



## 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.

### CAPABILITIES

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
- Energy disputes

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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
- Insurance

- 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

- Life Sciences
- Industrials
- Technology

## INSIGHTS

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### Publications

#### Illinois courts' response to the COVID-19 pandemic

2 April 2020

The Illinois courts respond to the pandemic.

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#### DOJ increases scrutiny of nursing home industry

1 April 2020

DOJ is doubling down on its commitment to investigate and prosecute allegations of elder abuse and of substandard quality of care.

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#### Coronavirus: How UK mortgage lenders and administrators can comply with FCA guidelines

1 April 2020

On 20 March 2020, the FCA published guidance for mortgage lenders and administrators aimed at helping them support customers during the Covid-19 crisis. Alongside this guidance, the FCA has also published a related webpage with information for mortgage customers.

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#### Coronavirus: What happens to my lawsuit now?

1 April 2020

Some of these shifts in legal practice may lead to long-term efficiencies that benefit clients and improve access.

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#### COVID-19 essential businesses: Anti-bribery and anti-corruption risks

31 March 2020

Given the significant impact of being deemed non-essential, businesses and employees are incentivized to ensure their business is deemed essential by local authorities – and this can pose anti-bribery anti-corruption (ABAC) risks to companies.

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### **Coronavirus: State Attorneys General and the New COVID-19 Stimulus**

30 March 2020

With the president's signature on March 27, 2020, the government passed into law the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), the largest economic stimulus package in American history. Passed in response to the coronavirus disease 2019 (COVID-19) pandemic, the CARES Act will have an enduring impact on the country for years to come, particularly so for the industries and businesses eligible for stimulus relief funds. The massive scale of the CARES Act immediately calls to mind questions about how the government will respond in its attempt to prevent fraud, waste, and abuse in carrying out the stimulus.

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### **Coronavirus: US State AGs ramp up efforts to combat price gouging**

29 March 2020

State Attorneys General throughout the country are vigorously enforcing state unfair trade practice and price gouging statutes against those alleged to be taking advantage of consumers during the COVID-19 pandemic.

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### **US Antitrust enforcers issue joint statement on competitor collaboration amid COVID-19 pandemic**

27 March 2020

The US Department of Justice and Federal Trade Commission issued a Joint Antitrust Statement Regarding COVID-19, in which they announced an expedited procedure for evaluating proposed collaborations among competitors and other businesses working to address the pandemic.

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### **DLA Piper obtains approval of first coronavirus-impacted bankruptcy sale**

25 March 2020

DLA Piper's Restructuring practice is at the forefront of the intersection of COVID-19 and bankruptcy.

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### **Barclays SFO trial: Is corporate criminal liability dead?**

24 March 2020

A jury cleared three former Barclays senior executives accused of conspiracy to commit fraud in connection with the bank's 2008 recapitalisation. Aside from bringing the seven-year case to a close, this verdict finally lifts the lid on the earlier rulings in the case which led to Barclays, the corporate entity, being thrown out of the case.

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### **Coronavirus: Several state and local governments issue "shelter in place" orders (United States)**

23 March 2020

Between March 17 and 22, state and local governments have promulgated at least a dozen "Stay-at-Home" / "Shelter-at-Home"-type Orders. This alert provides details on a number of state and local government orders.

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## Introducing the DLA Piper Project Simulator

17 March 2020

One of the most critical challenges faced by our global society is developing high-quality, sustainable infrastructure. To help businesses meet this challenge, DLA Piper has collaborated with leading strategy consultancy BTS to create **The DLA Piper Project Simulator (DPS)**, an interactive training tool.

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## The Russian Supreme Court's first ever Plenum Resolution on Arbitration

13 March 2020

In December 2019 the Russian Supreme Court issued its first ever Plenum Resolution on Arbitration. A Supreme Court Plenum Resolution is a court act of the highest level, is binding for lower state courts and usually serves as a “bible” for judges dealing with the relevant topic.

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## Coronavirus (COVID-19): ten practical steps for global employers, right now (Global)

13 March 2020

These steps are not based on laws of any one jurisdiction but rather are designed to provide a global employer with themes to consider, understanding that what may be suitable for each employer may vary greatly depending on the employer's unique circumstances.

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## Asia Pacific Arbitration Roundup 2019

12 March 2020

Welcome to the first edition of our new Asia-Pac Arbitration Roundup.

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## Maintaining the privilege: Procedure & Practice Privilege

11 March 2020

Jean-Pierre Douglas-Henry and Bryden Dalitz consider recent developments on legal professional privilege.

