



## 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
- Energy disputes

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- Corporate
- Employment
- Finance
- Intellectual Property and Technology
- International Trade, Regulatory and Government Affairs
- Projects, Energy and Infrastructure
- Real Estate
- Tax
- International Corporate Reorganizations
  
- Energy and Natural Resources
- Financial Services
- Insurance
- Life Sciences

- 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

- Industrials
- Technology
- Infrastructure, Construction and Transport

## INSIGHTS

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### Publications

#### Sweden - Global bribery offenses guide

1 December 2021

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#### Tanzania - Global bribery offenses guide

1 December 2021

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#### “But they’re not an Insured!” – NSW Supreme Court reaffirms third party beneficiary principles under the Insurance Contracts Act

25 November 2021

The NSW Supreme Court held that Brightcity International Pty Ltd, an importer of goods, was entitled to indemnity as a third party beneficiary under an Industrial Special Risks insurance policy issued by CGU Insurance to Admiral International Pty Ltd, a warehouse operator who stored Brightcity’s goods.

These proceedings arose after a fire at Admiral’s warehouse which damaged Brightcity’s goods. A number of claims were made. This article focuses on Brightcity’s claim for indemnity under Admiral’s ISR Policy as a third party beneficiary.

In arriving at its decision, the Court found that Brightcity fell within the “Interest of Other Parties’ clause in the ISR Policy. As such, section 48(1) of the *Insurance Contract Act 1984* (Cth) allowed Brightcity to claim against CGU despite not being a contracting party to the Policy.

This follows the recent and related Full Federal Court decision of *Insurance Australia Ltd t/as CGU Insurance v MOS Beverages Pty Ltd* [2021] FCAFC 165 in which the Court, on Appeal, dealt with a similar claim by another customer of Admiral arising out of the same warehouse fire.

NB: this case note focuses on the Court’s consideration of third party beneficiary principles and does not discuss Brightcity’s claim for loss and damage against Admiral, or Admiral’s claim against CGU for indemnity under its own policy.

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## Law applicable to arbitration agreements: UK Supreme Court confirms law of the contract generally prevails

22 November 2021

In the eagerly anticipated judgment of *Kabab-jj v Kout*, the English Supreme Court upheld the Court of Appeal's 2020 decision in the same matter that when English law is expressly chosen by the parties to govern a contract, English law will also usually govern the arbitration agreement contained in that contract.

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## Russia signs the 2019 Convention on the Recognition and Enforcement of Foreign Judgments

22 November 2021

On 17 November 2021, the Russian Federation signed the Convention of 2 July 2019 on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters (Convention).<sup>1</sup> Russia is now the fifth state to sign the Convention along with Costa Rica, Israel, Ukraine and Uruguay, although no country has ratified the Convention and it has yet to enter into force.

<sup>1</sup> Convention

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## New developments in the Mexican energy sector generate uncertainty

17 November 2021

A discussion of relevant measures, criticisms and comments.

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## Successful asset preservation application in Mainland China prior to the recognition of Hong Kong arbitral award

17 November 2021

Following a victory in an arbitration at the HK International Arbitration Centre lead by DLA Piper Hong Kong, we have recently succeeded in assisting the Israeli client in obtaining an order from the Ningbo Intermediate People's Court for asset preservation prior to the recognition and enforcement of the HKIAC arbitral award in Ningbo, China.

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## Finality and freedom: unappreciated risks of the arbitral process

21 October 2021

In Australia, resolving disputes through arbitration is, and has been for some time now, an attractive option for commercial parties.

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## Just head to arbitration

14 October 2021

The interaction between domestic laws, choice-of-law and arbitration clauses in contracts governing cross-border transactions can create uncertainty for commercial parties when disputes arise. The case of *Freedom Foods Pty Ltd v Blue Diamond Growers* [2021] FCA 172 is a recent reminder of this.

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## Privilege - you can't have your cake and eat it too

14 October 2021

It is crucial for inhouse lawyers and legal advisers to understand the extent to which legal professional privilege applies when conducting investigations. A recent Australian Federal Court case has handed down an important reminder on privilege – finding that, while notes of interviews and outlines of evidence created during internal investigations were protected by privilege at the time they were created, conduct following that was inconsistent with maintenance of confidentiality waived privilege, even when done with the best of intentions.

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## SEACHange Issue I: October 2021

14 October 2021

### SEACHANGE

Our first issue covers a wide range of jurisdictions, and an even wider range of issues.

We'll cover a new view from the SICC on admitting evidence of corruption in arbitral proceedings, Lord Mance's analysis (with potentially far-reaching consequences) on what, in the age of COVID-19, constitutes a "competent local authority", the Australian Federal Court's thinking on the limits of privilege in relation to internal investigations and an important decision of the Indian Supreme Court on the interplay between court and tribunal issued interim relief.

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## The UK Government is not a "competent local authority"

14 October 2021

In his arbitration award issued on 10 September 2021, Lord Mance departed from the views adopted in the UK FCA test case in considering whether advices and orders to close businesses as a precaution against COVID-19 had in fact been issued by a recognized authority under the terms of the Policy.

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## You Can Run But You Cannot Hide: The Public Duty to Consider Evidence of Corruption in Arbitrations

14 October 2021

The Singapore International Commercial Court recently held that parties cannot, as between themselves, agree to exclude evidence of corruption from the scope of an arbitration. This is a notable departure from the usual practice of allowing parties a wide berth to decide what evidence is admissible in an arbitration. Future parties should take note that arbitrators and supervisory courts will not look favorably upon attempts to ignore corrupt behavior.

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## 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

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## President of Mexico files constitutional reform bill on electricity

7 October 2021

The result may include serious consequences for private investors in the energy sector in Mexico.

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### **Vale v. Steinmetz: The Court of Appeal re-emphasizes the consensual nature of arbitration and says “no” to third-party application of arbitral awards**

4 October 2021

On 16 July 2021 the Court of Appeal handed down its judgment in *Vale SA & Ors v. Steinmetz & Ors*, dismissing an appeal to have litigation proceedings against the appellants summarily struck out on the basis of a determination in an arbitral award to which they were not parties.

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### **Indian Supreme Court clarifies the interplay between court-ordered and tribunal-ordered interim measures**

1 October 2021

The Supreme Court of India in *Arcelor Mittal Nippon Steel India Ltd. v. Essar Bulk Terminal Limited* clarified the scope of the court's power to grant interim relief when the tribunal has been constituted during the pendency of the interim relief applications before the court. The Supreme Court held that the bar on the Court to entertain interim relief applications would not operate, if the process of consideration of the interim relief applications by the Court has commenced, and/or whether the Court has applied its mind to some extent before the constitution of the tribunal.

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### **"A fair go for all": Caps on litigation funding proceeds to be introduced**

30 September 2021

The Federal Government has made good on its promise to ensure a fair and reasonable distribution of class action proceeds in proceedings involving a litigation funder by today introducing the *Treasury Laws Amendment (Measures for Consultation) Bill 2021: Litigation funders*.

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### **Managing Business Related and Personal Data**

27 September 2021

With the introduction of the new Data Security Law and the Personal Information Protection Law (to come into effect on 1 November 2021), companies doing business in China may face more intense scrutiny on how business related and personal data are handled when conducting internal investigations in China.

