



## Contentious Restructuring

Our specialist contentious restructuring team is one of the world's leaders. With lawyers across Africa, the Americas, Asia Pacific, Europe and the Middle East, we have the knowledge, experience and resources to address our clients' contentious restructuring needs on a national and international basis and we pride ourselves on developing innovative contentious restructuring solutions that provide value maximizing solutions for our clients.

Around the world, our specialist contentious restructuring lawyers on the ground have an unrivalled knowledge of both local markets and global restructuring processes and thus, the associated challenges our clients face, wherever they occur, and whatever borders they may cross.

In restructuring situations, the recovery of value is key. Our global reach enables us to deliver urgent applications efficiently and within tight timeframes. DLA Piper can also draw on its network of business lawyers in offices across the world to advise on fiduciary, regulatory, employment, insurance, tax and other matters arising in contentious situations, delivering a unified approach to these often complex and difficult situations.

### CAPABILITES

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We advise clients across the full spectrum of contentious restructuring matters, from obtaining emergency relief to protect assets to multijurisdictional fraud investigations and pursuing resulting proceedings, including misfeasance and negligent or dishonest conduct. We are also well-versed in intercreditor disputes regarding among other things competing priorities and contested reorganization proceedings.

Our core services encompass:

- Insolvency/restructuring-related investigations including on behalf of fiduciaries
- Insolvency/restructuring-related litigation
- Insolvency/restructuring-related enforcement
- Debt tracing and recovery
- Asset tracing and recovery
- Corporate governance advice to companies, special committees, and liquidators

### EXPERIENCE

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#### KEY CONTACTS

##### **Craig Martin**

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#### RELATED SERVICES

- Litigation, Arbitration and Investigations

Includes advising:

- Alvarez and Marsal as Liquidators of Joannou & Paraskevaides (Overseas) Limited, the parent company of a group which operated as one of the largest construction and infrastructure companies in the Middle East, North Africa and Europe, in relation to the asset and corporate disposals and enforcement and recognition proceedings across multiple jurisdictions. We also advised in relation to humanitarian issues which arose from the companies having over 20,000 employees on the ground in the Middle East.
- Independent committee of the Board of Directors of New Cotai Holding Company in its chapter 11 bankruptcy case in New York charged with investigating claims related to the IPO of the Studio City casino project in Macao.
- The Limited Partner Advisory Committees of several of the funds operated out of Abraaj Holdings operating in six continents, following its collapse, in relation to a complex structure and arrangements put in place within the client group, the appointment of replacement fund managers, litigation and liquidation strategy in relation to each of the funds and the impact of the parent company liquidations on the operation of the underlying funds.
- The independent investigation and litigation claims analysis on behalf of 4 West Holdings, Inc. and its subsidiaries in its chapter 11 bankruptcy case, which ultimately led to a consensual resolution with creditors seeking to pursue derivative claims on behalf of the company.
- Lehman Brothers Limited (LBL)'s administrators on issues arising in their estate, and particularly the position between LBL and Lehman Brothers International (Europe) (LBIE) and LB Holdings Intermediate 2 Limited (LBHI2). We achieved a successful result in the Supreme Court for the administrators of Lehman Brothers Ltd in the long running Lehman Waterfall I proceedings. This was a complex, high-profile litigation with wide-ranging implications for the global financial services sector.
- Constellation Healthcare Technologies and 22 affiliates in chapter 11 proceedings conducting an investigation of and pursuit of fraud claims against former management and related parties who conducted a multi-year fraud in various jurisdictions.
- A syndicate of UK banks (GBP120 million senior debt) and KPMG as administrators in the restructuring/insolvency of Lexi Holdings, a commercial bridging loan company. The company was defrauded of approximately GBP50-70 million. We obtained judgments (the largest over GBP75 million) against 18 parties including offshore corporates, committed the main director behind the fraud to prison and recovered upwards of GBP40 million in real estate across multiple locations in both the UK as well as overseas. This was made possible by a very significant and detailed forensic investigation run by KPMG and DLA Piper including undertaking transcribed interviews and in court examinations of relevant individuals.
- PHI, Inc., a helicopter oil field services and medevac operator, in connection with chapter 11 filings in Dallas, Texas, which included conducting an investigation into causes of action for a Special Restructuring Committee based on witness interviews, the collection and the review of over 25,000 documents, and issuance of a report subsequently defended in court proceedings, leading to a restructuring of the business.
- Advising investors on investigation of claims related to improper creation of CMBS securitization entity and related trading activity in parallel Cayman off-shore/Delaware on-shore investment structure in chapter 11 case in Wilmington, Delaware, leading to a successful restructuring plan that allowed a special litigation trust to pursue recoveries for investors.