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## Singapore deposits instrument of ratification for the Singapore Convention

5 March 2020

Ambassador Satyendra Prasad of Fiji became the first two countries to deposit their instrument to ratify the Singapore Convention (also known as the United Nations Convention on International Settlement Agreements Resulting from Mediation).

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## ADGM Courts issue first arbitration-related judgements

3 March 2020

2019 saw the Abu Dhabi Global Market Court (ADGM Court) publish two arbitration-related judgments, the first published since its launch in December 2018. The first case related to the validity of an ADGM arbitration agreement (A3 v B3 [2019] ADGMCFI 0004) and the second related to the recognition and enforcement of a New York Convention award in the ADGM (and included an insight into the court's approach to the “conduit jurisdiction” question) (A4 v B4 [2019] ADGMCFI 0007).

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## *US v. Hoskins*: in setback for DOJ, court grants post-trial motion for acquittal on all FCPA counts

27 February 2020

The decision calls into question DOJ's aggressive approach to a narrow but significant class of potential defendants in FCPA cases.

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### **How do you obtain permission to bring a derivative action?**

21 February 2020

*Saatchi v Gajjar* offers a very useful and comprehensive review of applicable case law and as such can be seen as a guide to others seeking to pursue or defend derivative claims.

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### **Update: The Hague Rules on Business and Human Rights Arbitration**

18 February 2020

The recently released Hague Rules on Business and Human Rights Arbitration may assist and encourage the widening of the ambit of arbitration beyond commercial disputes to those concerning the effect of commercial activities on human rights.

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### **Austria - Global bribery offenses guide**

17 February 2020

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### **When is an outbreak an act of God? Mitigating commercial and operational risks during the COVID-19 crisis (Global)**

13 February 2020

A close look at a standard but often overlooked "act of God" or force majeure clause in contracts may provide some insight into options for mitigating commercial and operational risks during the ongoing health crisis.

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### **COP25's key outcome: adoption of the San Jose Principles on carbon market mechanisms – takeaways for business**

12 February 2020

Ambitious countries are not waiting for full consensus on carbon markets.

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### **Novel coronavirus (2019-nCoV) – potential effects on international arbitration, sale of goods, shipping and shipbuilding (AsiaPac)**

10 February 2020

The current outbreak of novel coronavirus (2019-nCoV) is causing widespread concern. This article will discuss the potential impact on international arbitration, sales of goods, shipping and shipbuilding contracts.

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### **Construction delays arising out of the Novel Coronavirus outbreak (AsiaPac)**

7 February 2020

Since the first case of coronavirus was confirmed in Hong Kong in early February 2020, the government has imposed various measures in an attempt to contain the spread of the coronavirus. The resulting impact of the novel coronavirus is far-reaching and affects every industry and business in Hong Kong. This alert considers some of the key issues that construction contractors and

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developers in Hong Kong may face. If you need any specific advice, please contact May Ng or Sandy Au for further details.

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### **P v D arbitration claims under section 68 and 33 of the Arbitration Act 1996**

29 January 2020

The decision from the English Commercial Court highlights the consequences for parties if they fail to interrogate fully opponent witnesses on key points of evidence, and for Tribunals of issuing awards inconsistent with unchallenged evidence or predicated upon a case that has not been advanced.

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### **Genocide Case Against Myanmar in the ICJ**

24 January 2020

The International Court of Justice (ICJ) yesterday delivered an historic Order for provisional measures with respect to the application brought by The Gambia against Myanmar for allegations of genocide.

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### **DLA Piper and the Centre for Effective Dispute Resolution collaborate on Business and Human Rights Mediation Initiative**

24 January 2020

DLA Piper is working with the Centre for Effective Dispute Resolution, and a core task force of collaborators, to establish a mediation facility to support the effective resolution of disputes in the business and human rights arena.

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### **UAE Court Judgments automatically enforceable in the Courts of India**

21 January 2020

On 17 January 2020, the Indian Ministry of Law and Justice published a notification in the official gazette, which means that judgments rendered by both the onshore and offshore Courts of the UAE will be enforceable in the Courts of India without a re-examination of the merits.

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### **Top of Mind: Life Sciences**

16 January 2020

Eight big topics that life sciences businesses have been thinking about and how DLA Piper has been covering those stories.

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### **Witness Evidence Working Group report**

8 January 2020

#### **[INSURANCE HORIZONS](#)**

On 6 December 2019, the Witness Evidence Working Group (WEWG) published its report on improvements to the current practice regarding factual witness evidence in the Business and Property Courts of England and Wales (BPCs).

