



## Cross-Border Litigation

Globalization of the world's markets has brought ever-increasing opportunities for international commerce, the effect of which is to connect people, products and businesses throughout the world. With globalization, however, comes increased legal, regulatory, political, cultural, financial and reputational complexity and risk for international businesses.

Disputes arising in the context of international commerce tend to be equally complicated, often involving multiple proceedings advancing at the same time before courts of different jurisdictions. Effectively managing such disputes requires lawyers who possess a comprehensive knowledge of local law, procedure and market conditions, lawyers skilled at combining that knowledge with broad international experience, and lawyers with a truly global perspective and a thorough understanding of your business and its objectives. We call this Cross-Border Litigation.

As the largest litigation practice in the world, with over 1,800 lawyers in more than 30 countries spread across the Americas, Asia Pacific, Europe, the Middle East, Russia and the CIS, DLA Piper has more Cross-Border Litigation lawyers than any other firm. Our practice sits alongside our highly regarded International Arbitration group and leverages the firm's unrivalled teams of sector-focused lawyers to safeguard your business interests whenever, wherever and in whatever forum a dispute may arise.

In those jurisdictions where DLA Piper does not have an actual presence, the firm has well-established and trusted relationships with local firms who understand our approach to litigation, our commitment to quality and client service, and who share our international vision. In short, wherever your dispute arises and is to be resolved, DLA Piper has the experience and the sector-focused teams to secure the best outcome for your business.

### EXPERIENCE

- Representing a multinational client in the recovery of oil product and sums due under oil supply contracts with a value of over \$100 million from a Nigerian-based company, involving proceedings in the English High Court, the Nigerian Federal Court and in the Netherlands, where a ship and a cargo of oil product were arrested.
- Acting for a Saudi Arabian group in relation to a US\$10 billion fraud claim in the Cayman Islands and related proceedings in Bahrain, Switzerland, the US and England.
- Acting for one of the world's largest US manufacturers and distributors of medical products in relation to US\$200 million tortious interference claims against their competitors and defecting employees in the US, Japan, Austria, France, Germany and Switzerland.
- Representing a global defence contractor in FCPA/UK Bribery Act investigations pending simultaneously in European, African, Asian, and US jurisdictions.

### KEY CONTACTS

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### RELATED SECTORS

- Energy and Natural Resources
- Technology

- Advising a number of major reinsurers following the major market loss arising out of the floods in Queensland, Australia, resulting in physical damage and business interruption claims by a global resources company for A\$1.2 billion.
- Representing the Government of the Republic of Zambia in its successful flagship anti-corruption case against its former president and 19 other defendants in the English High Court and on appeal, proceedings having taken place in London and Lusaka by way of a simultaneous video link between the two courtrooms.
- Advising professional trustees in US\$1 billion litigation relating to the Madoff fraud, involving claims brought in the US, Bermuda and England, with satellite litigation in a number of other offshore jurisdictions.
- Obtaining freezing orders in Cyprus, Belize, Luxembourg and Liechtenstein on behalf of a Russian bank against a borrower who had misappropriated funds, and procuring his criminal prosecution in France.
- Advising a newly-elected democratic government in Asia on the recovery in Singapore, the UK, Malaysia and Myanmar of substantial assets fraudulently misappropriated by members of the former regime through the central banking system and government-owned instrumentalities.
- Recovering over £200 million for the administrators of a bridging finance company which was the subject of an extensive and high-profile fraud by one of its directors in proceedings in Pakistan, Dubai, Greece, Spain and Portugal.

## INSIGHTS

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### Publications

#### **Court of Appeal confirms mining company is not liable for human rights abuses in Sierra Leone**

17 July 2020

Earlier this year, the Court of Appeal handed down its judgment in the case of *Kalma v (1) African Minerals Limited, (2) African Minerals (SL) Limited and (3) Tonkolili Iron Ore (SL) Limited*. In this case review, we consider the Court's findings in relation to (i) accessory liability and (ii) companies' duty of care when operating abroad.

