



Legal advice on international tax planning

BGP Litigation is a law firm specialising in comprehensive support of family, inheritance and housing disputes, as well as in their settlement by way of mediation.

BGP Litigation lawyers possess a wealth of expertise in supporting divorces that involve settlement of issues of division of marital property, payment of alimony, child custody and visitation, travel of minors outside of the Russian Federation, challenging and establishing paternity, forfeiture and limitation of parental rights.

BGP Litigation's practice is unique in that we deal with the resolution of cross-border disputes on child visitation and return from foreign states in cases of wrongful removal or retention.

In order to prevent financial risks, BGP Litigation places a great emphasis on structuring family assets via marriage (prenuptial and postnuptial) contracts, agreements on the division of property, alimony agreements, inheritance contracts and joint wills of the spouses.

Moreover, BGP Litigation renders professional mediation services to enable clients to resolve their differences amicably on mutually acceptable terms.

BGP Litigation lawyers are active in advocacy and elaboration of legislative proposals so as to improve the existing legal rules; they teach at the country's top universities and sit on various expert councils with public authorities and organisations.

CONSULTING ON FAMILY LEGISLATION

- Preventing financial risks and protecting non-property rights in divorces.
- Drafting marriage contracts, marital settlement agreements, agreements on child support and visitation, their notarisation.
- Elaborating strategies and legal arguments in disputes on divorces and child visitation, recovery of alimony, division of property, and challenging marriage contracts.
- Analysis of agreements made between the spouses on matters of property division, child support and visitation, wills, contracts of inheritance.
- Legal due diligence of the family situation for minimising risks in case of bankruptcy of the spouses (or either of them), as well as concerning subsidiary liability, and filing creditors' claims.
- Consulting on cross-border disputes on children, establishing and contesting paternity, forfeiture and limitation of parental rights, travel of minors outside of the Russian Federation, recovery of alimony, decreasing or increasing its amount, liability for its improper payment, challenging marriage contracts and wills, asset search.
- Preparing legal opinions on the application of the Russian family, housing, and inheritance legislation for foreign jurisdictions.



REPRESENTING CLIENTS

- Defending the rights and interests of clients in negotiations.
- Representing clients in family, inheritance, and housing disputes in courts.
- Preparing and filing claims on the violation of parental rights.
- Representing clients in execution / enforcement proceedings.
- Support of inheritance cases and other notarial acts.
- Representing clients in cases on the return of children wrongfully removed from or retained in the Russian Federation.
- Organising mediation.

Key People



Victoria Dergunova

Partner, Attorney,
Mediator, Ph.D.
in Law — Family Law



Anastasia Tyunyaeva

Associate, Attorney —
Family Law

Selected Projects

RETURN OF A WRONGFULLY REMOVED CHILD FROM URUGUAY

Our team represented the client in a dispute concerning a child the father removed from Russia in violation of the law. We managed to locate him in the Republic of Uruguay, a non-party to the Hague Convention on the Civil Aspects of International Child Abduction. To return the child to Russia and hand it over to its mother, we had to initiate two litigations in the local courts, which also ended in judgments favouring the mother.

RULING THAT THE CHILD SHOULD STAY WITH ITS FATHER IN RUSSIA

Our lawyers represented the client in a dispute on the unlawful removal of a child from France to Russia. As a result, the parents settled the dispute and agreed that the child was to live in Russia with its father. The settlement was legalised in France in order to allow the child and mother to keep in touch on a permanent basis.

DISMISSAL OF CLAIMS ON CONTESTING PATERNITY

BGP Litigation represented the client in a case where he was contesting paternity and which resulted in the court's refusal to grant the mother's claims. That decision became one of the first judgments in the Russian Federation applying para. 29 of Resolution of the Plenum of the Supreme Court No. 16 dated 16 May 2017.

REFUSAL TO CHALLENGE A MARRIAGE CONTRACT AND DIVIDE MULTI-MILLION ASSETS

Our team represented the client in a case where he contested the marriage contract as unfavourable. As a result, the court refused to grant the former wife's claims, which allowed the client to keep the assets he received under the marriage contract for the total of over 1 million US dollars.