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### **Preventive Medicine: Official “Antimonopoly Compliance Guidelines for Business Operators” in China**

10 December 2019

On 28 November 2019, the State Administration of Market Regulation (SAMR) released for public comment draft “Anti-Monopoly

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Compliance Guidelines for Operators” (the “Draft Guidelines”). These non-binding guidelines recommend measures for “business operators” subject to the Antimonopoly Law (AML) to develop and implement antitrust compliance programmes. The Draft Guidelines integrate prevailing best practices for international compliance programmes, while reflecting the unique challenges of antitrust risk management in China.

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### **Argentina - Global bribery offenses guide**

4 December 2019

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### **Angola - Global bribery offenses guide**

4 December 2019

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### **Global bribery offenses guide**

4 December 2019

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

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### **Jury acquits foreign national in apparent rebuke of DOJ's attempt to police overseas corruption**

4 December 2019

The result highlights some significant issues that may, in some cases, limit the ability of the DOJ to prosecute foreign nationals for corruption overseas.

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### **Kuwait - Global bribery offenses guide**

4 December 2019

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### **Burundi - Global bribery offenses guide**

4 December 2019

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### **Kenya - Global bribery offenses guide**

4 December 2019

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

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4 December 2019

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**Japan - Global bribery offenses guide**

4 December 2019

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**Morocco - Global bribery offenses guide**

4 December 2019

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**Luxembourg - Global bribery offenses guide**

18 October 2019

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**Mauritius - Global bribery offenses guide**

4 December 2019

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**Mexico - Global bribery offenses guide**

4 December 2019

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**Australia - Global bribery offenses guide**

4 December 2019

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**Oman - Global bribery offenses guide**

4 December 2019

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**Peru - Global bribery offenses guide**

4 December 2019

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

4 December 2019

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

4 December 2019

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## **Qatar - Global bribery offenses guide**

4 December 2019

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## **Romania - Global bribery offenses guide**

4 December 2019

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## **Russia - Global bribery offenses guide**

4 December 2019

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## **Saudi Arabia - Global bribery offenses guide**

4 December 2019

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## **Singapore - Global bribery offenses guide**

4 December 2019

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## **Slovakia - Global bribery offenses guide**

4 December 2019

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

4 December 2019

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**Sweden - Global bribery offenses guide**

4 December 2019

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**Thailand - Global bribery offenses guide**

4 December 2019

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**Tunisia - Global bribery offenses guide**

4 December 2019

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**Ukraine - Global bribery offenses guide**

4 December 2019

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**United Arab Emirates- Global bribery offenses guide**

27 September 2019

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**United Kingdom - Global bribery offenses guide**

4 December 2019

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**United States - Global bribery offenses guide**

4 December 2019

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**Zambia - Global bribery offenses guide**

4 December 2019

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**New Zealand - Global bribery offenses guide**

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4 December 2019

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### **Zimbabwe - Global bribery offenses guide**

4 December 2019

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### **Transaction monitoring – practical guidance for financial institutions from three recent cases**

2 December 2019

Curbing fraud and money laundering are top of the international regulatory and political agenda. This article pulls together three recent high-profile decisions which clarify the standards currently expected of banks, in particular, and the financial services sector more generally.

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### **Corporations need to remain vigilant amidst the rise of cyberattacks and cyberfrauds**

2 December 2019

Recent figures show that Hong Kong and China remain the top destinations of fraudulent funds, most of which are the result of cyberfrauds. Read our article which gives helpful tips on how to avoid falling victim to these attacks.

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### **Denmark - Global bribery offenses guide**

4 December 2019

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### **Bahrain - Global bribery offenses guide**

4 December 2019

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### **Canada - Global bribery offenses guide**

4 December 2019

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### **Ethiopia - Global bribery offenses guide**

4 December 2019

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

4 December 2019

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**Germany - Global bribery offenses guide**

4 December 2019

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**Finland - Global bribery offenses guide**

4 December 2019

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**Chile - Global bribery offenses guide**

4 December 2019

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**France - Global bribery offenses guide**

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**Italy - Global bribery offenses guide**

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**Belgium - Global bribery offenses guide**

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**Colombia - Global bribery offenses guide**

4 December 2019

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**Hungary - Global bribery offenses guide**

4 December 2019

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## Brazil - Global bribery offenses guide

4 December 2019

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## China - Global bribery offenses guide

4 December 2019

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## Czech Republic - Global bribery offenses guide

4 December 2019

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## The China International Commercial Courts confirms jurisdiction to rule on validity arbitration agreements

22 November 2019

The China International Commercial Courts (CICC) set up by the Supreme People's Court of China in June 2018 had recently published its first judgments confirming its jurisdiction to rule on validity of arbitration agreements and severability of arbitration agreements. This article provides an update on the latest development.

