



## Litigation, Arbitration and Investigations

DLA Piper's lawyers are skilled in litigation, arbitration, investigations and ADR and will deploy that experience to help you devise the best strategies.

We have the local knowledge to apply the regulatory, economic, political and cultural context to legal issues and develop case strategies. We regularly handle technically challenging and complex multi-jurisdictional matters. Our global reach allows us to provide you with fully integrated teams and consistent quality wherever you do business. We work with you to manage potential risk and implement the most effective solutions to reduce costly escalation. We aim to solve complex business disputes as swiftly and effectively as possible and provide solutions which are aligned with your business objectives.

DLA Piper's global team of disputes and regulatory lawyers is the largest dedicated disputes practice globally as recognized by *The Lawyer's Top 50 Litigation* survey.

In an environment where regulation and its enforcement will only increase, we recognize that effective compliance and avoidance of regulatory intervention are business critical issues.

Globalization of world markets has brought limitless commercial opportunities. However, it has also increased the potential for legal liability by exposing corporations around the world to financial and reputational risk across multiple jurisdictions. Mitigation of those risks requires early engagement with experienced lawyers who understand the cultural as well as the legal and regulatory landscapes but who will also drive relentlessly to deliver results for their clients when a dispute or regulatory intervention is unavoidable.

### CAPABILITES

We manage every type of dispute or contentious problem, quickly marshalling national and international teams.

- Antitrust and competition
- Banking and finance litigation
- Class Actions
- Contentious M&A
- Commercial contract disputes
- Cross-border litigation
- Employment litigation and dispute resolution

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### RELATED SERVICES

- Corporate
- Employment
- Finance
- Intellectual Property and Technology
- International Trade, Regulatory and Government Affairs
- Projects, Energy and Infrastructure
- Real Estate
- Tax
- International Corporate Reorganizations

### RELATED SECTORS

- Energy and Natural Resources
- Financial Services

- Energy disputes
- Environmental, health and safety disputes
- Infrastructure and construction disputes
- Insurance and reinsurance disputes
- International arbitration
- IT and telecoms disputes
- Marine and aviation disputes
- Patent and IP litigation
- Product Liability, Mass Torts and Product Stewardship
- Public international law
- Administrative law
- Real estate litigation and planning disputes
- Securities and enforcement litigation
- Tax disputes
- White collar and corporate crime

- Insurance
- Life Sciences
- Industrials
- Mining
- Technology

## INSIGHTS

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### Publications

#### **Brazilian federal government issues decree regulating arbitration in disputes between Public Administration and transport and logistics sectors**

1 October 2019

The Brazilian federal government recently issued a decree regulating arbitration of disputes involving the Public Administration and relating to infrastructure projects – ports, roads, railways, waterways and airports.

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#### **Global bribery offenses guide**

27 September 2019

In recent decades, improved standards in the identification and enforcement of international bribery offences have provided the backdrop to a growing appreciation and management of bribery risk within the business community.

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#### **Japan - Global bribery offenses guide**

27 September 2019

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#### **Hong Kong - Global bribery offenses guide**

27 September 2019

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## **Norway - Global bribery offenses guide**

27 September 2019

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## **Brazil - Global bribery offenses guide**

27 September 2019

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## **Germany - Global bribery offenses guide**

27 September 2019

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## **Belgium - Global bribery offenses guide**

27 September 2019

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## **China - Global bribery offenses guide**

27 September 2019

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## **Hungary - Global bribery offenses guide**

27 September 2019

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## **Italy - Global bribery offenses guide**

27 September 2019

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## **Australia - Global bribery offenses guide**

27 September 2019

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## **Poland - Global bribery offenses guide**

27 September 2019

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## **Portugal - Global bribery offenses guide**

27 September 2019

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## **Spain - Global bribery offenses guide**

27 September 2019

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## **Sweden - Global bribery offenses guide**

27 September 2019

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## **United Kingdom - Global bribery offenses guide**

27 September 2019

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## **United States - Global bribery offenses guide**

27 September 2019

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## **New Zealand - Global bribery offenses guide**

27 September 2019

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## **Reflecting on unauthorised wealth orders: Considerations for mortgagees**

2 September 2019

Unexplained wealth orders (UWO) were introduced in January 2018 and the National Crime Agency (NCA) has now successfully obtained five. All but one of the orders specifically target premium London properties; with the remaining order covering eight properties across the UK.

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## **No-deal Brexit: Impact on dispute resolution**

1 September 2019

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While a range of outcomes, including a departure under the terms of the current Withdrawal Agreement, remains possible, it is important for businesses to plan for a no-deal Brexit, in which the UK leaves the EU without a withdrawal agreement or other deal. Here we look at the potential impact of a no-deal Brexit on dispute resolution.

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#### **Issue 4: Managing Risks and Disputes**

26 August 2019

### **DIGITAL TRANSFORMATION AND OUTSOURCING CONTRACTS**

This is the fourth of a series of fortnightly articles in which we will give practical tips on how to avoid contractual issues arising out of digital transformation and outsourcing contracts.

