



White Collar Criminal Defense

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BGP Litigation is a law firm specializing in criminal defense of business

BGP Litigation lawyer team represents clients' interests in criminal proceedings in economic and corruption cases.

We solve a wide range of tasks related to criminal defense – from consulting and risk assessment to comprehensive support in governmental, law enforcement, judicial, regulatory and supervisory authorities.

- 1** Appeal of unlawful actions and procedural decisions of officials of law enforcement authorities to judicial, regulatory and supervisory authorities.
- 2** Legal investigations in accordance with legislation in force. Submitting lawyer requests, holding of lawyer examinations, preparation of the client and witnesses at all stages of criminal proceedings, involvement of specialists and experts.
- 3** Legal assistance before initiation of a criminal case:
 - Legal analysis of the situation.
 - Preparation and filing of petitions, applications, complaints to law enforcement authorities.
 - Study of reports and development of a strategy / position / line of defense.
 - Support of the client when providing explanations and testimony, participation and consultation when taking measures in the interest of the client.
- 4** Legal support at the stage of pre-trial investigation:
 - Case study within the Russian Code of Criminal Procedure (CCP) in the context of the client's standing.
 - Assessment of facts in terms of potential lines (versions) of the investigation.
 - Consultation of the client in the specifics of potentially applicable rules of the Russian Criminal Code (CC), development of the strategy, defense tactics.
 - Support of the client in the investigative proceedings.
 - Preparation and filing of lawyer requests, petitions, complaints and applications.
- 5** Legal support at judicial stages of criminal proceedings:
 - Identification of case prospects based on judicial practice, selection of the line of defense, representation of interests in the context of the client's standing.
 - Participation in the legal proceeding exercising the rights provided by law.
 - Preparation and filing of complaints at all stages of criminal proceedings.
- 6** Visits to the client held in custody.
- 7** Protection of rights and interests of the convicted during service of punishment, early expiry or cancellation of conviction, release on parole. Preparation and submission of documents to the pardon commission.

Key People



Vladimir Kolesin

Counsel, Attorney —
White Collar Criminal
Defense



Elena Manakova

Senior Associate,
Attorney —
White Collar Criminal
Defense



Dmitriy Mesheryakov

Senior Associate —
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Relevant Experience

MAJOR RUSSIAN BANK

Legal investigation of circumstances of issuing questionable bank guarantees and consultations in criminal aspects of a Russian hi-tech bank

Situation:

- The total amount of claims to the client was about 5 billion rubles.
- Legal investigation of circumstances was needed related to the issue of questionable bank guarantees. Besides, we provided analysis and recommendations concerning a few bankruptcy cases of bank debtors – legal and natural persons
- It was necessary to attract attention of governmental bodies to the cases, with their eventual participation in them.

Result:

Our lawyers:

- prepared a legal stance on invalidity of guarantees on the grounds of Federal Law "On Insolvency (Bankruptcy)"
- discovered and provided proof of insufficient assets of the bank and creditors at the moment of issuing the guarantees to justify their invalidity
- drafted several procedural instruments aimed at obtaining additional evidence and prepared additional justification of the stance on absence of the grounds for payments under guarantees.

OIL AND GAS LEADER

Our lawyers were invited to represent rights and legal interests of a client in the criminal proceedings of representatives of a third company that failed to fulfill its contractual obligations to render customs broker services. Legal actions resulted in initiation of criminal prosecution against representatives of a third company and active representation of the interests of victims of crimes committed by persons performing managerial functions in the commercial organization.

RUSSIAN OIL AND GAS COMPANY

The company represented the interests of the client in a case on recognizing supplier's fraud in the delivery of energy equipment to a client's enterprise for an amount of **138 million rubles**. Since payment depended on the currency rate on the day of actual shipment, the amount was driven up through falsification of the date. In the client's interests we analyzed the situation, provided recommendations, developed an action plan to protect interests, and a criminal case was initiated. The loss was voluntarily compensated in full by the suspects.

GLOBAL FMCG LEADER

Representation of the client's interests in a dispute on collection of receivables from a contractor exceeding **300 million rubles**. Our activities resulted in preparation of a solid evidence base for initiation of a criminal case, we identified the companies through which the stolen goods were resold, as well as persons who controlled them.

INTERNATIONAL PHARMACEUTICAL COMPANY

We provided legal support to an international pharmaceutical company in the audit initiated based to circumstances related to public procurement of medications. The complexity of the project consisted in the high level of auditing persons and the contract price — **31 billion rubles**. In the criminal case we succeeded to protect the interests of the client and eliminate criminal and other risks.

SHAREHOLDERS AND MANAGEMENT OF A COMMERCIAL BANK

Consultations to the owner of a business accused under Part 2, Article 199 of the Criminal Code of the Russian Federation of tax default in the amount of over 280 mln rubles. As a part of the criminal proceedings, we managed to effectively reduce the amount of alleged injury almost by 50%. The court sentenced the client to a minor fine.

LEADING HIGH-TECH MEDICAL EQUIPMENT MANUFACTURER

The team of BGP Litigation Lawyers defended the accused in a case involving theft related to the theft of public funds in the course of procurements of medical equipment. Criminal law risks did not damage the company – liable were made governmental authorities.

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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