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### **Counting the cost: The first Australian ruling on contingency fee orders**

22 September 2021

In the first test of the Supreme Court of Victoria's newfound powers to make a group costs order in a class action (or *contingency fees* in lay terms), the plaintiffs' application for contingency fees was rejected by the Supreme Court (for now).

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### **The ICC's 2020 Dispute Resolution Statistics**

22 September 2021

The International Chamber of Commerce has recently published its annual Dispute Resolution Statistics for 2020. This article offers a summary of the key takeaways despite challenges posed by COVID-19.

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## Virtual Hearings 2021

21 September 2021

### VIRTUAL HEARINGS

In this latest report in the Virtual Hearings series we set out a summary of data-driven conclusions and personal observations from clients and litigators from around the globe.

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## Chambers International Arbitration 2021 Global Practice Guide – Trends and Development in China

15 September 2021

China encompasses a number of arbitral jurisdictions, the most popular of which are in Hong Kong and China. In the past year, we continued to see a significant rise in the number of arbitration cases seated in Mainland China and Hong Kong and strong development of the arbitration market despite the pandemic.

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## “Don’t cross the line” – The UK Supreme Court considers when a legitimate pursuit of commercial interest becomes illegitimate “lawful act duress”

6 September 2021

In the recent case of *Pakistan International Airline Corporation v Times Travel (UK) Ltd.* [2021] UKSC 40, the Supreme Court of the United Kingdom confirmed that English law recognizes the concept of “lawful act duress”. However, the five Justices of the Supreme Court had different interpretations on what amounted to an illegitimate threat.

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## Pleading with care: the limits of a tribunal’s jurisdiction

31 August 2021

A recent Singapore High Court decision in *CIZ v CJA* is a useful reminder that the primary instruments for demarcating matters in dispute in an arbitration are the parties' own written submissions. Tribunals must decide cases that parties put before them, not cases that parties could (or should) have made.

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## Insights from the US: will knowledge, recklessness or negligence in Australian securities class actions actually change anything?

16 August 2021

Last week the Federal Government introduced permanent reforms to the continuous disclosure regime and misleading and deceptive conduct provisions in the *Corporations Act 2001* and *ASIC Act 2001* which provide that companies and their officers will not be exposed to civil liability unless they had a requisite mental element, being *knowledge, recklessness or negligence*. This change is in line with the recommendations of the Parliamentary Joint Committee for Corporations and Financial Services and also extends the temporary measures originally introduced at the height of the COVID-19 pandemic.

This change brings Australia’s continuous disclosure regime closer to that of its counterparts in the United States and the United Kingdom, and there is much we can learn from our international colleagues.

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## Continuous disclosure reform - not a free pass

12 August 2021

The temporary changes to the continuous disclosure and misleading and deceptive conduct laws which were introduced at the beginning of the COVID-19 pandemic have now been made permanent.

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### **Green -v- Betfred – online gaming platform unable to rely on exclusion of liability clauses to avoid pay-out to winning customer**

2 August 2021

The growth of online gaming in England means that gamblers are now more likely to be found at computer screens than casino tables. This was illustrated by the case of Andrew Green v Petfre (Gibraltar) Limited t/a Betfred [2021] EWHC 842 (QB).

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### **Personal liability of a director and liability of an agent – the cautionary tale of Tattersalls Limited v McMahon**

21 July 2021

Bloodstock auction sales are a common means of selling thoroughbred horses. It was such an auction that gave rise to proceedings in Tattersalls Limited v McMahon [2021] EWHC 1629 (QB). The case is an important one for any agent in the sports arena and beyond - read our full analysis of the case and recommendations.

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### **Third time lucky: Triple Point in the Supreme Court**

20 July 2021

The Supreme Court has handed down its long awaited decision on the question of whether delay liquidated damages (LD) provisions survive termination. The case related to a dispute between the parties as to how delay LD provisions apply where an English law contract is terminated prior to its completion, and the interpretation of contractual wording seeking to limit liability.

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### **Between a Rock and a hard place: Singapore Courts decline to follow English precedent on 'No Oral Modification' clauses**

5 July 2021

The Singapore Court of Appeal has decided against strict enforcement of no oral modification clauses, taking a different approach to the English Supreme Court. We summarise the contrasting cases and what this means for businesses operating in either of these jurisdictions.

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### **The DLA Piper Project Simulator – one year on**

2 July 2021

Over the past year, we have delivered The DLA Piper Project Simulator to many of our construction, engineering and infrastructure clients, over a virtual platform, and client feedback has been overwhelmingly positive.

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### **The LCIA 2020 Annual Casework Report**

21 June 2021

The LCIA published its annual casework report for 2020, the report showed that during the COVID-19 pandemic the LCIA has continued to thrive, with more disputes being referred to the LCIA in 2020 than in any previous year. We have summarised below some of the key trends which emerge from the Report.

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## GAR guide to challenging and enforcing arbitration awards – Second edition

15 June 2021

The Global Arbitration Review's Guide to Challenging and Enforcing Arbitration Awards addresses the applicable standards for challenging and enforcing awards globally. We have authored a chapter outlining the challenges that may arise when trying to secure the awards.

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## Investment Arbitration in Africa

15 June 2021

Working with the Global Arbitration Review, we have published a new chapter on Investment Arbitration in Africa. Providing an overview of recent trends and developments in investment arbitration, the rise of investment disputes and the various initiatives to reform the ISDS system.

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## You can't have your cake and eat it too...

11 June 2021

In *Commonwealth Director of Public Prosecutions v Citigroup Global Markets Australia Pty Ltd* [2021] FCA 511, the Federal Court handed down an important reminder to in-house lawyers and legal advisers on legal professional privilege, finding conduct that was inconsistent with maintenance of confidentiality waived privilege - even when done with the best of intentions.

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## Reforms in the energy legal framework in Mexico and challenge mechanisms

4 June 2021

The Energy Counter-Reform includes variations which aim to restore the monopoly power of CFE and Pemex.

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## The Supreme Court of India upholds party autonomy on choice of foreign seat

3 June 2021

Five months after our previous report on the Gujarat High Court's judgment in *GE Power Conversion Pvt. Ltd. v. PASL Wind Solution Pvt. Ltd.*<sup>[1]</sup>, the Supreme Court has ruled that two Indian parties may choose a foreign seat of arbitration and any award resulting from the arbitration would be enforceable in courts across India. In its groundbreaking judgment, the Supreme Court also found that interim relief under the Arbitration and Conciliation Act, 1996 (**Arbitration Act**) would be available for foreign seated arbitrations between two Indian parties, notably setting aside a contrary view held by the Gujarat High Court. Indian parties and foreign investors with Indian registered companies now have the freedom to choose a suitable seat outside of India to resolve their commercial disputes through arbitration.

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## Human rights and environmental due diligence legislation in Europe – Implications for global supply chains

17 May 2021

This article highlights how companies with global supply chains can maintain/achieve compliance with human rights and environmental standards and safely navigate this new hard law regulatory landscape in the EU Member States France, the Netherlands, Germany and at EU level.

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## New medical device regulations in China likely to lead to increased regulatory enforcement



3 May 2021

The Chinese State Council has passed the eagerly anticipated revisions to the PRC's Regulations for Supervision and Administration of Medical Devices, which will come into effect on 1 June 2021. The Regulations will significantly increase the range and size of penalties that may be imposed for regulatory violations.