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#### **Issue 3: Record-keeping matters**

13 August 2019

### **DIGITAL TRANSFORMATION AND OUTSOURCING CONTRACTS**

This is the third of a series of fortnightly issues in which we will give practical tips on how to avoid contractual issues arising out of digital transformation and outsourcing contracts.

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#### **Successfully obtaining an anti-suit injunction: Practice points (A v B, July 2019)**

6 August 2019

On 19 July 2019, DLA Piper successfully obtained a final anti-suit injunction order in the High Court before His Honourable Mr Justice Jacobs.

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#### **Institution of civil class action takes effect in Russia**

2 August 2019

On 18 July 2019, the President of Russia signed a law whereby lawsuits can be filed to protect groups of people in civil disputes (so-called "class action suits").

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#### **Issue 2: Follow Your Contract**

26 July 2019

### **DIGITAL TRANSFORMATION AND OUTSOURCING CONTRACTS**

This is the second of a series of fortnightly issues in which we will give practical tips on how to avoid contractual issues arising out of digital transformation and outsourcing contracts.

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#### **Take your 'Seat' - the relative merits of European arbitral seats**

19 July 2019

On the 19th June 2019, DLA Piper hosted a debate at their London office on the relative merits of conducting arbitration proceedings in different European seats of arbitration.

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## Issue 1: Know Your Contract

9 July 2019

### DIGITAL TRANSFORMATION AND OUTSOURCING CONTRACTS

This is the first issue of a new fortnightly series in which we will give practical tips on how to avoid contractual issues arising out of digital transformation and outsourcing contracts. In particular, this issue emphasises the importance of knowing the contract, providing top tips as to how best to familiarise yourself with its content.

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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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## British Standards Institution "Privacy – Raising the standard" Conference, 25 June 2019 in London

28 MAY 2019

We are pleased to announce that Bertold Bär-Bouyssièrre, EU Competition Partner and Elected member of the International Board at DLA Piper, will speak at the conference "Privacy – Raising the standard" on 25 June 2019 in London.

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## Only if the cap fits: *Arkin* Cap not applicable in all funded cases

30 APR 2019

The High Court has recently held in *Davey v Money & Anor* that the *Arkin* cap, whereby the adverse costs liability of a commercial litigation funder is limited to the amount of its investment, should not be applied automatically in all cases involving commercial litigation funders.

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## Energy & Natural Resources Case Law Update

25 APR 2019

Deals in the Energy and Natural Resources (E&NR) Sector are often complex, high value and high stakes, and disputes can arise at any stage of the deal life cycle.

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## The Vedanta decision and Eu law: a post-brexite outlook on parent company liability

25 APR 2019

On 10 April 2019, the UK Supreme Court handed down judgment in the case of *Vedanta Resources PLC and another v Lungowe and others* [2019] UKSC 20 (Vedanta).

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## ITC Section 337 Update

11 APR 2019

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A quick look at the last 10 years.

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## **EU lawmakers agree to greater co-operation on anti-money laundering oversight: A genuine solution or a halfway house?**

4 APR 2019

In the wake of numerous money laundering scandals involving European based banks, a provisional deal agreed by the Council presidency and the European Parliament on the supervisory framework for European financial institutions lays the ground work for a tougher approach.

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## **Global Insight - Issue 28, April 2019**

2 April 2019

### **RESTRUCTURING - GLOBAL INSIGHT SERIES**

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

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## **Everything new in...March? The new Trade Secret Act**

01 Apr 2019

On March 21, the Bundestag passed the Trade Secret Act. This represents the conclusion of a legislative process that started more than five years ago with the first discussions on EU level on a know-how directive (EU 2016/943). The aim was to provide uniform minimum standards of trade secret protection throughout Europe and to improve enforcement possibilities.

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## **Top of Mind: Litigation**

20 MAR 2019

In this issue, our coverage of 10 big topics businesses have been thinking about this quarter.

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## **Civil procedure in a post-Brexit landscape**

8 MAR 2019

With the Brexit deadline fast approaching, a no-deal scenario remains a real possibility. Companies facing on-going and threatened English litigation proceedings are keen to understand the impact of a "no-deal" Brexit on the conduct of their disputes.

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## **Explainability: where AI and liability meet**

25 FEB 2019

Makers and users of AI face a new and interesting problem: what is the acceptable tradeoff between explanation and accuracy?

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## **Russia's Supreme Court demonstrates a pro-arbitration approach**

15 FEB 2019

On 26 December 2018, the Russian Supreme Court issued a review of Russian court practice relating to international and

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domestic arbitration, and the enforcement and recognition of awards (Review).

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### **Keeping watch on smartphone app payments in China**

7 FEB 2019

Now could be a good time to think about the level of transparency your company may have in connection with smartphone app payments by your employees.

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### **The new Packaging Act**

23 JAN 2019

On January 1, 2019, in Germany the former Packaging Ordinance has been replaced with the new Packaging Act (Verpackungsgesetz). The new packaging law imposes far-reaching obligations on manufacturers and distributors of consumer goods, at all levels of the supply chain.

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### **EU Member States issue a joint declaration on the legal consequences of the *Achmea* decision**

18 JAN 2019

On January 15, 2019, the Member States of the European Union (EU) issued several declarations on the legal consequences of the *Achmea* decision on the regime of investment protection and, in particular, investment arbitration.

