International Litigation and Arbitration

Skadden

Skadden's International Litigation and Arbitration Group is dedicated to resolving our clients' most difficult, complex and high-value international disputes. We are frequently acknowledged as a world leader with a stellar track record of success.

Our overriding focus is to deliver successful outcomes for our clients, and we pride ourselves on winning our clients' most important disputes through innovative strategies and exceptional client service. We achieve results through a model built on cost-effective teams with close partner involvement throughout. We are one of few firms with three King's Counsel (KC) on our platform in London — a true differentiator in the market.

We apply our deep experience in international arbitration to cases before every major arbitral institution. Our award-winning practice spans both commercial arbitration and investor-state disputes under international treaties in the Americas, Europe, Africa, Asia and the Middle East. We also routinely advise clients on matters of EU law and public international law.

Beyond our experience in international arbitration, our firm is equally a leader in the field of international litigation. We have deep experience in managing disputes that require a coordinated strategy across multiple jurisdictions, often including the courts of the United States, England, Germany, Hong Kong, the British Virgin Islands, Bermuda, Cyprus, the Cayman Islands and other international forums. This work includes acting for clients on cutting-edge issues of jurisdiction, alien tort claims and sovereign immunity before the U.S. courts. We also are adept at working with our clients' local counsel to improve their chances of success when they face critical litigation in a foreign court. By adding strategic value, we have helped our clients to prevail in litigation across Latin America, Europe, Africa, Asia and the Middle East.

Unlike some other firms, we do not separate our international litigation and arbitration departments. This enables us to provide our clients with a unified team through the lifespan of a dispute. For example, we frequently handle cases where an arbitration also involves court applications for interim relief, disclosure orders from the U.S. courts in aid of foreign arbitrations and enforcement proceedings to collect on an international arbitration award. Because many of these applications involve the U.S. courts, our deep presence in the United States can provide a strategic advantage to our clients, even in non-U.S. disputes.

Our lawyers combine their legal acumen and foreign language skills with industry experience gained from representing clients across many sectors. These include energy, metals and mining, oil and gas, retailing, IT, construction, manufacturing, telecommunications, real estate, automotive and financial services.

We also have specific subject-matter experience, including disputes concerning shareholder agreements, joint ventures, busted M&A transactions, supply and distribution contracts, taxation, competition, director and manager liability, EU state aid law and licensing contracts, among others.

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Recognition

We have been recognized repeatedly for our work in international dispute resolution:

- Ranked in Tier 1 for international arbitration by *Chambers Global*, *Chambers UK*, *Chambers Brazil*, *Benchmark Litigation*, *The Legal 500 UK* and *Best Lawyers* Best Law Firms.
- Named International Arbitration Team of the Year at the *Legal Business* Awards 2024
- Named Litigation, Arbitration and Dispute Resolution Team of the Year at *Law.com*'s British Legal Awards 2023.
- Ranked among the top firms for investor-state arbitration and commercial arbitration by *Chambers UK*.
- Recognized repeatedly among BTI's Fearsome Foursome — the top four firms that clients "don't want to litigate against."
- Listed among *Law360*'s International Arbitration Groups of the Year for 2021.
- Named a finalist in *The American Lawyer*'s 2021 Litigation Department of the Year competition.
- Recognized as the *New York Law Journal*'s 2021 Litigation Department of the Year and a finalist in the General Litigation category of its 2026, 2024, 2023 and 2022 Litigation Department of the Year competitions.
- Named a Top International Law Firm and recognized for our arbitration capabilities by *Latinvex*.
- Recognized for our arbitration work and as one of only three firms recommended in eight or more practice areas in *Latin Lawyer*'s inaugural International Elite list.