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### **Penalizing Resale Price Maintenance in China's Pharmaceutical Industry**

30 April 2021

The State Administration of Market Regulation (SAMR) fined Yangtze River Pharmaceutical Group RMB764 million for engaging in resale price maintenance (RPM) in violation of China's Anti-Monopoly Law (AML). This reflects the SAMR's renewed prioritization of RPM enforcement and underscores the challenges to defending RPM practices under the AML.

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### **Paris Court of Appeal finds PCA lacked power to intervene in OIC investor-state arbitration**

6 April 2021

The decision of the Paris Court of Appeal casts uncertainty on arbitrations under the OIC Agreement for which the PCA Secretary-General has agreed to act as appointing authority.

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### **China's Expanding Economic Sanctions Regime**

31 March 2021

On March 22, 2021, the European Union (EU) and the governments of the US, Canada, and the UK concurrently imposed sanctions on individual Chinese officials and a Chinese entity based on findings of human rights violations in Xinjiang.

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### **Hong Kong Court declined to grant interim interim injunctions under Section 45(2) of the Arbitration Ordinance in the absence of any arbitration on foot**

30 March 2021

In the recent case of *Onwel Sales Limited v Skechers S.A.R.L. and Skechers Southeast Asia Limited* [2021] HKCFI 790, the Hong Kong Court of First Instance has refused to grant an interim interim injunction under Section 45(2) of the Arbitration Ordinance. In this case, the Hong Kong Court discussed some common issues in applications for injunctive reliefs in aid of arbitrations concerning shareholders'/ joint venture disputes.

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### **Representing individuals in interviews – the US perspective**

30 March 2021

Determining whether to consent to an interview, and any interview itself, can be pivotal.

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### **Human Rights Due Diligence Legislation in Europe – Implications for Supply Chains to India and South Asia**

26 March 2021

For several decades, there have been increasing demands that multinational corporations should strive to increase the positive effects of their activities and minimize their negative impact in India and South Asia.

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## Revised IBA Rules on the Taking of Evidence in International Arbitration

17 March 2021

The International Bar Association has released its revised Rules on the Taking of Evidence in International Arbitration (**2020 IBA Rules**). The 2020 IBA Rules were formally adopted on 17 December 2020 and mark the first update to the rules since the 2010 edition (**2010 IBA Rules**). The revisions to the rules reflect developments in global arbitration practice, including the emergence of remote hearings and the growing need for data protection and confidentiality.

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## Away with anonymous shell companies for good?

12 March 2021

On 24 February 2021, Transparency International submitted a global petition to the UN General Assembly preparing for the United Nation's first ever Special Session against Corruption, UNGASS 2021, which will take place in June 2021.

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## Court of Appeal agrees it is arguable that a duty of care may arise in relation to end-of-life asset disposal

12 March 2021

On 10 March 2021, the English Court of Appeal handed down its decision in Hamad Begum (on behalf of MD Khalil Mollah) v Maran (UK) Limited.

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## Reform to the Electric Industry Law: a new risk for energy projects in Mexico

10 March 2021

Foreign investors involved in energy projects in Mexico may wish to consider their rights and potential remedies under applicable investment treaties.

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## Building and Construction security of payment regime

15 February 2021

In the recent decision of *Civil Contractors (Aust) Pty Ltd v Galaxy Developments Pty Ltd*, the Queensland Court of Appeal has provided important guidance to principals, contractors and adjudicators on the strict requirements of the security of payment regime, including the strict time limit that applies to the delivery of adjudicators' decisions. The decision may have serious practical consequences for adjudicators where decisions given late can be void on the basis of being out of time and therefore without jurisdiction, and in those instances adjudicators will not be entitled to their fees. The decision also serves as a useful reminder to contractors to be appropriately licenced and to understand the potential payment implications for licencing issues.

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## Corruption Perceptions Index 2020 - a regional perspective

11 February 2021

Last week Transparency International launched the 2020 edition of its Corruption Perceptions Index (CPI), which ranks 180 countries and territories by their perceived levels of public sector corruption, according to experts and business people, using a scale of zero to 100 (100 being very clean and zero being highly corrupt).

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## Disputes, Issue 2

28 January 2021

### DISPUTES

In this issue, we look at the split among the federal circuits over what it means to "exceed authorized access" in violation of the Computer Fraud and Abuse Act; the ways in which the federal courts apply the Supreme Court's recent limitations on equitable disgorgement; ways to mitigate liability risk in unauthorized financial transfers; considerations for employers as they develop policies regarding use of cannabis in their workforce; and the critical importance of escalation protocols in corporate whistleblower programs.

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### No firing for lighting up? Cannabis in the workplace

28 January 2021

Appropriately addressing cannabis usage in the workplace while navigating anti-discrimination protections for workers.

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### Six months after *Liu*: The SEC and disgorgement

28 January 2021

In the wake of *Liu*, several open questions are only now starting to work their way through the courts.

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### Supreme Court dives into circuit split over the Computer Fraud and Abuse Act

28 January 2021

What does it mean to "exceed authorized access" to an Internet-connected device?

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### The missing link in whistleblower programs – the escalation protocols

28 January 2021

A fixed set of escalation protocols helps ensure that a whistleblower program functions efficiently.

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### Trial attorney Buffy Mims joins DLA Piper in Washington, DC

28 January 2021

Buffy Mims has joined DLA Piper's Litigation and Regulatory practice as a partner in Washington, DC.

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### Unauthorized financial transaction fraud: Mitigating liability risks

28 January 2021

Prudent financial institutions are seeking to protect themselves against liability for third-party fraud and accountholder carelessness.

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### Protecting Your Company's Competitive and Technological Advantage through Enforcing Restrictive Covenants Against Former Employees in China: Update on Recent Cases and Legislative Developments

26 January 2021

In this article, we discuss whether and how companies may enforce restrictive covenants and protect their confidential information and

trade secrets by looking at some recent cases and legislative developments.

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### Germany Foreign Direct Investment (FDI) Control: Massive Extension of Scope

25 January 2021

For the forth time within one year, Germany will broaden the reach of its foreign direct investment control system.

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### Fatal air pollution: A subject for group actions in the UK?

21 January 2021

It has long been recognised that air pollution, in the form of particulates, and sulphur and nitrogen oxides, has an extremely detrimental effect on health – particularly in heavily populated urban areas with high traffic densities.

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### Boardroom Brexit: What the deal means for dispute resolution

31 December 2020

#### [BOARDROOM BREXIT](#)

This was one of the most contentious areas in the negotiations as both sides wanted assurances that the other party would honour the commitments contained in the TCA in the future.

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### Boardroom Brexit: What the deal means for state aid and competition

31 December 2020

#### [BOARDROOM BREXIT](#)

EU state aid law applies to assistance from state resources that is selective in its application and that has a potential effect on trade between EU member states and competition.

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### The Pharmaceutical Corner

22 December 2020

A precedential decision with potentially far-reaching impacts for future Hatch-Waxman litigation and generic-product launches.

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### Delhi and Gujarat High Courts give the nod to Indian parties choosing a foreign arbitration law and a foreign seat of arbitration

18 December 2020

November 2020 welcomed a flurry of decisions demonstrating the increasingly pro-arbitration approach of courts in India. The proposition of whether two Indian parties may choose a foreign law to govern the arbitration and a foreign seat of arbitration has drawn much debate over the years. The Delhi High Court in *Dholi Spintex Pvt. Ltd vs Louis Dreyfus Corporation India Pvt. Ltd.* answered the question in the affirmative and held that two Indian parties can choose a foreign law as the law governing the arbitration. The Delhi High Court also reiterated the principle of limited interference in international arbitrations by courts.

