.

DLA Piper welcomes new litigation associate Maxim Kaploun

11 DEC 2017

DLA Piper (Canada) is pleased to welcome Maxim Kaploun as a litigation associate in the firm's Toronto office.

DLA Piper (Canada) LLP expands rankings in *Legal 500 Canada*

1 DEC 2017

DLA Piper (Canada) LLP is pleased to have achieved its best showing to date in *Legal 500 Canada*, with 11 lawyers gaining new rankings in the newly released 2018 edition.

Susy M. Trace joins DLA Piper (Canada) LLP's Restructuring Group in Edmonton

10 OCT 2017

Susy assists clients across a variety of industries on matters concerning the *Companies' Creditor Arrangement Act*, bankruptcies, receiverships, foreclosures, collections, fraud, breach of contract and real estate litigation.

DLA Piper (Canada) LLP increases rankings in *Chambers Canada 2018*

29 SEP 2017

DLA Piper (Canada) LLP is pleased to be recognized for its expanding market leadership in the 2018 edition of *Chambers Canada*, garnering its highest number of rankings to date.

DLA Piper (Canada) LLP secures victory for international airlines as BC Court of Appeal upholds dismissal of class action certification applications

15 SEP 2017

The decision has important implications for unjust enrichment and consumer protection claims in British Columbia and has garnered international attention.

DLA Piper (Canada) LLP welcomes Katelyn Ellins and Sydney Kert to its Toronto office

5 JUN 2017

DLA Piper (Canada) LLP is pleased to welcome two new associates to its expanding Toronto office.