Leaders in International Litigation and Arbitration

Global

- "The Skadden team are technically sound and sharp, which gives clients confidence in their ability to navigate complex disputes. The analytical persuasiveness of their arguments outshines that of their opponents." (client quote, *Chambers Global*)
- "Their very deep bench ensured no gaps in ongoing representations and we received the highest levels of service and excellent counsel throughout." (client quote, *Chambers Global*)

United States

- "They're pragmatic and fearless, the team tackles complex or high risk matters head on while keeping clients' commercial objectives front and center. They craft arbitration plans that anticipate adversaries' moves and align with clients' broader commercial goals and they provide exceptional drafting and advocacy." (respondent quote, *Chambers USA*)
- "I wish all lawyers were like them. They think outside the box. Our files were super touchy, super complex, but they got straight through explaining them to our leadership. They can position themselves for risk, they will tell us what to do and what not to do, versus just giving us options." (respondent quote, *Chambers USA*)
- "The experience and professionalism that they brought throughout the process including pre-hearing briefs, the arbitration itself and post-hearing briefs was truly first class." (respondent quote, *Chambers USA*)
- "The quality of the briefs and cross examinations was excellent. The level of preparation and attention to detail was the best I have seen. They understood the contractual issues and the relevant case law better than anyone." (respondent quote, *Chambers USA*)
- "Skadden lawyers are very accurate and precise, that's really outstanding. They have a high level of working together with us, taking the time to discuss what we are going to do and the options, and they think things through and rethink it. They're very thorough and meticulous." (respondent quote, *Chambers USA*)
- "Skadden combines a dominant commercial arbitration practice with a prominent investor-state offering." (*The Legal 500 US*)

Europe

- "The teams are tailored to the task at hand, which is an advantage for the client in terms of consistency and attention to detail." (client quote, *Chambers Europe*)
- "Their very deep bench ensured no gaps in ongoing representations and we received the highest levels of service and excellent counsel throughout." (client quote, *Chambers Europe*)

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- "The firm has subject matter experts and is very capable, dedicated and pragmatic. They are extremely responsive, detail oriented and understand very complex concepts." (*Chambers UK*)
- "I felt the Skadden team was part of our internal team — it was a seamless operation." (client quote, *Chambers UK*)
- "Skadden's hands-on approach and depth of knowledge is spectacular. They're responsive and available around the clock." (client quote, *Chambers UK*)
- "Devastatingly brilliant minds, strategic approach to disputes, and methodical." (client quote, *The Legal 500 UK*)
- "A very smart, dedicated group of individuals, who can turn around a great pleading at a moment's notice. Real dedication to client service." (client quote, *The Legal 500 UK*)

Latin America

- "Skadden boasts a formidable international arbitration department, with a longstanding dedicated presence in Brazil." (*Chambers Brazil*)
- "Skadden, Arps, Slate, Meagher & Flom is a great team that is always available, with unparalleled depth in its arbitration strategy and analysis of matters." (respondent quote, *Chambers Latin America*)

Asia Pacific

- "Their cross-border work is seamless and they have deep relationships with the offshore firms." (respondent quote, *Chambers Greater China*)
- "As a team, they were particularly well coordinated. There was a genuine camaraderie between them and a care for each other." (respondent quote, *Chambers Greater China*)

Select Notable Representations

Recent successful outcomes that we have delivered for our clients include:

- Successfully represented *Agility Public Warehousing Company K.S.C. v. Republic of Iraq* in an ICSID annulment proceeding to challenge an adverse 2021 award, obtaining a rare partial annulment. Skadden continues to represent Agility in this action.
- Successful resolution of a decades-long dispute concerning an expropriated oil field in Latin America, in which our client once held a substantial economic interest that it assigned to a third party shortly before the asset was expropriated. Judgment on the award (totaling over $550 million) was entered in December 2021, and was amicably settled in 2024.
- Successfully represented DP World in a BIT claim against the Kingdom of Belgium, arising out of the taking of DP World's concession in the port of Antwerp, Europe's second-largest port.
- Representing Vodafone International Holdings B.V. in its landmark victory against the Republic of India under the Netherlands-India bilateral investment treaty. In its September 2020 award, an UNCITRAL tribunal held that India's attempt to impose a $5.5 billion liability onto Vodafone and its Indian subsidiary — through retroactive withholding taxes, interest and penalties — was in breach of international law.
- Represented CC/Devas (Mauritius) Ltd., Telcom Devas Mauritius Devas and another claimant in obtaining an October 2020 award of over $165 million as compensation for the expropriation of their investments in a satellite project, a seizure that was unanimously held to violate the Mauritius-India BIT. The project involved the provision of satellite and terrestrial audiovisual, broadband and mobile services in India.
- Obtaining a substantial (and record-setting) investment treaty award in the Spanish renewable sector for the Dutch subsidiaries of NextEra Energy: €292 million plus attorneys' fees in an ICSID arbitration under the Energy Charter Treaty. In March 2022, the ICSID Annulment committee denied an application to annul the award. In February 2023, Skadden obtained a well-publicized "anti-anti-suit injunction" from the D.C. courts, which prevented Spain from pursuing injunctive relief in Europe that would have blocked NextEra from enforcing the €290.6 million ICSID award it won in 2019 for breaches of the Energy Charter Treaty.
- Served as lead counsel for a Canadian pharmaceutical device company in a large ICDR arbitration against its U.S. distributor, in which our client claimed breach of a U.S. distribution agreement, including failure to honor a commitment to promote and market the products in question, and sought equitable and declaratory relief in order to terminate its long-term contract. The arbitration commenced in May 2022, and a tribunal was constituted thereafter, and a settlement was reached in April 2023.
- Defeated a significant claim (of almost $500 million) against Emaar Properties, a multinational real estate development company in a Phase 1 merits hearing lasting over two weeks.