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## Securing evidence during the COVID-19 pandemic (Koldyreva v Motylev)

15 December 2020

The English High Court has recently handed down two separate judgments in *Koldyreva v Motylev & others*, spanning a number of applications aimed at tracing funds in support of a Russian bankruptcy order: a worldwide freezing order, a passport surrender order, Norwich Pharmacal orders, and search orders.

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## Cyberfrauds and Cyberattacks: Remote Working Posing Increased Risks and How to Stay Protected

14 December 2020

Cybercriminals are becoming more sophisticated in the ways they facilitate cyberfrauds, with the increasing use of personalised messages on instant messaging platforms such as WeChat or WhatsApp and socially engineered phishing emails to deceive recipients to transfer funds, disclose sensitive information or click on malicious links.

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## REACH 2.0 – New EU Chemicals Strategy for Sustainability

10 December 2020

Chemicals are omnipresent in our everyday life and play a fundamental role as building blocks in technologies, materials and products. However, chemicals with hazardous components can also cause damage to human and animal health and the environment.

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## Practical Compliance

8 December 2020

### [PRACTICAL COMPLIANCE](#)

Q4 2020: Spotlight on real estate COVID-19 compliance.

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## China's First Measures Under New Export Control Law Target Encryption Products

7 December 2020

China's new Export Control Law took effect on December 1, 2020. The next day, the Ministry of Commerce, together with the State Cryptography Administration and the General Administration of Customs, released a circular that includes the first list of products and technologies focusing on commercial encryption products and technologies.

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## Green light for Prudential and Rothesay's transfer

4 December 2020

### [INSURANCE HORIZONS](#)

In what is a significant decision for the insurance sector the Court of Appeal has overturned the High Court's refusal to sanction the transfer of a portfolio of annuity policies from Prudential Assurance Company Ltd ("Prudential") to Rothesay Life Plc ("Rothesay") under Part VII of the Financial Services and Markets Act 2000 ("Part VII").

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## Applying two principles of Islamic finance to create meaningful ESG initiatives

2 December 2020

Environmental, social and governance matters are a burgeoning issue on the agenda for businesses, governments and individuals alike. Companies are under increasing pressure to shift their focus from maximising profits and shareholder value to maximising value for all

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stakeholders.

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## Running the orange light: Halliburton v Chubb

2 December 2020

### INSURANCE HORIZONS

On Friday, 27 November 2020, the Supreme Court handed down a long awaited judgment in Halliburton v Chubb that concerned the issue of when an arbitrator should make disclosure of circumstances which may give rise to justifiable doubts as to his/her impartiality.

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## India Update: Arbitration and Conciliation Ordinance (Amendment), 2020

1 December 2020

On 4 November 2020, the President of India promulgated the Arbitration and Conciliation (Amendment) Ordinance, 2020 (**Ordinance**), which amends sections 36 (Enforcement) and 43-J (Norms for accreditation) of the Arbitration and Conciliation Act, 1996 (**Arbitration Act**). The Ordinance also omits the eighth schedule of the Arbitration Act, which deals with qualifications and experience of arbitrators.

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## Ireland - Global bribery offenses guide

1 December 2020

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## Case Law Update: COVID-19, Force Majeure, and Aircraft Leases

27 November 2020

As we enter the coronavirus (COVID-19) pandemic's "second wave" and aspirations for a "back to normal levels" rebound in 2021 for the aviation industry look less likely, the financial pressure point is quickly spreading from airlines to those up and down their vertical supply chain, notably aviation lessors.

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## Issue 5

23 November 2020

### ENERGY AND NATURAL RESOURCES CASE LAW UPDATE

As the world adjusts to a new normal, businesses across all sectors will be anticipating significant changes to their operations and priorities. Continued disruption across the Energy and Natural Resources (E&NR) sector may, for example, see participants seek to re-visit long-term contracts, with subsequent disputes being played out in court.

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## Current trends in investor state disputes in the telecommunications sector

9 November 2020

The telecommunications sector is one of the fastest growing sectors globally, and has played a critical role during the on-going Covid-19 pandemic in keeping the world interconnected. The high levels of activity in this sector have given rise to a corresponding increase in

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telecoms-related #disputes, including under investment treaties.

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### **The Law Commission's review of the law on digital assets and smart contracts:**

9 November 2020

On 21 September 2020, the Law Commission announced that it had begun work on two projects aimed at ensuring that "English law can accommodate two emerging technologies that could revolutionise commerce: smart contracts and digital assets."

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### **A timely intervention: A drafter's perspective on the Protocol on Virtual Hearings in Africa**

4 November 2020

[AFRICA CONNECTED](#)

[VIRTUAL HEARINGS](#)

Concerned about the effects if the COVID-19 pandemic on Africa's dispute resolution landscape, the Association of Young Arbitrators (AYA), bringing together arbitration practitioners in Africa under 40 years of age, launched its Protocol on Virtual Hearings in Africa (the Protocol) in April 2020.

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### **Africa Connected: COVID-19 and the evolution of dispute resolution**

4 November 2020

[AFRICA CONNECTED](#)

[ISSUE 5](#)

COVID-19 and the evolution of dispute resolution in Africa is the theme of this edition of Africa Connected. We have articles on issues ranging from third party funding and its implications in African disputes, to the use of virtual hearing platforms across the continent. Jurisdiction-specific articles cover how the pandemic has affected legal practitioners - and the court system - in Burundi, Kenya, Nigeria and Tanzania.

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### **Africa rising: Virtual hearings in international arbitration**

4 November 2020

[AFRICA CONNECTED](#)

Before the COVID-19 pandemic, the legal community was dabbling in the use of virtual hearings in certain parts of the world. However, the imposition of national lockdowns, strict social distancing measures and travel restrictions has forced lawyers to move away from the comfort of traditional, in-person hearings, towards new-age virtual hearings held on electronic platforms.

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### **COVID-19: The effects on dispute resolution in Nigeria**

4 November 2020

[AFRICA CONNECTED](#)

Limited hearings, long adjournments, and restricted access to the courtrooms are some of the major effects of the COVID-19 pandemic on the delivery of justice in Nigeria. These issues have changed judges' and lawyers' attitudes towards the use of technology.

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### **Civil lawsuits in Burundi during COVID-19**

4 November 2020

## **AFRICA CONNECTED**

The outbreak of the COVID-19 pandemic is unprecedented. COVID-19 has spread worldwide, and the Republic of Burundi has adopted preventive measures that have affected institutions' activities in different ways.

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### **Embracing electronic court case management systems: Lessons from the Kenyan experience during COVID-19**

4 November 2020

## **AFRICA CONNECTED**

The Kenyan court system is anchored in common law, which is characterized by paper-based procedures and physical court appearances. The disruptions caused by the COVID-19 pandemic have shaken the very foundation of the system, forcing the judiciary to come up with measures to mitigate the effects and assure litigants of their right to a fair trial and access to courts.

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### **Litigation funding in Africa: Maximizing opportunities**

4 November 2020

## **AFRICA CONNECTED**

The measures implemented by governments in response to COVID-19, coupled with the rapid economic downturn and ongoing uncertainty arising from the pandemic, have created the perfect storm. The outlook may seem bleak, but third-party funding offers a ray of hope for beleaguered boardrooms looking to maximize cashflow in this unpredictable period.