REFUSAL TO CHALLENGE A TRANSACTION FOR THE DONATION (GIFT) OF A HOUSE AND A LAND PLOT

Our lawyers represented the client in a case where she contested the donation (gift) of a house and a land plot for their subsequent division as marital property. As a result, the court refused to grant the former husband's claims, which allowed the client to retain the family estate within her family.

REFUSAL TO RETURN CHILDREN TO THE US

Our team represented the client who took her two children from the US to Russia in view of a threat that the father could establish exclusive custody over them. The team's work allowed to ensure that the case was referred to the jurisdiction of a Russian court, that held that the children should remain with their mother in Russia and defined the father's visitation rights.

STRUCTURING THE SPOUSES' TERMS OF SETTLEMENT VIA A MEDIATION AGREEMENT

The BGP Litigation team represented the husband in a dispute on the division of property and recovery of child support. Since the husband disagreed with the amount of alimony recovered, while the wife, with the property awarded to her as a result of division, the parties were invited to resort to mediation to settle their differences. As a result, they entered into a mediation agreement that terminated execution of the judgment for the recovery of child support, changed the amount of such support and the procedure for paying it, as well as reallocated the marital property of the spouses in the manner different than established by the judgment.

DIVISION OF COMMON PROPERTY

Our team represented spouses in a dispute on the division of property before an appellate court. The first instance court dismissed the wife's claim for the division of 27 land plots, two cars and shares in companies her husband disposed of without her consent during the marriage and while the case was pending trial. As a result of the work of our team, the first instance court's decision was set aside, the results of the forensic examination regarding the evaluation of the assets at issue were successfully contested, and the amount of compensation was raised fivefold.

Comprehensive Business Protection

The firm BGP Litigation was founded in 2006. The firm is currently employing over 70 lawyers, litigation and criminal attorneys, as well as tax and investment experts. Experience of the Team enables the firm to work efficiently on global projects that require simultaneous support of a significant number of parallel proceedings at various levels and in multiple jurisdictions.

BGP Litigation team has a full range of competencies necessary to protect the interests of the clients, including the coordination of negotiations, support in Russian and cross-border courts, bankruptcy cases and arbitration proceedings, restructuring of the business, international tax advice, support of tax disputes and criminal law defense of business and beneficiaries.

A significant part of the implemented projects has a substantial cross-border element, which includes support during international arbitration disputes and courts, coordination of assets recovery and obtaining of interim measures in various jurisdictions. Global focus, together with Russian presence, allows the firm to find the most effective and cost-efficient solutions for the protection of clients.

Our Practices



Dispute Resolution

Support for complex disputes in Russia and cross-border proceedings



Bankruptcy

Clients' representation in bankruptcy cases, including major cross-border disputes, as well as levying execution upon assets in the Russian Federation and abroad



M&A and Corporate Restructuring

Comprehensive support of M&A transactions, corporate restructuring, and special situations projects resolution



International Arbitration

Client's representation in international commercial arbitration proceedings mainly focusing on complex cross-border disputes



Family Law

Support of family, inheritance and housing disputes, as well as in their settlement by way of mediation



Life Sciences & Technology

Comprehensive support of businesses on all issues of legal regulation of the healthcare industry. Regulatory and transaction support of life science companies



Tax Disputes

Identification and reduction of tax risks, support for field and desk tax audits



International Tax Planning

Analysis of the existing asset holding structures concerning the tax efficiency and potential risks



Antitrust/Competition

Representing clients during antitrust disputes, public procurement, within the frames of the advertising law and the investment in strategic enterprises law



White Collar Criminal Defense

Represents clients in criminal proceedings, with a particular focus on white collar matters and in criminal proceedings against public interests



Attorney investigations

Detection of violations and abuses on the part of the employees, partners, contactors, analysis of the company's risks (projects and transaction)



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