## NEWS

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### **DLA Piper arbitration practice recognized as world leading by Global Arbitration Review**

14 July 2020

DLA Piper has been recognized once again as having one of the world's leading international arbitration practices.

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### **Law firms collaborate on industry first to accelerate tech adoption in international arbitration**

2 July 2020

DLA Piper is amongst six international law firms which have developed a Protocol to help deliver a globally consistent approach to the use of online case management platforms in international arbitration.

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## **DLA Piper announces partnership promotions for 2020**

30 April 2020

DLA Piper is proud to announce that 67 lawyers have been promoted to its partnership. The promotions are effective as of April 1, 2020 in the United States and May 1, 2020 for EMEA and Asia Pacific. The promotions have been made across many of the firm's practice areas in 35 different offices throughout 13 countries.

Across the firm's practices globally, Corporate saw the largest intake of new partners with 19 promotions, followed by Litigation and Regulatory with 15. Intellectual Property and Technology and Finance and Projects had ten and eight promotions respectively, while there were six in Real Estate. Tax and Employment both had four, and there was one in Restructuring.

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## **DLA Piper lawyers named Acritas Stars**

10 March 2020

Acritas has named over 200 DLA Piper lawyers as 2020 Acritas Stars. Now in its fourth year, Acritas Stars highlights the stand-out lawyers in private practice as nominated by clients around the world. More than 3,000 senior in-house counsel feed into the nomination process to give a comprehensive view of highly recommended lawyers across the globe.

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## **DLA Piper appoints Head of Global Government Affairs team**

6 March 2020

DLA Piper announces the strengthening of its Global Government Affairs team with the appointment of Richard Sterneberg who will head up the team in its Brussels office. Richard brings with him over 20 years of experience working in Brussels as a global government affairs expert.

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## **DLA Piper launches its Global Litigation Guide**

3 December 2019

DLA Piper has launched its 'Global Litigation Guide', which covers aspects of civil litigation in 30 jurisdictions worldwide.

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## **DLA Piper continues to boost CEE region capability with new hires in Poland**

5 September 2019

DLA Piper today announces the appointment of eight new lawyers in its Warsaw office into three key practice areas of Corporate, Finance & Projects (F&P) and Litigation & Regulatory. These hires follow the recent appointment of corporate partners Marek Sawicki and Jakub Marcinkowski from CMS.

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## **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.

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### **DLA Piper establishes Litigation Regulatory offering in Dublin with partner hire**

18 APR 2019

DLA Piper today announces the appointment of Caoimhe Clarkin as a Litigation & Regulatory partner in the firm's Dublin office. This is the seventh partner hire for DLA Piper in Dublin this year.

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### **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.

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### **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.

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### **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.

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### **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.

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## DLA Piper hosts inaugural Afghanistan-UK Business Conference

18 SEP 2018

DLA Piper's London office yesterday hosted the first Afghanistan-UK Business Conference, organised by the Embassy of the Islamic Republic of Afghanistan in London and the International Chamber of Commerce in Afghanistan. The event, aimed at further enhancing Afghanistan-UK bilateral business, trade and investment relations, was attended by over 100 participants including public and private sector leaders, potential investors, NGOs and consultants, amongst others.

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