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### **EU Policy & Regulatory Update - EU Adds Three Iranian Persons to EU Terrorist List**

14 JAN 2019

On 8 January 2019, the Council of the European Union (EU) adopted Decision (CFSP) 2019/25 amending and updating the list of persons, groups and entities subject to Articles 2, 3 and 4 of Common Position 2001/931/CFSP.

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### **Inconsistent dispute resolution clauses - when should the "one-stop shop" give way to gravity?**

27 DEC 2018

Where, in complex commercial arrangements, there is a multiplicity of agreements, problems associated with inconsistencies between them abound. That can have significant consequences, particularly where there is an inconsistency between dispute resolution provisions in different but related contracts.

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### **IP Litigation Powerhouse**

21 DEC 2018

BTI's *Litigation Outlook* names DLA Piper an "IP Litigation Powerhouse," a "Standout" and "Complex Commercial Litigation Powerhouse."

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### **What next as the UK Supreme Court rules on validity of Scottish EU Continuity Bill?**



18 DEC 2018

On 13 December 2018 the UK Supreme Court issued its judgment on the UK Government's challenge to the validity of the Scottish Parliament's Brexit Bill. The Court decided that, except for one section, the Bill was valid when it was passed. However, as a result of the timing of the legal challenge and the subsequent changes made to the European Union (Withdrawal) Act by the UK Parliament prior to it passing, additional parts of the Bill cannot now take effect.

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## **Global Insight - Issue 27, December 2018**

17 DEC 2018

### **RESTRUCTURING - 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.

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## **Negotiating a more inclusive trade policy post-Brexit**

17 DEC 2018

The EU plays an important role in promoting gender equality among its members states and internationally through a number of initiatives, including its external trade policy. As the UK prepares to leave the EU, it should focus on designing a truly inclusive trade agenda that puts gender equality at the centre of its trade relations with third countries. Meaningful efforts to address gender and wider social and economic inequalities, including through the UK's future free trade agreements (FTAs), will require support from and engagement with businesses, both in the UK and third countries.

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## **Privilege - a checklist for in-house lawyers**

13 DEC 2018

Legal professional privilege has recently been the subject of numerous important English court judgments, which have sought to restrict the applicability of legal advice privilege and litigation privilege.

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## **Third party funding - an international outlook**

13 DEC 2018

The third party funding market has seen exponential growth in recent years and, with both the number of funders and cases under their management growing year on year, the appetite of the market for good claims to fund shows no signs of diminishing.

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## **European Court of Justice rules that the UK can unilaterally revoke its EU withdrawal notice**

11 DEC 2018

On 10 December 2018, the Court of Justice of the European Union decided that the UK can unilaterally revoke its Article 50 notice to withdraw from the EU.

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## **Top of mind: Litigation**

10 DEC 2018

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Our coverage of big compliance, enforcement and litigation issues that businesses are thinking about this quarter.

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### **Martial law is introduced in Ukraine starting from 26 November 2018**

28 NOV 2018

On 26 November 2018, the Parliament of Ukraine imposed temporary martial law in some regions of Ukraine approving respective Decree of the President of Ukraine. The martial law is introduced in response to escalation of Russian aggression in the Black Sea and the Sea of Azov. The Law will come into force only after it is officially published.

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### **ICO publishes draft Regulatory Action Policy**

8 NOV 2018

Following the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA18) coming into force on 25 May 2018, the Information Commissioner's Office (ICO) (the UK's data regulator) has refreshed its Regulatory Action Policy.

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### **Supply chain human rights risk management: Blockchain and emerging technology**

8 NOV 2018

Global businesses, financiers and investors are faced with an increasingly complex and interconnected legal, financial and reputation risk agenda related to human rights and other responsible business conduct issues.

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### **Recent Landmark Case on Comparative Advertising in Hong Kong**

12 OCT 2018

On 5 September 2018, the Hong Kong Court of First Instance handed down a significant win to Hong Kong Broadband Network Limited (HKBN) in dismissing a trade mark infringement claim brought against it by the PCCW-HKT group (PCCW). The case is the first decision the Hong Kong Court has made on section 21 of the Trade Mark Ordinance (Cap. 559) (TMO) and provided important guidance on the use of trademarks in the context of comparative advertising.

HKBN was represented by the legal team from DLA Piper Hong Kong led by May Ng, Partner, assisted by Queenie Chan, Associate.

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

3 OCT 2018

#### **[RESTRUCTURING - GLOBAL INSIGHT SERIES](#)**

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

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## **Copyright in esports: a top-heavy power structure, but is it legally sound?**

27 SEP 2018

Central to the esports industry are novel intellectual property issues arising from the structure of the esports ecosystem.

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## **Four tips for an effective eDiscovery plan in China**

19 SEP 2018

A timely and well-documented eDiscovery plan, comprehensively addressing compliance with local laws, can also go a long way to address potential post-collection inquiries.

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## **Cross border trade: Contingency planning for a "no deal" Brexit**

14 SEP 2018

The UK government has published a collection of technical guidance notices to assist companies trading in or with the EU to prepare for a "no deal" Brexit scenario, whereby the UK leaves the EU on 29 March 2019 without an agreement in place to govern the future UK/EU relationship.