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### **Opportunities of big data in law**

4 November 2020

## **AFRICA CONNECTED**

Across many industries, big data is being used to drive more informed and better decision-making. But despite the willingness to adopt new technologies, Africa has been slow to tap into its benefits.

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### **SFO clarifies guidance on DPAs: Is the DPA model ready for take-off?**

4 November 2020

On 23 October 2020, the Serious Fraud Office published a new chapter from its Operational Handbook which provides further guidance on the SFO's approach to Deferred Prosecution Agreements. Whilst the guidance does not introduce any major changes, it does provide clarity on the SFO's expectations of companies wishing to avoid prosecution.

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### **Technology and the future of dispute resolution**

4 November 2020

## **AFRICA CONNECTED**

Technology affects the way we interact with one another, including regarding dispute resolution: it either generates new kinds of disputes which arise out of the new capabilities it offers, or it can help in the resolution of disputes. In this article we focus on how technology can assist in the resolution of disputes and how it can be leveraged in terms of promptness and efficiency.

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### **The time is now for continental unity in African dispute settlement**



4 November 2020

## **AFRICA CONNECTED**

Africa is on the cusp of what could be a break in a decades-long cycle of poverty and economic shortcomings. Whether this cycle will be broken depends on the ability of African nations to put in place policies that attract and protect foreign and intra-African investment.

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### **Zimbabwean courts: Catching up to the future**

4 November 2020

## **AFRICA CONNECTED**

The COVID-19 pandemic has caused a global shift in the way people work all over the world. There has been greater emphasis on virtual working, putting immense pressure on countries that were not prepared to shift to working virtually in important areas of the economy, with a big spotlight being on the courts.

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### **Assessing ESG factors in the energy sector**

27 October 2020

## **ESG HANDBOOKS AND GUIDES**

A reference tool for energy companies as they discuss and refine their ESG programs.

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### **Argentina: The year in review**

26 October 2020

The last year has been a time of significant change in Argentina, including for international arbitration.

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### **Brazil: Will COVID-19 mean more arbitrations against public entities?**

26 October 2020

Recent legislative initiatives have created greater certainty for potential and existing parties looking to do business with Brazilian states or their instrumentalities.

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### **Canada: Third-party litigation funding, enforcement of arbitral awards, admissibility of fresh evidence during court review**

26 October 2020

Three recent decisions.

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### **Chile: Drafting arbitration clauses in international contracts – practical aspects**

26 October 2020

International arbitration has expanded considerably in recent years in Chile.

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### **Peru: Top developments in international arbitration**

26 October 2020

Major arbitration-related developments and cases recently decided in Peru.

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### **Puerto Rico: Legal and practical aspects of international arbitration**

26 October 2020

Parties benefit from this legal framework to solve their disputes when conducting business in Puerto Rico.

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### **Replacing NAFTA: What the USMCA means for the future of North American trade and investment – a Q&A**

26 October 2020

Contributors from the US, Mexico and Canada discuss several key considerations.

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### **US: Four significant developments in arbitration case law**

26 October 2020

US-style discovery; compelling arbitration on the basis of equitable estoppel; class-wide arbitration when the arbitration agreement is ambiguous; ongoing use of the US DDCC for ICSID award enforcement.

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### **USMCA investor-state dispute settlement provisions: Key differences for Mexico**

26 October 2020

For ISDS claims, only after the local litigation requirement is fulfilled or 30 months have elapsed may certain substantive claims be brought against a state.

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### **Venezuela: Recent, significant commercial arbitration developments include several Supreme Tribunal cases**

26 October 2020

Recent significant developments in Venezuela's arbitration landscape.

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### **China's New Export Control Law**

19 October 2020

On October 17, 2020, the Standing Committee of China's National People's Congress passed the Export Control Law (the ECL), which will take effect on December 1, 2020. The ECL establishes China's first comprehensive framework for restricting exports of military and dual-use products and technology for national security and public policy reasons.

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### **Update: The Singapore Mediation Convention and Enforcement of Settlement Agreements in India**

13 October 2020

The Singapore Mediation Convention, formally known as the United Nations Convention on International Settlement Agreements Resulting from Mediation, came into force on 12 September 2020. The Convention provides a uniform, efficient framework for the recognition and enforcement of mediated settlement agreements that resolve international, commercial disputes – akin to the framework provided by the 1958 New York Convention for arbitral awards. As of 12 September 2020, the Convention has 53 signatories including the United States, China and India.

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## Revised ICC Rules in effect from 1 January 2021

9 October 2020

A new version of the ICC Arbitration Rules will come into effect on 1 January 2021 (**2021 ICC Rules**), replacing the 2017 Arbitration Rules. The updated rules were formally adopted on 6 October and intend to increase efficiency, flexibility and transparency, making ICC Arbitration more attractive to complex arbitrations on all scales.

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## Recent Breakthroughs for Foreign Arbitration Institutions in China

5 October 2020

On 7 September 2020, the State Council has further published the “Work Plan for Deepening Comprehensive Pilot and New Round of Opening-Up of Services Sectors in Beijing and Building Comprehensive Demonstrative Area of Opening-Up of State Service Sectors” further allowing foreign arbitration institutions to provide arbitration services in Beijing.

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## The gathering storm: COVID-19-related disputes in the financial services sector – A transatlantic perspective

5 October 2020

COVID-19 has caused the largest shock to the global economy in living memory. Whilst economic uncertainty, financial distress and market turmoil usually trigger increased levels of commercial litigation, the extreme conditions created by COVID-19 have primed the landscape for a pan-sector surge in financial services-related disputes.

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## Constitutional challenges to inter partes review – *Arthrex, Inc. v. Smith & Nephew, Inc.*

30 September 2020

This Appointments Clause challenge to the IPR process appears to have staying power.

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## The Pharmaceutical Corner

30 September 2020

In this inaugural column, we look at the implications of IPR and PGR proceedings in Hatch Waxman litigation.

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## Disputes arising “under” a construction contract: An adjudicator’s jurisdiction

28 September 2020

Most of the analysis of *Bresco Electrical Services Ltd (In Liquidation) v Michael J Lonsdale (Electrical) Ltd* [2020] UKSC 25 has deservedly been on how the UK Supreme Court reconciled the statutory regimes for construction adjudication and insolvency set-off.

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## Online Arbitration Hearings: A review of key developments in response to COVID-19

28 September 2020

### [VIRTUAL HEARINGS](#)

In this second report, we focus on arbitration and look at how arbitral institutions have adapted in response to COVID-19. We draw out some of the key legal as well as practical challenges faced, and we offer some observations on what the future may look like.

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## **China's Unreliable Entity List Provisions: Fighting Fire with Fire?**

22 September 2020

On September 19, 2020, China's Ministry of Commerce issued the Provisions on the Unreliable Entity List (the "UEL Provisions"). The UEL Provisions establish formal mechanisms for sanctioning specific foreign entities and individuals for conduct inconsistent with the Chinese government's core interests and policies.

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## **The landscape after Bresco: John Doyle Construction Ltd v Erith Contractors Ltd**

21 September 2020

The Supreme Court's decision in *Bresco v Lonsdale* has been hailed by some as opening the floodgates to adjudications by insolvent companies. But as a series of recent judgments show, there remain a number of obstacles that will need to be overcome by insolvent entities seeking to enforce an adjudication award.