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#### **Global Class Actions Briefing: Major developments in European consumer protection laws: Product safety and consumer class actions in Europe**

15 July 2020

The EU's proposals for a revised EU General Product Safety Directive (the GPSD) and the EU's deal for a Collective Redress Directive (the CRD) point the way to a future of heightened novel risk in Europe of collective redress or, as these claims are popularly known, "class actions".

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#### **A successful s67 challenge: Silence did not confer authority to enter into an arbitration agreement**

7 July 2020

The case *MVV Environment Devonport Ltd v NTO Shipping GmbH & Co. KG MS 'MV Nortrader'* was one of the few successful challenges to an arbitral award which we have seen before the English courts in recent years.

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#### **A jurisdiction too far: The English Commercial Court declines to continue freezing injunctions in support of foreign and English seated arbitrations**

26 June 2020

In *Petrochemical Logistics Ltd & Axel Krueger v PSB Alpha AG & Konstantinos Ghertsos*, the English Commercial Court declined to continue two freezing injunctions against the Defendants in support of both a London-seated LCIA arbitration and a Swiss-seated arbitration.

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## Preparing for global class actions arising from COVID-19

28 May 2020

The risk to companies of global and cross-border class action and collective redress proceedings is rising.

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## Coronavirus: Supplier due diligence for vetting Chinese medical suppliers for quality, safety, fair pricing and anti-corruption compliance

6 April 2020

Some key risks, and potential solutions to reduce cross-border operational risks.

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## A gamechanger in international dispute resolution: the 2019 Convention on Enforcement of Foreign Judgments

8 July 2019

International commercial litigation is about to become radically more efficient, in a major development for international businesses. Under the Convention, a judgment given by a court of a Contracting State shall in principle be recognized and enforced in another Contracting State without any review of the merits.

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## Events

### Previous

#### Online hearings: balancing justice and efficiency for clients

20 July 2020

Webinar

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## NEWS

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### DLA Piper helps CAPE win High Court claim for seller misrepresentation

9 February 2021

DLA Piper has advised China Agri-Products Exchange Ltd, a company listed on the Hong Kong Stock Exchange, on a complex cross border litigation heard in the High Court of Hong Kong.

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### DLA Piper strengthens North Asia Arbitration offer with new partner hire

13 January 2021

Global law firm DLA Piper today announces that Tony Andriotis has joined the firm in its Tokyo office as a partner to lead the International Arbitration practice in Japan.

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### DLA Piper wins TMT Finance M&A Global Telecom Deal of the Year

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8 December 2020

DLA Piper is pleased to announce that they have received the TMT Finance M&A Global Telecom Deal of the Year for their representation of T-Mobile and Deutsche Telekom in the T-Mobile-Sprint merger.

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### **'Industry standard' for use of arbitration platforms moves a step closer as pan-firm collaboration receives support**

30 November 2020

Plans to standardise the approach to online case management in international arbitration are a step closer to reality, after a draft protocol received positive feedback from an industry-wide consultation.

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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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### **DLA Piper boosts financial services litigation capability with partner hire in Australia**

6 July 2020

Global law firm DLA Piper announces that financial services dispute resolution and class actions lawyer Matthew (Matt) Spain has joined the firm, effective today.

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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 hires new partners in Australia**

23 April 2020

Global law firm DLA Piper today announces that leading tax disputes partner Paul McNab and litigation lawyer John Fogarty will be joining the firm in May.

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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 senior associate Wincen Santoso admitted as a Fellow of the Chartered Institute of Arbitrators (CI Arb), the United Kingdom**

17 December 2019

DLA Piper is pleased to announce that Wincen Santoso, an Indonesian and New York qualified senior associate in Singapore, has been admitted as a Fellow of the Chartered Institute of Arbitrators (CI Arb), the United Kingdom, a leading professional membership organization representing the interests of alternative dispute resolution practitioners.

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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 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 advised Geophysical Sub-Strata on its tap sale of US\$114.5 million Guaranteed Medium Term Notes**

4 APR 2019

DLA Piper has advised Geophysical Sub-Strata Ltd. on the tap sale of US\$114.5 million 8% Guaranteed Medium Term Notes due 2023 as Series 001, Tranche 002 under the Company's US\$400,000,000 Guaranteed Multicurrency Medium Term Note Programme.

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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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