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## **The Second Circuit rules against DOJ's aggressive assertion of extraterritorial FCPA jurisdiction over foreign accessories**

29 AUG 2018

The ruling stands to limit DOJ's ability to bring FCPA charges against foreign nationals who do not travel to the US.

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## **6 trends will shape future international commercial disputes**

28 AUG 2018

The world of international litigation and arbitration tends to move slowly, but the pace of change may accelerate as these trends take hold.

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## **US-style class actions set for Scottish courts**

8 AUG 2018

A new law in Scotland may expose financial institutions and businesses to large collective legal claims in future rather than just claims by individual litigants.

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## **France**

31 JUL 2018

The International Comparative Legal Guide to International Arbitration 2018 (15th Edition). A practical cross-border insight into international arbitration work.

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## European Union Overview

31 JUL 2018

The International Comparative Legal Guide to International Arbitration 2018 (15th Edition). A practical cross-border insight into international arbitration work.

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## Antitrust Matters - July 2018

24 JUL 2018

### ANTITRUST MATTERS SERIES

We are pleased to share with you a New Edition of our periodical global publication Antitrust Matters.

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## The GDPR's impact on internal investigations

10 JUL 2018

The impact of the European Union's General Data Protection Regulation on corporate internal investigations and criminal and civil litigation – both within the EU and abroad – has received little attention. Here, we take a look at the GDPR's privacy requirements through the lens of internal investigations and litigation.

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## International HR and employee discipline issues in FCPA matters

10 JUL 2018

Local laws, practices and cultural differences mean that the differences between investigations from one country to another, and the consequences of failing to understand them, can be significant. Here are some of the key considerations for multinational employers when they are conducting cross-border investigations.

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## Declinations for self-reporting on the rise under FCPA Pilot Program and Corporate Enforcement Policy

10 JUL 2018

The DOJ appears to be following through on its pledge to increase declinations in exchange for self-reporting potential FCPA violations.

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## Decision of the German Constitutional Court on attorney-client privilege in internal investigations

6 JUL 2018

The current legislation and jurisprudence regarding information and documents derived from internal investigations is ambiguous. The German Constitutional Court decided on 6 July 2018 that the seizure of documents from an internal investigation in connection with the Diesel-investigations was lawful.

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## ***Nori Holdings Ltd v PJSC BOFC: The status of West Tankers now and in a Post Brexit world***

26 JUN 2018

In a recent High Court decision Males J has held that there is nothing in the Recast Brussels Regulation to cast doubt on the continuing validity of the ECJ (now CJEU) decision in *Allianz Sp v West Tankers Inc.*

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## **EU Prolongs Sectoral Sanctions targeting Crimea and Sevastopol**

22 JUN 2018

On 18 June 2018, the Council of the European Union (EU) adopted Council Decision (CFSP) 2018/880, extending the restrictive measures introduced by the EU in response to the annexation of Crimea and Sevastopol by the Russian Federation in 2014. The restrictive measures targeting Crimea and Sevastopol will remain in place until at least 23 June 2019.

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## **Consumer action without consumers**

11 JUN 2018

Recently introduced by the EU Commission, representative action is one of the cornerstones of the New Deal for Consumers. This is of particular significance for products, their manufacturers, and consumers.

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## **DLA Piper's new toolkit to proactively manage IT Development Projects**

7 JUN 2018

DLA Piper are pleased to present the launch of a new IT Development Project Healthcheck toolkit to assist our clients to efficiently manage their projects, identify and assess risks and avoid disputes.

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## **The *Achmea* storm heads straight for Spain**

4 JUN 2018

On 16 May 2018, the *Achmea v. Slovakia* decision was at the eye of the storm of two separate developments affecting Spain.

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## **What can Al Capone teach us about business and human rights?**

23 MAY 2018

You may well ask - how on earth can a mafia capo in Chicago from the early 20th century have anything to do with Business and Human Rights in the 21st century?

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## **The Legal Effect of NOM clauses**

21 MAY 2018

"No Oral Modification" clauses (or NOM clauses) are commonly used in commercial contracts in order to prevent parties from modifying, varying or terminating an existing contract by means other than the prescribed form (usually in writing and signed by both parties). The status of these clauses under English law has, until now, been subject to some uncertainty.

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## **Powers of the SFO in an Internet age**

15 MAY 2018

Is the cloud the limit? Reviewing the powers of the UK's Serious Fraud Office in the Internet age

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## **Surprise: Report places Australia second for corporate fraud in Asia Pac**

11 MAY 2018

The Association of Certified Fraud Examiners (**ACFE**) recently released the 2018 edition of its Report to the Nations (**the Report**) on corporate fraud. The Report is a global study of occupational fraud, looking at over 2,600 cases and data from over 100 countries. It contains a wealth of information that will be of interest to anyone working in the compliance or risk space in any sized company - across all sectors.

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## **Appeals under the English Arbitration Act 1996**

11 MAY 2018

The English Commercial Court has released new figures giving an overview of the number of claims for appeal/challenge of arbitral awards brought under sections 68 and 69 of the Arbitration Act 1996 (the "Act") over the last three years; statistics confirm that challenges to arbitral awards in England are rarely successful.