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- Led Megapolis (one of Russia's largest consumer goods distribution companies) to victory in a complex LCIA arbitration, valued in excess of $300 million.
- Successfully represented the Hellenic Republic Asset Development Fund in a €100 million LCIA arbitration proceeding brought by investors in the privatized Greek lottery in relation to tax changes.
- Secured an arbitration victory for Rakesh Gangwal, the former CEO and chairman of US Airways and one of the two billionaire founders of India's largest airline, IndiGo. The LCIA arbitration concerned a dispute over related party transactions and corporate governance.
- Successfully acted for a company that manages a global freeware, cross-platform, cloud-based instant messaging software and application service, in a series of LCIA arbitrations.
- Successfully represented an international private equity fund as respondent in a post-M&A dispute with a strategic buyer regarding a target in the construction industry based on allegations of fraudulent failure to disclose certain risks (DIS).
- Favorably settled a dispute on behalf of a Latin American conglomerate in an ICC arbitration seated in New York against a European manufacturer arising out of a contractual obligation to fund a separate arbitration proceeding.
- Successfully represented one of the two controlling owners of a global talent agency in an expedited arbitration and satellite litigation in the U.S. courts arising out of a dispute between the two owners over ultimate ownership and control of the company.
- Winning a significant LCIA arbitration in a multibillion-dollar claim for a Middle Eastern oil and gas company relating to oil interests in the Middle East.
- Successfully representing the Republic of Cyprus in its defense of a €1.4 billion investment treaty claim arising out of the treatment of the nation's second-largest bank during the eurozone financial crisis.
- Successfully representing a major car manufacturer in a €1 billion arbitration against a U.S.-based automotive supplier and in a related U.S. lawsuit relating to the termination of a supply contract (DIS).
- Successfully representing Argentine Grupo Dolphin/Pampa in an ICC $1.2 billion dispute arising from the purchase of Electricidad de Argentina S.A.
- Winning a strategically significant LCIA arbitration as part of the multibillion-dollar battle for control between the shareholders of the company controlling Turkey's largest mobile telecoms company.
- Securing victory on behalf of NTT DOCOMO, Japan's largest telecommunications company, in a $1.2 billion arbitration against Tata Sons representing the buyout price that Tata had refused to pay upon NTT DOCOMO's exit from their joint venture.
- Acting for the Republic of South Sudan in an award-winning victory arising out of a $1 billion ICSID claim concerning disputed ownership of oil fields.
- Securing victory in a HKIAC arbitration conducted on an expedited basis in a $1.6 billion dispute. The dispute concerned the operation of preemption provisions in a shareholder agreement.
- Representing Devas Multimedia in an ICC arbitration merits hearing and obtaining a $672 million victory against an Indian state-owned corporation. The dispute concerns a contract regarding the provision of cutting-edge satellite and terrestrial audiovisual, broadband and mobile telecommunications services in India.
- Securing dismissal for our clients of a $600 million arbitration under the auspices of the Netherlands Arbitration Institute. The dispute relates to the alleged unauthorized use of intellectual property.
- Representing a leading German bank in a major dispute with former board members regarding so-called "cum/ex" transactions.
- Winning an UNCITRAL arbitration against a Spanish multinational energy company concerning extension rights in a long-term LNG purchase and supply contract for a major Western Hemisphere energy company.
- Successful resolution of a multibillion-dollar contract dispute for an American biopharmaceutical company regarding a drug development collaboration that was subject to AAA arbitration.
- Successful resolution of an intellectual property licensing dispute for an American multinational pharmaceutical company with an Italian research and development company that was subject to ICC arbitration.
- Successfully settling a dispute involving a French high-tech consumer products company in an ICC arbitration related to the termination of a long-standing intellectual property and marketing relationship.
- Successfully settling a SIAC arbitration on behalf of a leading petrochemical company arising out of a dispute concerning the sale and purchase of specialized heat transfer equipment under the United Nations Convention on the International Sales of Goods (CISG).
- Winning a $250 million UNCITRAL arbitration for Atlantic LNG Company of Trinidad and Tobago relating to a long-term LNG sales contract.
- Successfully representing a private equity group in a dispute with a South Asian country as to ownership of significant shareholding in a large petrochemical development.

