



# Resolving disputes in international commercial arbitration

# BGP Litigation — a leading legal firm specialising in international commercial arbitration, Russian and cross-border litigation, and insolvency

Our international commercial arbitration practice focuses on complex cross-border disputes and is one of the most dynamic in the firm. We represent large Russian and transnational corporations in arbitration proceedings administered by leading international arbitral institutions.

We have experience in acting in arbitrations under the rules of:

- ICC — the International Court of Arbitration of the International Chamber of Commerce, Paris;
- LCIA — the London Court of International Arbitration;
- SCC — the Arbitration Institute of the Stockholm Chamber of Commerce;
- SCAI — Swiss Chambers' Arbitration Institution;
- ICAC — International Commercial Arbitration Court at the Chamber of Commerce and Industry of the Russian Federation, Moscow;
- as well as in ad hoc arbitrations under UNCITRAL Rules administered by the Permanent Court of Arbitration in the Hague.

Striving to ensure expeditious and cost-efficient proceedings and enforcement of the final award, we provide asset tracing support prior to or in parallel with initiating arbitration proceedings in order to be able to comprehensively assess the prospects of recovery. We routinely bring ancillary proceedings to obtain provisional measures, disclosure or other measure in support of arbitration.

The firm also has successful track-record of setting aside arbitral awards as well as obtaining their recognition and enforcement in Russia and abroad.

## Key People



**Alexander Vaneev**

Partner, Attorney —  
Dispute Resolution and  
International Arbitration



**Ilya Sorokin**

Counsel, Attorney —  
Dispute Resolution and  
International Arbitration



**Maxim Kuzmin**

Counsel, Attorney —  
Dispute Resolution and  
International Arbitration



**Elena Kolomiets**

Senior Associate, Attorney —  
Dispute Resolution and  
International Arbitration

# Selected projects

## KAZAKHSTAN METALS COMPANY

The firm is representing a major Kazakh metals plant in an ICC arbitration seated in Zurich against a German contractor. The dispute arose out of the German contractor's failure to ensure the design capacity of a plant in Kazakhstan

## MAJOR FERROCHROME PRODUCER

The firm's team represented a major Kazakhstan iron and steel manufacturer in a dispute with a Swiss contractor. The dispute arose after the contractor breached its obligations to supply and supervise the installation of key technological equipment for the plant's new production shop. A number of flaws were identified during the installation and start-up works that must be eliminated by the contractor.

## CYPRUS COMPANY

BGP Litigation represented a Cyprus company in an SCC arbitration against a European telecommunications company under the SCC rules. The dispute arose from an option agreement for the acquisition of a share in the company in case the opposing party received licenses for GSM radio frequencies. The client brought a claim for over **USD 40 million**, and it was granted in full.

## RUSSIAN CAR MANUFACTURER

The firm acted for a Russian company in an ICC arbitration against a United States distributor. The case concerned formation of a strategic partnership between the Russian car manufacturer and a number of leading United States automobile manufacturers. The dispute arose out of differences in interpretation of a clause on the agent's fees.

## RUSSIAN INVESTOR

BGP Litigation represented a major Russian investor in an investment arbitration over expropriation of several foreign investments. The dispute arose out of expropriation of the Russian investor's assets in one of the Central Asian states in violation of a bilateral investment treaty. The aggregate amount in dispute exceeded **USD 50 million**.

## GERMAN TRADER

The firm's team represented a German trader in a GAFTA arbitration against a Cyprus company. The dispute arose out of the opposing party's failure to supply a large batch of grain. That party brought parallel proceedings seeking to invalidate the contract and the arbitration clause therein, unjustifiably alleging that they had not been concluded. The client's claims were granted in full.

## MAJOR ALUMINIUM PRODUCER

The firm represented the majority shareholder in a leading international aluminium manufacturing company in an LCIA arbitration in a corporate dispute with the amount of claims exceeding **EUR 10 billion**. One of the claims was brought under EU antitrust law. In the end, the parties entered into a settlement agreement beneficial for the client.

## AIRCRAFT ENGINE MANUFACTURER

The firm represented a major aircraft engine manufacturer in a SCAI arbitration against a leasing company in a dispute concerning a strategic partnership for the leasing of passenger aircraft. The amount in dispute exceeded **EUR 120 million**. The dispute was settled amicably, and the parties reached agreed on the terms of their future cooperation.

# 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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