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## **The Dutch move to terminate intra-EU BITs following the Achmea decision**

10 MAY 2018

The Netherlands has announced that it will seek to terminate its bilateral investment treaties (BITs) with Slovakia and other EU member states. The Dutch government's decision is an important step following the much anticipated ruling issued in March 2018 by the Court of Justice of the European Union (CJEU) in Achmea v Slovakia.

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

9 MAY 2018

### **[RESTRUCTURING - GLOBAL INSIGHT SERIES](#)**

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

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## **US to re-impose sanctions on Iran as it withdraws from the Joint Comprehensive Plan of Action**

9 MAY 2018

President Trump has signed a presidential memorandum directing his Administration to immediately begin the process of re-imposing sanctions related to the Joint Comprehensive Plan of Action, targeting critical parts of Iran's economy, among them its energy, petrochemical and financial sectors.

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## **EU/Mexico trade deal to promote foreign investment**

30 APR 2018

On 21 April 2018, the European Union and Mexico reached a deal on a novel trade agreement (the "EU-Mexico FTA").

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## On the financial services horizon

20 APR 2018

Welcome to the eighth edition of our On the Financial Services Horizon newsletter – a regular update on upcoming cases, news and anticipated regulatory developments affecting the Financial Services sector.

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## Cheaper Euro payments and enhanced transparency of dynamic currency conversions

16 APR 2018

On 28 March 2018, the European Commission (EC) proposed two amendments to the Regulation (EC) No. 924/2009 (Cross Border Payments Regulation) to reduce the cost of intra-EU payments in Euro and enhance transparency so that consumers understand the true costs associated with dynamic currency conversions.

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## Banking Disputes Review - April 2018

4 APR 2018

### [BANKING DISPUTES QUARTERLY](#)

Welcome to the latest edition of our Banking Disputes Review, a collection of recent articles on cases and legal developments of interest to those working in the Financial Services Sector.

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## Bondage, Enslavement, Servitude: New South Wales follows suit and proposes Modern Slavery Law

22 MAR 2018

New South Wales has followed the Commonwealth's lead and introduced a Modern Slavery Bill 2018 into the New South Wales Legislative Council on 8 March 2018. The objects of the Bill include to combat modern slavery, to provide for an Anti-slavery Commissioner, and to mandate the reporting of risks of modern slavery occurring in the supply chains of certain corporate organisations.

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## EU Prolongs Asset Freeze and Travel Ban on Ukrainian and Russian Individuals and Entities

16 MAR 2018

On 12 March 2018, the Council of the European Union adopted Council Decision (CFSP) 2018/392 and Council Implementing Regulation (EU) 2018/388, prolonging the asset freeze and travel restrictions on 150 individuals and 38 entities in Ukraine and Russia. The restrictive measures have been extended for another six months, until 15 September 2018.

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## Warranty claims in the energy sector: a survival guide

14 MAR 2018

This article gives an overview of recent significant English case law on warranty claims. It aims to assist those engaged in energy sector M&A to avoid potential drafting pitfalls, and to point those considering bringing a claim for breach of warranty (or finding themselves needing to respond to one) in the right direction.

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

7 MAR 2018

### RESTRUCTURING - GLOBAL INSIGHT SERIES

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

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#### Brexit update: Draft Withdrawal Agreement

2 MAR 2018

The EU commission published its Draft Withdrawal Agreement on Brexit Wednesday 28 February 2018. The Draft Agreement is based on the joint report from the negotiations in December and presents 168 articles concentrating in particular on the issue of the Northern Ireland border, the methodology for the UK's financial settlement, and the rights of UK citizens living in the EU and vice versa.

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#### Text, blood and rock 'n' roll

27 DEC 2017

You are not a "free bird" – the duty to preserve text messages may extend to third parties.

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#### The role of mediation in business and human rights disputes

20 DEC 2017

The United Nations Forum on Business and Human Rights brings together business, governments, civil society and the legal profession to develop thinking and share best practice in this emerging area of law and practice. At the 6th Annual Forum, DLA Piper lawyers Sarah Ellington and Jess Hogan were joined by representatives from Anti-Slavery International, Doughty Street Chambers, Freshfields Bruckhaus Deringer and Sancroft International to present a live mediation role play. The role play was intended to explore the potential for mediation to resolve business and human rights disputes, particularly in cross-border cases.

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#### United Nations Forum on Business and Human Rights - lessons for business lawyers and their clients

20 DEC 2017

This year, the United Nations Forum on Business and Human Rights brought together businesses, governments and civil society to develop thinking and share best practice in this emerging area of law and practice. For businesses, a number of key themes continue to develop pushing respect for human rights and responsible business conduct further up the corporate agenda.

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#### Regulation 261/04 - developments and trends

18 DEC 2017

Summaries and quotes from development and trends in relevant case law regulation 261/04

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#### Global Product Liability Guide: announcing our updated online resource

12 DEC 2017

We are pleased to announce the relaunch of our Global Product Liability Guide, DLA Piper's dedicated online resource devoted to

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helping manufacturers, importers, suppliers and retailers learn about the product liability risk environment, wherever in the world they do business.