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## **New amendments to Singapore's International Arbitration Act**

15 September 2020

A bill has been tabled in the Singapore parliament introducing amendments to the International Arbitration Act (IAA). According to the Singapore Ministry of Law, the amendments are aimed at enhancing Singapore's status as an international commercial arbitration hub, and strengthening the state's legal framework for international arbitration.

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## **English High Court allows rare appeal of arbitral award on point of law**

21 August 2020

The recent decision of *Tricon Energy Ltd v MTM Trading LLC* [2020] EWHC provides a rare example of the English High Court allowing an appeal against the decision of an arbitral tribunal on a point of law.

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## **New Rules for a New Normal: The LCIA announces changes to its Arbitration Rules and Mediation Rules**

14 August 2020

On 11 August 2020, the LCIA released an update to its LCIA Arbitration Rules and LCIA Mediation Rules (the "Rules"). The updates to the Rules will become effective on 1 October 2020, marking six years since the arbitration rules currently in force came into effect.

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## **The end of Intra-EU BITs. Now what?**

4 August 2020

In this second article, we will explore in more detail the fate of pending intra-EU arbitrations affected by the termination treaty and how States and claimants should deal with these arbitrations.

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## **Class actions make it easier than ever to seek redress**

28 July 2020

Businesses should note that they are at risk of increased exposure to claims once group proceedings are permitted in Scottish courts, write Alistair Drummond and Jen Talbot.

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### **WIN Wise: Top tips for making the most of your IT contracts**

20 July 2020

There can sometimes be a disconnect between lawyers who draft contracts, and those with primary responsibility for implementing them. Through smart collaboration, effective communication and shared vision, in-house lawyers and their commercial counterparts can work together to maximize value and generate extra revenue.

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

17 July 2020

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

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### **Enforcement of foreign arbitral awards**

17 July 2020

Foreign arbitral award holders who do not have a presence in India often face the dilemma of which Indian court to approach for the enforcement of their award. Some clarification was provided by the Supreme Court of India in 2018 in *Sundaram Finance Ltd. v. Abdul Samad & Anr.*, 2018 SCC 622, where the Court clarified that an award holder could initiate execution proceedings before any court in India where assets are located. In the event that the subject-matter of the arbitration was of a specified value, commercial courts established under the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act 2015 may have jurisdiction.

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### **Reputation management during investigations: ZXC v Bloomberg LP**

16 July 2020

The Court of Appeal has upheld the decision of Nicklin J which found that Bloomberg had breached the privacy rights of a US businessman when it published an article containing confidential details about a UK criminal investigation which he was subject to.

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

15 July 2020

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

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## **One less gadget in the arbitration toolbox: International and offshore arbitrations are not entitled to US discovery in aid of foreign proceedings**

13 July 2020

A ruling that is highly relevant to the private funds and offshore dispute practice areas.

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## **Procurement Law Reform - Let's start a discussion**

9 July 2020

DLA Piper's panel discussion webinar held on 1 July 2020 had a lively debate on the merits of potential options for reform and which changes might produce a better model for procurement regulation in the UK post Brexit. This is the first of a series of bitesize summary reports providing feedback from the debate.

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

7 July 2020

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

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## **DC Circuit issues opinion on sovereign immunity defenses to the enforcement of arbitration award against foreign states**

1 July 2020

Foreign states might not only be able to rely on the doctrine of sovereign immunity to protect themselves from final judgments, but also to avoid the burdens of litigation itself.

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## ***Allen v. Cooper*: Supreme Court affirms state sovereign immunity in copyright case**

30 June 2020

Under current copyright law, any effort by a state to provide alternate remedies for copyright infringement would be nullified by copyright preemption.

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## **Hatch-Waxman Litigation 101: The Orange Book and the Paragraph IV Notice Letter**

30 June 2020

A few of the key issues that must be addressed before a Hatch-Waxman suit is filed.

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## **WIN Wise: Liquidated damages for delay in tech disputes**

30 June 2020

The current COVID-19 pandemic is wreaking havoc on businesses and their operations across sectors and geographies. The unprecedented spread of the virus has had, and will continue to have, a profound impact upon both suppliers and customers in delivering technology projects on time and to budget.

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

26 June 2020

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

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## **Protecting the attorney-client privilege while under quarantine: Five tips for protecting attorney-client privilege when using online collaboration tools**

22 June 2020

With the increase in remote working comes an increased opportunity for attorney-client privilege issues to surface.

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## **COVID-19 and Aviation in Africa: An Insight**

18 June 2020

As a consequence of COVID-19 the aviation sector is experiencing a catalyst for enormous change [...] In Africa, airlines and the aviation sector must be supported if aviation is to continue to be the lynchpin that brings the world to its doorstep and with it the benefits that such an opportunity brings to the continent's economies.

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## **Diary note of a remote mediation**

16 June 2020

A colleague and I recently took part in a remote mediation over Skype. Given that there are likely to be many other litigating parties seriously contemplating the use of remote mediation (some with reservations), we thought that it might be helpful to share our own candid experience of a recent remote mediation.

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## **Non-damage business interruption test case in the English Courts**

11 June 2020

Significantly in the UK, the Financial Conduct Authority (FCA) is bringing a test action, in order to seek a declaratory judgment on a number of policy coverage questions arising from non-damage cover under business interruption (BI) policies, using the Financial Markets Test Case Scheme.

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## **Top five factors for firms to consider when conducting remote investigations: new realities?**

8 June 2020

The COVID-19 pandemic has forced many businesses to overhaul their working practices, as normal modes of working once taken for granted. These new modes of working raise novel practical issues with traditional investigative methods such as document collection/review and interviewing witnesses.

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

28 May 2020

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

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## **LCIA annual casework report shows continued growth and diversity in both its caseload and its choice of arbitrators in 2019**

25 May 2020

On 19 May 2020 the LCIA published its annual casework report for 2019. The report provides a useful summary of trends in the LCIA caseload during last year, and demonstrates the global nature and variety of disputes referred to the LCIA, in particular the continued increase in the international appeal of the LCIA.

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## **COVID-19 and investment claims under NAFTA**

15 May 2020

An examination of whether measures taken by States in response to the pandemic could provide a basis for claims under the North American Free Trade Agreement and more.

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## **Puerto Rico: Potential solutions for business agreements affected by the COVID-19 pandemic**

15 May 2020

As businesses start to reopen and redefine their operations in Puerto Rico, they should also prepare for potential disputes.

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## **Virtual hearings report**

14 May 2020

### **[VIRTUAL HEARINGS](#)**

This document presents the first global, empirical study on the use of virtual hearings during the COVID-19 confinement. This just one in a series of paradigm shifts that will affect the disputes market.

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## **WIN WISE: IT Projects and dispute avoidance**

14 May 2020

Underestimated costs, unexpected delays and poor governance are just a few of the reasons why some IT projects fail. COVID-19 has now potentially created the perfect storm. This dispute-avoidance checklist highlights what parties can do during the lifetime of an IT project to minimise the risk of disputes.

