



Cross-Border Litigation

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

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

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

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

EXPERIENCE

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

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- Corporate Disputes
- Energy and Natural Resources
- Technology

and US jurisdictions.

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

INSIGHTS

Publications

Supreme Court limits the use of 28 U.S.C. § 1782 discovery in international arbitration

27 June 2022

This decision largely puts an end to a long-standing debate.

Why anti-suit injunctions may be on the rise after Brexit

27 October 2021

The departure of the UK from the EU is expected to lead to a rise in the number of anti-suit injunctions sought in the English courts. In this article we consider the four main reasons why that is likely to be the case.

An interview with Aldersgate Funding

11 October 2021

In this podcast, DLA Piper partner Henry Quinlan interviews Jim Holding and Matthew Lo at Aldersgate Funding Limited, who shed some light on the advantages of litigation and arbitration funding; the types of claims eligible for funding; the process of funding a case; and the jurisdictional constraints on this type of financing.

DLA Piper · Aldersgate Funding on how litigation funding can help your business

Cayman Islands Court of Appeal confirms availability of Norwich Pharmacal relief in foreign proceedings in *Arcelormittal USA LLC v Essar Global Fund Limited & ors*

18 May 2021

The Cayman Islands Court of Appeal has confirmed that the Norwich Pharmacal relief is available in the Cayman Islands in aid of foreign proceedings, a matter on which there was some doubt in light of recent English High Court decisions .

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

17 July 2020

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

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

15 July 2020

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

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

7 July 2020

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

Events

Previous

Online hearings: balancing justice and efficiency for clients

20 July 2020

Webinar

NEWS

DLA Piper strengthens its litigation and international arbitration practice with partner Dr Marc Jacob

16 March 2022

DLA Piper will strengthen its Litigation & Regulatory practice group with the appointment of Marc Jacob as a new partner in the Frankfurt office, effective 1 April 2022. He joins DLA Piper from Shearman & Sterling, where he practised litigation and international arbitration since 2013.