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### **Facilitation payments no longer permissible under Canadian anti-corruption law**

16 NOV 2017

Widening the rift between the US, which permits facilitation payments, and the majority of other countries, which prohibit them.

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### **The Sanctions and Anti-Money Laundering Bill**

16 Nov 2017

On Wednesday 18 October 2017, the UK Government introduced the Sanctions and Anti-Money Laundering Bill (the "Sanctions Bill") into Parliament. The Sanctions Bill received its second reading in the House of Lords on 1 November 2017, and is scheduled to reach Committee stage in the Lords on 21 November 2017.

Following our previous Government Affairs alert on UK Sanctions policy post-Brexit, this alert summarises the key sanctions-related provisions in the Sanctions Bill and analyses the extent to which the draft legislation signals a departure from the current sanctions framework imposed in the UK.

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### **Assigning liquidator rights to sue: what has been created?**

18 OCT 2017

Following a suite of recent reforms to Australian insolvency laws, liquidators are now able to assign rights to sue, conferred on them personally by the Corporations Act.

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### **DLA Piper's 2016 Compliance & Risk Report: What CCOs need to know**

19 APR 2016

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### **Plan now to use off-band communications during an incident response: key points**

27 OCT 2015

A robust IR plan should include communications techniques that operate outside regular company communication methods.

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### **US courts affirm expansive discovery under 28 U.S.C. § 1782**

29 SEP 2015

There is increasingly clear consensus among US courts giving § 1782 expansive reach.

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### **Mexico's new National Anticorruption System: 7 key points**

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20 JUL 2015  
Constitutional reform regarding the creation of the National Anticorruption System

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### **Third parties: 4 FCPA takeaways for working with distributors**

24 SEP 2014  
Four key challenges and related “cures”

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### **Tackling the realities of due diligence in a global setting**

24 OCT 2013  
For even the most conscientious of companies, hurdles exist to conducting fulsome due diligence in a global setting

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### **Congress, Administration move forward to secure critical US infrastructure**

11 JUL 2013

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### **Growing whistleblower activity calls for close employer attention to retaliation issues**

7 MAY 2013  
Careful consideration must precede adverse action against purported whistleblowers

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### **Cybersecurity and US federal public procurements: what contractors need to know**

11 MAR 2013  
Practical considerations for US federal contractors

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### **What companies need to know about the Obama Administration’s Cybersecurity Order**

14 FEB 2013

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### **Federal agencies, Congress accelerate defense against cyber attacks – every private company will be affected**

21 Mar 2012

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### **Whose followers are they, and how much are they worth?**

3 JAN 2012

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## Events

### Previous

#### **TopCo liability panel**

25 JUN 2019

London

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#### **Take your 'Seat' - a debate on the relative merits of European arbitral seats**

19 JUN 2019

London

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#### **Investment Arbitration Planning**

13 MAY 2019

Tel Aviv-Yafo

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#### **Financial Services Class Actions 360°: What is on the horizon in 2019?**

8 MAY 2019

London

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#### **Through the looking glass - Finding the balance between transparency and confidentiality in international arbitration**

7 MAY 2019

London

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#### **DLA Piper Global Vis Pre-Moot 2019 (Madrid)**

9 APR 2019

DLA Piper Global Vis Pre-Moots Series 2019

Madrid

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#### **DLA Piper Global Vis Pre-Moot 2019 (Paris)**

8 APR 2019

DLA Piper Global Vis Pre-Moots Series 2019

Paris

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#### **DLA Piper Global Vis Pre-Moot 2019 (St. Petersburg)**

27-28 MAR 2019  
DLA Piper Global Vis Pre-Moots Series 2019  
St. Petersburg

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#### **DLA Piper Global Vis Pre-Moot 2019 (Rio de Janeiro)**

14-15 FEB 2019  
DLA Piper Global Vis Pre-Moots Series 2019  
Rio de Janeiro, RJ

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#### **DLA Piper Global Vis Pre-Moot 2019 (São Paulo)**

14-15 FEB 2019  
DLA Piper Global Vis Pre-Moots Series 2019  
São Paulo, SP

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#### **DLA Piper Global Vis Pre-moot 2019 (Amsterdam)**

8-10 FEB 2019  
DLA Piper Global Vis Pre-Moots Series 2019  
Amsterdam

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#### **Are US-Style Consumer Class Actions Coming to Europe?**

5 NOV 2018  
Webinar

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#### **Enforcement and compliance trends in today's life sciences environment**

26 APR 2018  
Webinar

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#### **Antitrust Big Data webinar**

22 FEB 2018  
Antitrust Big Data webinar  
Webinar

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#### **Antitrust Big Data webinar**

22 JAN 2018  
Antitrust Big Data webinar  
Webinar

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## NEWS

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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 strengthens Intellectual Property and Technology offering in Russia**

18 APR 2019

DLA Piper today announces that Julianna Tabastajewa will be joining the firm as a counsel in its Intellectual Property and Technology practice based in Moscow. Her practice focuses on IP protection and litigation in the area of pharmaceutical, competition and, media law, as well as franchising.