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## **Post-COVID-19 sustainability and ESG disputes: pinch points and practical pointers**

12 May 2020

Where businesses are putting all of their efforts into crisis mitigation and survival in response to COVID-19, it is worth considering the importance of balancing short-term mitigation measures with the preservation of long term value and sustainability and ESG commitments

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## **COVID-19: New York and Other Northeast Council states take phased approach to reopening economy**

6 May 2020



These developments raise a number of immediate questions and considerations for businesses operating in the region.

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### **New York state courts permit new filings in "non-essential" matters on May 4, 2020**

5 May 2020

Latest developments impacting the court systems in New York.

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### **Force Majeure Certificates in a global context: What are they and what is their effect?**

30 April 2020

On 30 January 2020 the China Council for the Promotion of International Trade announced that it would offer Force Majeure Certificates to local businesses. The intention was to assist them in prospective disputes with foreign counterparties.

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### **Post-COVID-19: What to expect in the "next normal"**

30 April 2020

Issues that are front of mind, based on an informal survey of some of the largest companies and most influential global business leaders.

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### **Litigation trends and risk management in the COVID-19 era**

29 APR 2020

To help our clients anticipate and protect against the threat of litigation in these already difficult times, we are monitoring all COVID-19 related litigation filings, assembling the collective knowledge and experience of our lawyers across DLA Piper's global practices, sectors and jurisdictions to anticipate future trends, and proactively partner with our clients. This client alert provides a brief summary of the litigation trends that have emerged and which we expect will emerge, both in terms of class actions and other litigation, and offers some practical tips to minimize risks based on these developing trends.

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### **Preparing for the COVID-19 class action: Is there an unexpected consequence lurking in your arbitration agreement's poison pill provision?**

28 April 2020

Several decisions demonstrate that including a poison pill provision with a class action waiver that waives the right to seek public injunctive relief could render the entire arbitration agreement unenforceable.

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### **ICC updates its force majeure and hardship standard clauses**

27 April 2020

In view of the current uncertainty created by COVID-19, the International Chamber of Commerce has recently updated its "off the shelf" force majeure and hardship clauses. This article explains the relief that these two clauses offer and the main changes that the ICC has introduced in its standard clauses.

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### **Attorney General Insights podcast with Maryland Attorney General Brian Frosh**

24 April 2020

## ATTORNEY GENERAL INSIGHTS PODCAST

DLA Piper partner and former Delaware Attorney General Matt Denn interviews Maryland Attorney General Brian Frosh about the legal and organizational challenges that he and his fellow AGs are facing during the Covid-19 pandemic.

DLA Piper · Attorney General Insights: Brian Frosh

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### COVID-19: Conducting internal investigations in remote work settings

24 April 2020

For companies conducting internal investigations or responding to an investigation, practical solutions in a time of distancing.

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### What COVID-19 could mean for the future of the Big Tech investigations

24 April 2020

#### [ANTITRUST AND COMPETITION: NOVEL ISSUES IN A POST-CORONAVIRUS WORLD](#)

Rather than hampering the investigations over the long term, the pandemic may open new lines of inquiry for antitrust investigators.

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### US antitrust enforcers on high alert for collusion in labor markets during COVID-19 pandemic

21 April 2020

#### [ANTITRUST AND COMPETITION: NOVEL ISSUES IN A POST-CORONAVIRUS WORLD](#)

Antitrust enforcers are closely monitoring employer coordination to disadvantage workers.

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### COVID-19 – a legitimate basis for investment claims?

16 April 2020

This article considers whether measures taken by States in response to the COVID-19 pandemic could provide a legitimate basis for claims under bilateral investment treaties (BITs) or other investment protection instruments, and identifies some of the defences that may be available to States.

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### Coronavirus (COVID-19) – top tips for your commercial contracts including force majeure

16 April 2020

The outbreak of coronavirus COVID-19 is having a profound effect on the global economy, and a widespread impact on the ability of parties to perform their contractual obligations.

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### Anticipated increase in website and mobile application litigation as a result of COVID 19-pandemic: 12 practical steps toward compliance

15 April 2020

Companies are urged to take notice of these lawsuits, because the number of these cases is increasing and some have been very costly.

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## **Coronavirus: Impact on construction in Scotland**

15 April 2020

COVID-19 guidance recently issued by the Scottish Government has had significant consequences for the construction industry, with many major sites ceasing “non-essential” works with immediate effect. However, the legal force and effect of this guidance must be considered - has the Government imposed a lawful prohibition on such works? This raises an interesting question - when is the law the law?

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## **US CPSC advises consumers certain recall remedies may be unavailable due to COVID-19 – four key takeaways**

15 April 2020

Guidance will evolve as the pandemic develops, and CPSC-regulated firms are encouraged to consider these actions.

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## **Paradigm Change in Germany’s Foreign Direct Investments (FDI) Law**

14 April 2020

Germany’s FDI rules so far had a reputation of not being very strong. In the past few years, only three transactions have been prohibited. This is set to change under a new bill.

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## **COVID-19: New York State provides new guidance on essential businesses**

13 April 2020

The Guidelines raise a number of immediate questions and considerations for New York businesses.

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## **Draft Bill No. 1179/2020 – a compass for Brazilian private law during COVID-19?**

13 April 2020

Brazil’s bill anticipates probable contractual breaches and defaults and a resulting increase in litigation arising from the pandemic.

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## **Construction lien deadlines to be exempt from suspension of Ontario limitation periods**

10 APR 2020

Many participants in the Ontario construction industry will breathe a big sigh of relief as the result of an announcement released on April 9, 2020 by the Ontario Attorney General.

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## **The coronavirus COVID-19 pandemic in France – force majeure and contractual good faith**

10 April 2020

The French economy is currently facing rather extraordinary circumstances both as a result of the coronavirus COVID-19 pandemic and the measures taken by the Government to fight it. This pandemic and its consequences may jeopardize the proper performance of contractual obligations by those who are bound by them. The issue of force majeure therefore arises.

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## Issue 4

9 April 2020

### ENERGY AND NATURAL RESOURCES CASE LAW UPDATE

In this fourth edition of the E&NR Case Law update we focus on cases from the last six months of 2019 which - even where they did not directly concern the energy sector - are of general application to the drafting and management of contracts by E&NR businesses.

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### Navigating your business through technology disputes risks

9 April 2020

Novel coronavirus disease (COVID-19) has completely rocked the business world and changed the operations and responses of companies around the globe. Technology is business critical to every company and sector. Whether you are a supplier or a customer with ongoing tech contracts - our clients are already encountering numerous key issues.

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### English and French law perspectives on which law applies to the arbitration agreement - Analysis following the English Court of Appeal decision in *Kabab-Ji v Kout*

7 April 2020

The English Court of Appeal's (the Court of Appeal) recent decision in *Kabab-Ji v Kout* confirms that when the parties have chosen a governing law which is said to apply to the entire or all of the terms of their contract, that governing law will apply to the arbitration agreement where the arbitration agreement does not include a separate governing law provision.

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

6 April 2020

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

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### Update: The Singapore Mediation Convention will come into force on 12 September 2020

6 April 2020

The Singapore Mediation Convention will come into force on 12 September 2020. This follows Qatar becoming the third country to ratify the convention on 12 March 2020, following Singapore and Fiji (both 25 February 2020).

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

2 April 2020

The Illinois courts respond to the pandemic.

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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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### **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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### **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

#### **[ANTITRUST AND COMPETITION: NOVEL ISSUES IN A POST-CORONAVIRUS WORLD](#)**

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

#### **[ANTITRUST AND COMPETITION: NOVEL ISSUES IN A POST-CORONAVIRUS WORLD](#)**

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

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the pandemic.

