

Your World First

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Law.Tax

# Dispute Resolution

Delivering results through expertise

September 2015

# Securing your interests – Delivering results

Having CMS on your side brings genuine competitive advantages. Whatever the nature of your dispute, wherever you need us in Europe and beyond, we will help you resolve it.

Our experienced lawyers, including sector-specific experts, understand your business and its challenges. We focus our expertise, knowledge and commercial insight on your issues and objectives. Using this distinctive approach, we apply our expertise in dispute resolution to help you achieve the results you need.

As one of the world's leading law firms, we can provide you with effective solutions to your most complex dispute resolution challenges. For us, building strong, trusted relationships with you and making a difference to your world is our motivation and the measure of our success.

Having CMS on your side means:

- **Quality and depth of resources.** With more than 300 dispute resolution specialists to choose from, your CMS team has the expertise and capacity to handle the most complex disputes.
- **Global reach with local insight.** With lawyers in 33 countries, CMS is truly international and bridges cultural differences. Our lawyers think and act internationally while delivering local results.
- **Proven high-stakes advisers.** We handle disputes worth billions of euros on a daily basis. Clients trust us with their most sensitive, difficult and business-critical cases.
- **Renowned top-tier expertise.** CMS has earned a reputation for excellence among clients, peers and legal industry directories.



CMS is my go-to firm for arbitration and litigation cases as it is prompt in answering, very solution-oriented, sharp and provides to-the-point advice. Moreover it is procedurally savvy and highly efficient. I like that it doesn't waste our time with dozens of pages of theoretical evaluations.

*Chambers Europe 2015/Client quote*



# Planning for success



CMS is known for a well-respected practice active in key European jurisdictions ... Predominantly focuses on banking and commercial litigation, contract disputes and corporate investigations. Also recommended for international arbitration.

*Chambers Europe 2015*

Disputes happen. Whatever business you are in, resolving disputes is a fact of life. Knowing you have experienced and proactive advisers on your side is the first step towards a successful resolution.

Most disputes develop over time, and the CMS dispute resolution practice is there to help you at every stage. Early advice is critical to success, especially in international disputes. We act quickly to help you put an overall strategy in place at an early stage, offering an objective view of your position and reflecting your appetite for risk.

Managing international disputes in an increasingly globalised and highly regulated world is becoming more complex. Our experts can guide you through unfamiliar territory, focusing on the need to minimise disruption to your business.

We select your CMS team to deliver the best result in each case. Our dedicated international teams include experienced litigators or arbitration experts working alongside specialists offering expertise in relevant branches of law and key industries. We provide you with cross-border legal advice and representation from a single source in all methods of dispute resolution, including state court litigation, national and international arbitration, mediation and other alternative dispute resolution methods.

Your needs drive our advice and service and we take a 'full picture' approach to dispute resolution. We draft dispute resolution clauses in contracts, offer project-based advice and strategic analysis as well as provide representation in negotiations and formal proceedings.

Your CMS dispute resolution team puts international and local knowledge to work for you. We guide you through the fundamental issues, including the methods of dispute resolution preferred in each jurisdiction. We advise on the key cultural factors and procedures in the practice of dispute resolution, including document production (discovery), familiarisation or preparation of witnesses where permissible under local laws and managing the input from experts as well as the conduct and style of representation at the hearing.

In every case, we put our detailed knowledge and experience to work for you and focus on your success.



# Our experience

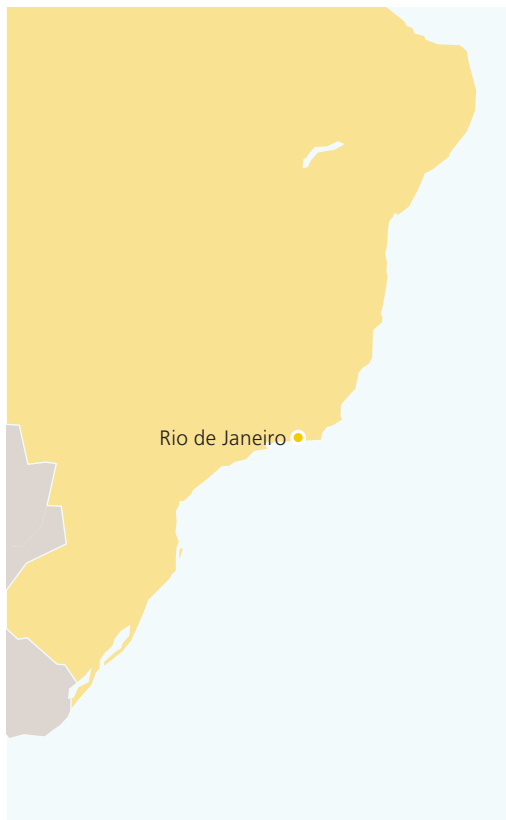
CMS handles hundreds of cases across the world, covering the full spectrum of major business disputes and involving clients from a wide range of industries. Our recent experience includes:

Sector	Details
<b>Aviation</b>	Acting for the Defendant in three separate multi-party litigation proceedings concerning directors' liability claims in relation to the Swissair collapse. The amount in dispute exceeded USD 9bn.
<b>Banking &amp; Financial Services</b>	<p>Counsel to several banks in cross-border, multi-party billion US dollar litigation proceedings relating to various claims arising out of investments in Madoff funds.</p> <p>Acting in defence of the CEO of an Italian bank in a claim for damages by minority shareholders and another claim for damages by a Special Representative of a German bank (dispute value in each of these cases: approximately EUR 17bn).</p>
<b>Consumer Products</b>	Acting for Belgium's largest food retailer in proceedings against Mastercard claiming damages for the amount of interchange fees charged following a ruling by the EU's General Court finding Mastercard's fees are illegal.
<b>Energy</b>	<p>Acting on a series of very high-value (USD 3,5bn, USD 1,25bn and USD 750m) international price review arbitrations under UNCITRAL rules between a national gas utility company and a major international LNG seller in relation to three very high-volume long-term LNG supply agreements.</p> <p>Acting for a well-known oil major in litigation proceedings concerning a large oil field development in a dispute arising out of further financing for the development of the project.</p> <p>Acting for a leading international provider of drilling services in a USD 100m LCIA arbitration in relation to the early termination by a state-owned oil company of a drilling contract for one of the most modern high-performance drilling rigs.</p> <p>Advising a Dutch oil company in relation to an investigation and subsequent court action regarding an alleged EUR multi-million fraud and alleged multiple infringements of environmental regulations.</p>
<b>Insurance</b>	Defending one of the world's largest privately owned insurance and reinsurance brokers in a significant claim brought by an international bank against a number of London market underwriters and brokers who wrote or placed an all risks policy into the specie market.
<b>Lifescience</b>	<p>Advising a Top 5 medical device company worldwide in relation to a voluntary product recall and product liability litigation.</p> <p>Acting for a biopharmaceutical company defending injunction proceedings brought by a supplier of pharmacy services relating to the supply of HIV medication.</p>

Sector	Details
Manufacturing	Advising a manufacturer of road signage on a liability action against a company and its chief executive officer on grounds of unlawful cartel practices.
	Advising a listed company, acting on behalf of its directors, in a procedure resulting from alleged corruption in public procurement.
Maritime	Acting for a shipbuilding and leasing company in a dispute with its lenders concerning three USD 500m (each) FPSOs and a related USD 2bn loan facility, including an application for an urgent interim injunction seeking to restrain the filing for bankruptcy protection in the Netherlands and/or Brazil.
Plant Engineering & Construction	Representing a consortium of plant engineering and construction companies in a series of adjudication proceedings under the ICC ADR Rules against the owner of a power plant.
	Representing a plant engineering and construction consortium in high stake conciliation and subsequent arbitration proceedings regarding the interpretation of and claims arising out of an EPC contract.
Professional Services	Acting for a leading auditing company in a complex litigation brought by the receiver of an insolvent company against the board of directors and the auditor.
Real Estate & Construction	Advising a large Austrian construction company in a EUR 24,2m litigation in Vienna, Prague and Bratislava against a French construction company.
Renewable Energy	Acting as Counsel to a respondent in an international arbitration proceeding under Swiss Rules between an Indian and a German party relating to a license and know-how agreement in the renewable energy sector.
	Acting for a Chinese shareholder in a dispute with the Dutch shareholders in a 50/50 Sino-Dutch joint venture.
	Acting for a Chinese producer of solar panels in different arbitration proceedings in different European jurisdictions with amounts in dispute between EUR 10m and EUR 40m.
	Acting for a European company from the renewable energy sector in mediation proceedings regarding alleged unlawful competition claims.
TMC	Representing a leading Norwegian telecommunications company in arbitral and litigation proceedings against a Hungarian state television network.

# CMS

For more information on dispute resolution and on our services related to dispute resolution, please contact: [disputes@cmslegal.com](mailto:disputes@cmslegal.com)



# Facts and Figures

- 59 offices
- 53 cities
- 33 countries
- > 800 partners
- > 3,000 fee earners
- > 5,500 total staff
- Combined annual turnover: EUR 934m (2014)

● Moscow

● Kyiv

● Tbilisi

● Istanbul

● Beijing

● Shanghai

● Dubai

● Muscat

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