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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 hires white collar crime partner in Germany**

28 FEB 2019

DLA Piper today announces that White Collar Crime and Internal Investigations lawyer, Emanuel Ballo, will be returning to the

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firm as partner in March 2019 in its Frankfurt Litigation & Regulatory practice

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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 advises exceet Group on sale of its micro- and optoelectronics company AEMtec**

27 SEP 2018

DLA Piper has advised the exceet Group on the sale of their portfolio company AEMtec GmbH - the Berlin based micro- and optoelectronics company - to Mellifera Neunundzwanzigste Beteiligungsgesellschaft.

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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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## **DLA Piper's GTGA team named Sanctions Law Firm of the year 2018**

27 JUL 2018

DLA Piper's Global Trade and Government Affairs (GTGA) team has been named Sanctions Law Firm of the year, Europe, at this year's WorldECR Awards.

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## **DLA Piper hires financial services and insurance sector team in Belgium**

2 JUL 2018

DLA Piper in Antwerp has today been joined by a team of financial services and insurance sector lawyers from Baker McKenzie.

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## **DLA Piper secures victory for Transatel SA in landmark telecoms dispute**

20 JUN 2018

DLA Piper has secured a victory for the French telecommunications service provider, Transatel SA, in a dispute under telecommunications law before the Federal Network Agency (BNetzA). In this landmark procedure, the BNetzA ordered the German mobile network operator, Telefónica Germany GmbH & Co. OHG, to submit a draft agreement regarding access to regulated wholesale roaming services to Transatel.

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## **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.

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## **DLA Piper Africa advises Adenia Partners on acquisition of controlling stake in Kanu Equipment Limited**

23 MAR 2018

Kanu has been driving an expansion strategy across Sub-Saharan Africa in recent years and the business now operates in 13 countries, servicing the agriculture, construction and mining industries.

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## **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.

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## **Four DLA Piper partners recognised in Jeune Afrique's Top 50 Lawyers in Francophone Africa 2017**

20 FEB 2018

DLA Piper is delighted to congratulate Litigation & Regulatory partners Michael Ostrove and Alexander Brabant, Finance & Projects partner Eric Villateau, and Corporate partner Christophe Bachelet, on their inclusion in *Jeune Afrique's* Top 50 Business Lawyers in Francophone Africa 2017 rankings. This year, more DLA Piper lawyers than ever before have been awarded a place

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on the rankings, with partners scoring individual record rankings for the firm.

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### **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.

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### **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.

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### **Six months until GDPR: companies still reporting low levels of preparedness**

15 Nov 2017

For the over 200 organisations responding to DLA Piper's Data Privacy Scorebox online survey tool since the start of the year, the average alignment score with all key international data privacy principles was 31.5%, as against an 38.3% average score for respondents in the 2016 calendar year.

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### **DLA Piper advising FirstRand on £1.1 billion takeover of Aldermore Group PLC**

7 NOV 2017

DLA Piper is acting for FirstRand, South Africa's largest financial services institution, who have put forward a £1.1 billion recommended offer for approval by the shareholders of Aldermore Group PLC, ("Aldermore") a British specialist lender and savings bank

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## **In Germany**

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Our Germany-based lawyers concerned with litigation and arbitration have many years of experience dealing with business disputes in a wide range of technical and economic fields. This allows us to provide effective advice to our clients with a clear strategy, even in complex and sensitive legal disputes.

Our clients are as diverse as the cases in which we advise them. We represent leading international companies from industry and from the insurance, financial and service sectors, as well as creditors and administrators in insolvency proceedings. But we also serve small- and medium-sized businesses and governmental entities in legal disputes arising from contracts with their suppliers and customers.

In a globalized world, disputes often transcend borders. We are well-versed in the particular requirements of procedural law that might be encountered in this context. If necessary, we can involve colleagues from our international team and apply a coordinated approach to legal disputes that are simultaneously taking place in a multitude of countries.

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Our litigators cooperate closely with specialists in other fields as needed. In this way, we can offer our clients optimal advice and support through teams tailored to each individual case.

We handle disputes before ordinary courts as well as arbitral tribunals. Our expertise in arbitration law includes the drafting of arbitration clauses in contracts, support in selecting appropriate arbitrators, conducting proceedings in German or English, and recognizing and enforcing arbitral awards – or defending against them, as the case may be. In doing so, we can draw on a rich archive of earlier proceedings conducted according to the rules of a variety of arbitration institutions as well as ad hoc arbitration proceedings.

Whenever possible, we provide advisory services even before a potential future conflict has arisen. Pre-trial correspondence between the parties is often what decides the outcome of legal disputes. In this lead-up stage, we are able to set directions that are critical to our clients' success.

Even if avoidance is the best solution to legal conflicts, contentious disputes are sometimes the only way to safeguard one's interests; other times they are imposed by the other party. Our guiding principle is to manage impending legal disputes as early as possible and to make sure at all times that our clients are clear about the risks and opportunities of the actions available to them, and the associated costs.

## **Compliance**

Compliance has lately become a key challenge for businesses in all fields. Companies must avoid liability risks and reputational damage.