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## Blockchain and Digital Assets News and Trends

25 March 2020

### BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS

The age of viral outbreaks – key contract considerations in a post-COVID-19 world, plus latest legal, regulatory and case law developments around blockchain and digital transformation.

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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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## [UPDATED] New stay at home orders in California and Los Angeles: key highlights

23 March 2020

The orders all exempt various businesses from compliance, but the orders have different scopes.

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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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## 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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## 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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## 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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## 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 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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### **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 relating to environmental, social and governance or business and human rights issues.

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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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## 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 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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## Angola - Global bribery offenses guide

4 December 2019

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

4 December 2019

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

4 December 2019

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

4 December 2019

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

4 December 2019

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

4 December 2019

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**Kuwait - Global bribery offenses guide**

4 December 2019

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**Luxembourg - Global bribery offenses guide**

4 December 2019

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**Mexico - Global bribery offenses guide**

4 December 2019

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**Morocco - Global bribery offenses guide**

4 December 2019

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**New Zealand - Global bribery offenses guide**

4 December 2019

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**Norway - 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**

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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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### **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**

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

4 December 2019

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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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### **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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### **Law à la Mode - INTA special edition: Dubai's d3; combating counterfeit goods online; our top 10 tips on IP protection for fashion items; and more**

4 MAY 2015

#### **LAW À LA MODE**

DLA Piper's Fashion, Retail and Design group is pleased to bring you this special edition of Law à la Mode, marking the 137th INTA Annual Meeting in San Diego.

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### **Law à la Mode: Falling foul of China's trademark system; Retailers need to prepare for the new EU Data Protection Regulation; and New developments in the framework of the copyright protection of handbags**

2 FEB 2015

#### **LAW À LA MODE**

A quarterly e-magazine from our Fashion, Retail and Design Group with the latest industry news, comment and legal updates. This edition has been edited by our Italian colleagues.

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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**

### **Talk Less, Listen More: The Importance Of Effective Whistleblowing Systems**

17 Nov 2021

Webinar

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#### **DLA Piper's inaugural Global Construction Conference – Day 4**

11 November 2021  
DLA Piper's inaugural Global Construction Conference  
Webinar

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#### **DLA Piper's inaugural Global Construction Conference – Day 3**

10 November 2021  
DLA Piper's inaugural Global Construction Conference  
Webinar

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#### **DLA Piper's inaugural Global Construction Conference – Day 2**

9 November 2021  
DLA Piper's inaugural Global Construction Conference  
Webinar

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#### **DLA Piper's inaugural Global Construction Conference – Day 1**

8 November 2021  
DLA Piper's inaugural Global Construction Conference  
Webinar

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#### **Korean companies in the global market – best practice to protect your foreign investments**

5 November 2021  
Webinar

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#### **Working with "Endemic" - Employment and Investigations Issues in the Future Workplace**

27 Oct 2021  
Webinar

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#### **Enforcement & Investigations in Southeast Asia: Perspectives on Malaysia**

26 October 2021  
Webinar

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#### **The Hong Kong Arbitration Week 2021 is open for registration**



25 October 2021  
Hong Kong

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### **White Collar Crime, Investigations and Compliance Symposium**

5 October 2021  
Webinar

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### **The essential legal update for consumer goods businesses**

29 September 2021  
Webinar

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### **What do in-house counsel expect from external firms during the arbitral process?**

28 September 2021  
Webinar

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### **Webinar: The Lure of The East – Investment Opportunity and Risk for German Investors in Asia**

21 September 2021  
Webinar

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### **Embracing Digital Evolution**

15 September 2021  
Webinar

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### **Turning Your Back On The Enemy – Fighting Corruption In The Age Of COVID-19**

25 August 2021

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### **The Road Less Traveled: Exploring other arbitration forums in the Asia-Pacific Region**

27 May 2021  
Webinar

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### **Part 2 - Use of FIDIC for offshore projects**

26 May 2021  
Webinar

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## **Shut down your investigation immediately**

27 April 2021  
Webinar

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## **Pan-European Week: Crime made Clear – Navigating criminal and compliance risks**

19 April 2021

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## **DLA Piper Global Vis Pre-Moot 2021 St Petersburg**

18-20 March 2021  
DLA Piper Pre-Moots 2021  
Webinar

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## **FDI screening rules and EU/China Comprehensive Agreement on Investment**

17 March 2021  
Webinar

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## **Global Disputes Forecast: 2021 - what does the future hold?**

22 February 2021  
Webinar

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## **Milan Investment Arbitration Pre-moot**

19-20 February 2021  
DLA Piper Pre-Moots 2021  
Webinar

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

16 June 2020 | 9:00 - 10:30 a.m. ET (Session one) | 8:00 - 9:30 p.m. ET (Session two)  
Webinar

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## **Force Majeure and US-China Contract Fulfillment Challenges**

6 May 2020 | 7:00 - 8:00 PST  
Webinar

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## **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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## **NEWS**

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#### **DLA Piper named to *Global Investigation Review's* GIR 30 list of leading investigations practices**

11 November 2021  
DLA Piper is pleased to announce that the firm has been named to *Global Investigations Review's* annual list of the 30 top investigations practices worldwide, reflecting its reputation as one of the top global law firms with broad experience in complex investigations.

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#### **DLA Piper's Michael Ostrove appointed as the Vice-President of the ICC International Court of Arbitration**

14 July 2021

Michael Ostrove, DLA Piper's Global Co-Chair of International Arbitration, has been appointed Vice-President of the ICC International Court of Arbitration.

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### **Laura Ford recognised in GIR Women in Investigations 2021**

20 May 2021

DLA Piper is pleased to announce that Laura Ford, a partner in the firm's Litigation and Regulatory practice, has been named by Global Investigations Review in its list of Women in Investigations, 2021.

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### **DLA Piper launches dedicated dispute resolution service in Luxembourg**

18 May 2021

DLA Piper is delighted to announce the launch of a dedicated dispute resolution service offering in Luxembourg for its clients.

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### **Gitanjali Bajaj and John Gallagher recognised as “Lawyers of the Year” by The Best Lawyers Australia 2022**

23 April 2021

DLA Piper is pleased to announce that Australian Partners Gitanjali Bajaj (Litigation & Regulatory, Sydney) and John Gallagher (Finance, Projects & Restructuring, Melbourne) have separately been recognised as “*Lawyers of the Year*” in the 14th edition of The *Best Lawyers in Australia 2022 Awards*.

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### **DLA Piper launches Aiscension to help detect and prevent cartel activity in collaboration with Reveal**

15 March 2021

- New offering delivers cutting-edge technology from *Reveal* alongside DLA Piper's first-class legal know-how
  - Time and cost savings allow for companies to focus on detection
  - Faster, more effective and better value than traditional technology assisted and manual reviews
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### **DLA Piper helps CAPE win High Court claim for seller misrepresentation**

9 February 2021

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

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

13 January 2021

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

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

8 December 2020

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

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

30 November 2020

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

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

14 July 2020

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

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

6 July 2020

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

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

2 July 2020

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

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

30 April 2020

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

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

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### **DLA Piper hires new partners in Australia**

23 April 2020

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

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

10 March 2020

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

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

6 March 2020

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

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

17 December 2019

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

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

3 December 2019

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

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