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Industry Experience

Investor-State Arbitration

- Advising a multinational oil and gas corporation in connection with a large bilateral investment treaty case against the Russian Federation arising from a significant expropriation.
- Successfully represented DP World in a BIT claim against the Kingdom of Belgium, arising out of the taking of DP World's concession in the port of Antwerp, Europe's second-largest port.
- Successfully represented *Agility Public Warehousing Company K.S.C. v. Republic of Iraq*, in an ICSID annulment proceeding to challenge an adverse 2021 award, obtaining a rare partial annulment. Skadden continues to represent Agility in this action.
- Vodafone International Holdings B.V. in its landmark victory against the Republic of India under the Netherlands-India bilateral investment treaty. In its September 2020 award, an UNCITRAL tribunal held that India's attempt to impose a $5.5 billion liability onto Vodafone and its Indian subsidiary — through retroactive withholding taxes, interest and penalties — was in breach of international law.
- Successful resolution of a decades-long dispute concerning an expropriated oil field in Latin America, in which our client once held a substantial economic interest that it assigned to a third party shortly before the asset was expropriated. Judgment on the award (totaling over $550 million) was entered in December 2021, and was amicably settled in 2024.
- NextEra Energy Global Holdings BV and NextEra Energy Spain Holdings BV in the successful prosecution of claims under the Energy Charter Treaty arising out of changes to Spanish law in the renewable energy sector. In May 2019, an ICSID tribunal awarded €292 million plus attorneys' fees in favor of Skadden's clients. At the time it was issued, this was the largest damages award rendered against Spain in the renewable sector.
- Vodafone Group Plc & Vodafone Consolidated Holdings Limited in pending investment treaty proceedings against the Republic of India arising out of retroactive changes to Indian tax legislation.
- The Republic of Cyprus in its successful defense of BIT claims arising out of its regulatory treatment of the nation's second-largest bank during the eurozone financial crisis. In a July 2018 award, an ICSID tribunal upheld Cyprus' defenses in full, rejected claims by the bank's former shareholders that had sought more than €1billion in damages, and awarded attorneys' fees in favor of Skadden's client.
- CC/Devas (Mauritius) Ltd., Telcom Devas Mauritius Devas and another claimant in a pending $1.6 billion investment dispute with the Republic of India, under the Mauritius-India BIT. The dispute concerns the cancellation of a contract regarding the provision by Devas Multimedia Private Limited of satellite and terrestrial audiovisual, broadband and mobile services in India. Skadden's client obtained a favorable merits award, and the damages phase of the case is pending.
- The Republic of Moldova in the successful defense of a BIT claim in the banking sector. In a 2017 award, a tribunal constituted under the SCC Arbitration Rules upheld Moldova's defenses in full and awarded attorneys' fees in favor of Skadden's client.
- The Republic of South Sudan in its oil sector negotiations and related international law issues following its secession from the Republic of Sudan. This included the successful defense of ICSID proceedings brought by Sudapet Co. Ltd. (the state oil company of Sudan) concerning the ownership of significant oil field interests (disputed amount exceeding $1 billion). *Legal Business* named Skadden as its 2017 International Arbitration Team of the Year for the defense of this case.
- Global Telecom and VimpelCom in an investment treaty claim against Algeria arising out of tax reassessments exceeding $1 billion, foreign exchange fines of $1.3 billion and a ban on dividend distribution. In April 2014, the claims resulted in a settlement agreement providing for cash payments to our clients of $4 billion, the free transfer of future dividends and a new joint venture arrangement with the Algerian government.
- The Slovak Republic in its successful defense of a BIT dispute involving claims in excess of €1 billion, a result named as one of *The American Lawyer*'s five Biggest Defense Wins in its global survey of international arbitration for 2011-13.
- Cemex Caracas I & II in an ICSID arbitration seeking to recover damages for Venezuela's 2008 takeover of a major cement company. The claim, based on the Netherlands-Venezuela investment treaty, was settled successfully.
- Investors in the well-known ICSID case of *Kardassopoulos and Fuchs v. Georgia*, resulting in a damages award of approximately $100 million under the Energy Charter Treaty and two BITs. At an earlier phase of the dispute, Skadden also established a landmark jurisdictional precedent concerning provisional application of the Energy Charter Treaty. This matter received a *Global Arbitration Review* award in 2012 for most impressive arbitration practice and a "standout" ranking from the *Financial Times* Innovative Lawyers Report.
- Investors in successfully settling the defense of annulment proceedings and revision proceedings under the ICSID Convention, as well as securing the lifting of a stay on enforcement of an ICSID award.