DLA Piper has one of the biggest and best compliance groups operating internationally, with outstanding experience. We can advise your company worldwide in all relevant fields of legal risk – such as corporate criminal law, antitrust law, banking regulation and data protection law. Our compliance services also include public commercial law, such as in the areas of safety, health and environment (SHE compliance), and international commercial law. In providing advisory services, we do not limit ourselves to individual fields of law – we keep our eye on the full range of your company's requirements with regard to risk.

One of the focuses of our advisory services in this context is comprehensive advice on pension arrangements, in particular for international companies. We can harmonize and help to coordinate the legal and cultural requirements that may be different in other parts of the world.

We will identify the risk fields that your company should be mindful of, and we will support you in implementing compliance measures, such as drafting policies and manuals, conducting training courses, providing online training tools and clarifying questions of current interest.

## **Investigations/representation before authorities and courts**

Our advisory services are not only preventive, however; we are also available for crisis situations. This includes investigations by governmental authorities, such as public prosecutors or antitrust authorities, notifying employees or business partners of specific suspicions raised against them, and industrial accidents and product liability cases. It is often appropriate in such cases to conduct internal investigations so as to clear up the suspicion or be able to defend the company. We have an excellent reputation and many years of experience in conducting internal investigations, including in complex and international cases. When examining electronic data, we also use the latest and most powerful IT forensics that are suited to the specific case.

We can support your company in crisis situations by furnishing a team of advisers with outstanding expertise in the relevant fields of law, who will develop a comprehensive defence strategy as needed and can represent the company before government authorities and coordinate its defence.

## **FOCUS AREAS**

- Labour law
- Banking and financial markets law
- Compliance
- Data protection law
- Commercial law
- Insolvency and reorganization

- IT and telecommunications
- Antitrust disputes
- Corporate law
- Cross-border legal disputes
- National and international arbitration
- Public commercial law
- Regulatory law
- Patent disputes
- Product liability
- Pharmaceuticals and health
- Tax law
- Environmental law
- Insurance and reinsurance
- Enforcement and asset protection
- Competition law
- Corporate criminal law

## EXPERIENCE

### Litigation

- Represented an international commercial airport in a state aid and antitrust dispute relating to an exclusive use clause for a hotel company

### Arbitration

- Represented an energy company in ICC arbitration proceedings situated in Zurich against a supplier relating to the delivery of defective products in connection with power plant projects in Europe
- Represented a former member of a regional bank's management board in ad hoc arbitration proceedings against the bank seeking compensation for losses in the hundreds of millions of euros that the bank allegedly incurred in connection with a financial market transaction approved in late 2007
- Represented the Kingdom of Thailand in the international dispute with the Walter Bau-AG insolvency administrator concerning enforcement of an arbitral award obtained on the basis of a German-Thai investment protection treaty
- Represented a private bank in interim injunction proceedings against the seller of shares in a food sector company concerning a contested disbursement to the seller of EUR 30 million held in trust
- Represented a German DAX 30 company with international operations in defending against alleged claims based on purported infringements of German and U.S. copyright law
- Represented a Swiss ingredients supplier in the food industry in civil liability disputes in connection with an action for damages brought by a German manufacturer owing to the purported contamination of intermediate products and product recalls
- Represented a financial institution with international operations in several legal disputes with the insolvency administrator of a German department store chain relating to claims and counterclaims from failed financing
- Represented a municipal gas distribution company in ad hoc arbitration proceedings with a major gas supplier relating to price adjustments (approx. EUR 250 million in dispute)
- Advised the buyer of an Internet platform for travel bookings in arbitration proceedings with the sellers relating to adjustment of the purchase price
- Represented an Austrian bankruptcy trustee against the administrator of the German holding company with regard to claims from rescission and a prohibited disbursement totalling around EUR 100 million
- Represented an international consortium in review proceedings under public procurement law relating to a licence to award contracts for public works by the Federal Republic of Germany
- Represented an international confectioner in German attachment proceedings, enforcement matters and proceedings on

damages against a group of perpetrators in connection with the deliberate negotiation of disadvantageous terms of contract and kickback payments

### **Compliance/Investigations**

- Advised an international listed group of companies in connection with suspicion of cartel agreements and crimes committed by employees (internal investigation and defence of the company)
- Advised a listed group of companies on formulating and introducing a worldwide compliance programme
- Advised an international group of companies on formulating international policies on bribery and corruption and on anticompetitive agreements, including training
- Advised an international listed company regarding suspicions of the disclosure of trade and business secrets (internal investigations, defence in the preliminary proceedings, formulating new policies and corporate legal dispute)
- Advised an international listed company regarding a serious industrial accident (internal investigations, defending against investigative authorities, representation before regulatory authorities and revising internal policies)
- Advised an insurance company about criminal, regulatory and civil law aspects of compliance in connection with cooperating with insurance brokers
- Advised international companies on European and national requirements for specific products in the apparel and electronics industries, including the development of a strategy on possible claims from violations of those requirements
- Advised an international company on the worldwide introduction of policies on conduct during searches and seizures, including training

### **RECOGNITION**

- 2012 *JUVE* Award for Compliance Investigations