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## *Sit Kwong Lam v Petrolimex Singapore Pte. Ltd*

20 November 2019

The Hong Kong Court of Appeal was again asked to consider the correctness of the controversial approach adopted in the case of *Lasmos Limited v. Southwest Pacific Bauxite (HK) Limited (2018)*. This article provides an update and guidance on issuing statutory demands and commencing insolvency proceedings for debt recovery in Hong Kong.

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## Disputes, Issue 1

October 2019

The inaugural issue of *Disputes* examines choice of law and the global class action; the slow death of agency deference; cybercrime via business email; the value of trade secret protection programs; the pre-service removal mechanism; and a significant decision regarding the *McDonnell* "official act" requirement.

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## Interim Measures now available for Hong Kong arbitrations from the PRC courts

21 October 2019

On 1 October 2019, the Arrangement Concerning Mutual Assistance in Court-ordered Interim Measures in Aid of Arbitral Proceedings by the Courts of the Mainland and of the Hong Kong Special Administrative Region (the Arrangement) came into force. This is a significant development because interim measures are now available in the PRC for arbitrations seated in Hong Kong.

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## Energy & Natural Resources Case Law Update

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17 October 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. In this third E&NR Case Law Update, we draw together relevant themes emerging from recent cases.

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### **US Supreme Court denies review of *Robles v. Domino's Pizza*, opening door to more lawsuits on website and mobile app accessibility claims**

16 October 2019

Does the ADA apply to websites and mobile apps?

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### **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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### **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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### **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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### **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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## 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-Bouyssiere, 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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## ITC Section 337 Update

11 APR 2019

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A quick look at the last 10 years.

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

2 April 2019

### **RESTRUCTURING - GLOBAL INSIGHT**

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

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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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## **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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## **Australian whistleblower reforms - passed into law**

19 FEB 2019

At long last, the Treasury Laws Amendment (Enhancing Whistleblower Protections) Bill 2018 was passed into law today, in the same form approved by the Senate in December 2018. The Bill introduces sweeping reforms to Australia's corporate whistleblowing regime by providing enhanced protection to whistleblowers and increasing penalties for companies that breach whistleblowing provisions.

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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 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 Financial Services Royal Commission Report: The DLA Piper Heat Map**

5 FEB 2019

The impact of the Royal Commission into Financial Services in Australia will ripple out into the broader corporate environment. Please click [here](#) to download the DLA Piper heat map as a guide to help you understand how the Royal Commission's findings may

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affect not just financial services, but all Australian businesses.

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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](#)**

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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## **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

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

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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](#)**

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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## **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

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

9 MAY 2018

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

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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### 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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## **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**

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

#### DLA Piper Global Vis Pre-Moot 2020 St Petersburg

10-11 March 2020  
DLA Piper Global Vis Pre-Moots Series 2020  
St Petersburg

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#### CIArb Australia Vis Pre-Moot hosted by DLA Piper

5-6 March 2020  
DLA Piper Global Vis Pre-Moots Series 2020  
Melbourne

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#### DLA Piper Global Vis Pre-Moot 2020 Frankfurt

4 March 2020  
DLA Piper Global Vis Pre-Moots Series 2020  
Frankfurt

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#### DLA Piper Global Vis Pre-Moot 2020 Rio de Janeiro

13-14 February 2020  
DLA Piper Global Vis Pre-Moots Series 2020  
Rio de Janeiro, RJ

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#### DLA Piper Global Vis Pre-Moot 2020 São Paulo

13-14 February 2020  
DLA Piper Global Vis Pre-Moots Series 2020  
São Paulo, SP

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### **The Seventh International Pre-Moot Amsterdam**

6-9 February 2020  
DLA Piper Global Vis Pre-Moots Series 2020  
Amsterdam

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### **TopCo liability panel**

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

9 APR 2019  
DLA Piper Global Vis Pre-Moots Series 2020  
Madrid

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

8 APR 2019  
DLA Piper Global Vis Pre-Moots Series 2020  
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 2020  
St. Petersburg

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### **Public Private Partnership (PPP) in Thailand**



14 MAR 2019  
Bangkok

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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 2020  
Rio de Janeiro, RJ

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

8-10 FEB 2019  
DLA Piper Global Vis Pre-Moots Series 2020  
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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## **NEWS**

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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 (CIArb), 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 (CIArb), 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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### **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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## **DLA Piper represents the Securities and Exchange Board of India (SEBI) to recoup funds from one of the world's largest Ponzi schemes**

16 AUG 2018

DLA Piper has successfully acted with Counsel (Thomas Bradley QC, Michael Hodge QC and Julia O'Connor) for the Securities and Exchange Board of India (SEBI) in the second of two proceedings before the Federal Court of Australia.

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