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- Grupo Dolphin/Pampa in connection with its rights under the 2005 contracts governing the purchase by a Pampa affiliate of Electricidad de Argentina S.A. (the parent of Buenos Aires utility EDENOR) from EDF of France. When Dolphin acquired EASA/DENOR in 2005, pending before ICSID was a $1.2 billion claim brought by EASA and EDF against Argentina under the France-Argentina BIT, relating to damages suffered by EDF/EASA from prior Argentine tariff reduction legislation. Dolphin acquired EASA on terms that both allowed EDENOR to renegotiate a new tariff with the Argentine government, and permitted Dolphin to direct the withdrawal of EDF/EASA's pending ICSID claim (which remained suspended pending the tariff renegotiation).
- A Singaporean investor in successfully settling ICSID proceedings against Indonesia involving claims valued at more than $300 million, commenced under an investment contract and the 1987 ASEAN Investment Agreement.
- Houston Industries in *Houston Industries v. Argentina*, one of the first investment arbitrations brought against the Republic of Argentina before ICSID and brought pursuant to the U.S.-Argentine BIT.
- A French investor in resolving on amicable terms an investment treaty dispute against Georgia under the ICSID Rules, valued at several hundred million dollars.
- The government of a Middle Eastern Emirate in its review of treaty protections in the context of a very significant 25-year concession over an infrastructure asset.
- Gambrinus Corp. in ICSID proceedings under the Barbados-Venezuela BIT relating to the 2010 expropriation of its stake in Fertinitro, a large fertilizer manufacturer.
- Numerous investors in investment treaty structuring matters across a very wide range of countries and industries. We routinely counsel clients on ways to hedge against political risk by structuring their investments to benefit from investment treaty protection (details of clients confidential).

EU Law and State Aid Litigation
- Kingfisher in the EC's state aid investigation into the U.K. CFC scheme and subsequent EU court appeal.
- A global energy supplier in an EC state aid investigation into the company's contractual arrangements with an EU member state.
- A global pharmaceutical company in the context of a preliminary EC state aid investigation and potential proceedings before the EU courts in relation to the company's tax arrangements.
- Renewable energy investors in arbitration proceedings and an EC investigation concerning allegedly unnotified state aid.
- The Republic of Cyprus in a dispute involving the application of EU state aid rules in the banking sector.
- An informal investigation commenced by the European Commission concerning the manner in which Ireland has been taxing a major pharmaceutical company in relation to its Irish companies and operations and whether this conforms to EU laws on state aid.
- A client in an LCIA arbitration arising out of a share purchase agreement.
- A client in a dispute concerning an appeal against an upcoming decision of the European Commission regarding the U.K. Controlled Foreign Companies laws.
- Two international investment arbitrations where states have pleaded EU State Aid Rules as part of their substantive defense.

English High Court Experience
- An international investment bank in connection with disputes arising under certain structured finance products in proceedings in the English High Court and in New York (valued in excess of US$1.5 billion).
- AAR (Alfa, Access & Renova) in its dispute with BP over the oil major's attempt to form a US$16 billion strategic alliance with Rosneft, the state-owned Russian oil company, for the exploration of oil in the Arctic Circle. The dispute involved obtaining an emergency injunction blocking the deal in the High Court.
- Dmitry Rybolovlev in claims against Yves Bouvier, Sotheby's and Samuel Valette, arising from a large-scale fraud conducted against him in relation to the purchase of a US$2 billion portfolio of artwork.
- Roman Abramovich in his successful defense of the multibillion-dollar proceedings brought against him in the English High Court by the late Boris Berezovsky (the largest private litigation in the world).
- AP Holdings Southaven LLC in proceedings in the English High Court relating to an ICC arbitration.
- Philip Morris International in a challenge to an EU directive and national legislation brought by various EU member states, (including a challenge in the English Courts).
- Anheuser-Busch Inbev in a complex multimillion-dollar contingent value rights claim involving a CVC-owned fund Starbev LP.
- Indian businessman Arvind Tiku in successfully defending a claim alleging that he fraudulently induced the claimants into selling shares in a Toronto-listed oil and gas company Nelson Resources Limited.

- A Russian investment company in a shareholder dispute with Ukrainian mining company Ferrexpo.
- The government of South Sudan in its successful recovery in English High Court proceedings of the proceeds of oil cargoes on four ships misappropriated by the government of the Republic of Sudan.
- Bassam Alghanim, a Kuwaiti businessman, in a dispute against e-mail hackers in the English High Court. The court granted all the relief sought against the English hackers, including payment of substantial costs within 14 days.
- Indian property developer Unitech Limited in successfully challenging an LCIA arbitration award on jurisdictional grounds before the English High Court.
- UCP Plc in the prosecution of claims under an Investment Management Agreement, and related disputes in Cyprus, India and the Isle of Man.
- RGI, an AIM-listed Guernsey-incorporated company involved in property development in Moscow, in High Court actions against Synergy Classic Ltd.
- An international bank in proceedings before the English High Court by a monoline insurer in relation to alleged misrepresentations in connection with a finance transaction in the European wind energy industry.
- A car manufacturer in relation to standalone and follow-on damages claims issued against it in the London High Court.
- Acting in the high-profile defenses of a High Court litigation brought in connection with the sale of shares in one of Russia's largest mining companies.

International Litigation in the US Courts

- A New York-based private equity company against fraud claims in federal court brought by a Luxembourg company over the acquisition and on-sale of a Quebec-based mining products company with a significant presence in operations Latin America.
- The Argentine Social Security Administration (ANSES), in a complex case before the United States Court of Appeals for the Second Circuit that raised issues of sovereign immunity for state-owned pension funds in circumstances where the creditors of the Republic of Argentina sought to seize $200 million of the assets of Argentina's social security administration in order to satisfy debts owed by the Republic. The U.S. Supreme Court rejected the last appeal by creditors seeking to attach assets located in New York.
- A foreign client in connection with several claims under Title III of the Helms-Burton Act. Title III provides a private right of action to U.S. nationals whose property was expropriated by the Cuban government on or after January 1, 1959, allowing them to sue anyone who knowingly and intentionally "traffics" in that property. Helms-Burton attracted international controversy on its enactment in 1996, and Title III was continuously suspended by multiple U.S. administrations until April 17, 2019, when the Trump administration lifted that suspension. The defense of claims under the statute (thus far successfully for Skadden's client) has raised complex issues of constitutional and international law.
- IRB-Brasil Resseguros, S.A., the largest reinsurer in South America, in multiple actions seeking to recover amounts due under certain global notes in which judgments in excess of $100 million were obtained for IRB and affirmed in a seminal case by New York's highest court.
- an individual in cross-border litigation arising out of the Icelandic banking crisis, including obtaining dismissal on forum non *conveniens* grounds of an action filed in New York.
- an international investment bank in connection with disputes involving proceedings in New York and London relating to several billion dollars of structured finance products.

International Discovery in the US Under 28. U.S.C. 1782

- Numerous settings where the cross-border discovery statute (Section 1782) has been used in an attempt to get U.S. style discovery in aid of foreign litigation or arbitration, including where the overseas proceedings occurred in Australia, India and England. In a recent case (*Interglobe v. Khanna*), Skadden successfully intervened and secured an order to quash deposition and discovery subpoenas issued on a potential witness in Maryland, purportedly in aid of LCIA India arbitration in New Delhi. The Maryland federal district court accepted Skadden's arguments and held it would not be proper for a U.S. court to impose its own procedures on the arbitral process.
- An international investment bank in connection with disputes involving proceedings in New York and London, in the course of which we simultaneously prosecuted and defended ten different 1782 applications in Illinois, Massachusetts, New Jersey, New York and Pennsylvania.
- U.S. respondents connected with a large Taiwanese manufacturing group in successfully opposing Section 1782 proceedings in New Jersey and Washington, D.C., which were commenced in connection with multibillion dollar claims brought in the courts of Hong Kong and Bermuda.
- A global beverage company in a complex commercial trial in the U.K., in the course of which we obtained critical evidence through a 1782 application in Colorado that helped secure our client's victory.

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- A Cayman-incorporated tech company in defending multiple 1782 applications in New York, Delaware, Washington, D.C., California and Arizona against persons and entities connected with a 2020 transaction in which a large Chinese enterprise was taken private, along with associated efforts in the Cayman courts to enjoin or limit improper discovery.
- A Hong Kong-based fund in coordinating 1782 applications in New York, California and Nevada to obtain 1782 deposition and document discovery from high-net-worth individuals and associated nonprofit companies, all in support of a Cayman Islands shareholder lawsuit against incumbent management — including defeating multiple motions to quash the subpoenas. The case included consideration of the effects of China's new data security law.
- Indian respondents in the successful defense of 1782 applications in Florida and Maryland in purported aid of Indian shareholder arbitration.
- Financial institutions in connection with a 1782 application in purported aid of Beijing shareholder arbitration.
- Foreign respondents in intervening to oppose and/or advise on 1782 applications in Florida and Wyoming in purported aid of London shareholder arbitration.
- A New York fund in connection with opposing a 1782 application in New York in purported aid of Australian anti-trust litigation.

Oil, Gas, Power and Energy

- Enka Renewables LLC, a subsidiary of Enka Insaat ve Sanayi S.A. (one of the world's largest construction companies), in its $1.5 billion dispute over the termination of the Namakhvani Hydro Power Project in the Republic of Georgia.
- Voimaosakeyhtiö SF (VSF), a Finnish entity comprising a range of Finnish power industry investors, in three ICC arbitrations arising from VSF's joint venture with Rosatom, the Russian State Nuclear Energy Corporation.
- A multinational oil and gas corporation in connection with a large bilateral investment treaty case against the Russian Federation arising from a significant expropriation.
- Alfa, Access & Renova (AAR) in its successful UNCITRAL arbitration against BP and securing an arbitral ruling prohibiting the consummation of the proposed $16 billion strategic alliance between BP and with Rosneft, the state-owned Russian oil and gas company, for Arctic Circle oil exploration.
- A U.S.-based oil and gas company, which sold a subsidiary for approximately $1 billion pursuant to a share purchase agreement governed by English law.
- A major Western Hemisphere energy company in two UNCITRAL arbitrations against two multinational energy companies concerning renewal rights in long-term purchase and supply contracts valued in excess of $1 billion.
- The Argentine Grupo Dolphin/Pampa in connection with its rights under the 2005 contracts governing the purchase by a Pampa affiliate of Electricidad de Argentina S.A. (the parent of Buenos Aires utility EDENOR) from EDF of France.
- Successfully settled a long-running dispute in the London Court of International Arbitration (LCIA) between our client, a United Arab Emirates consortium comprised of Crescent Petroleum, Dana Gas and Pearl Petroleum, and the Kurdistan Regional Government of Iraq.
- A Middle Eastern oil company as claimant against a German energy company in an LCIA arbitration in relation to their rights over two oil and gas fields.
- A renewable solar energy company in an ICC arbitration arising out of a project development agreement for the construction of two solar thermal power plants in Spain.
- A major U.S. energy company with Chilean subsidiaries in connection with a potential claim against the sellers of a hydroelectric power plant in southern Chile.

Telecommunications

- An Indian satellite and telecommunications company in an ICC arbitration against a Indian space agency venued in New Delhi in respect of an investment valued in excess of $1.6 billion.
- An LCIA arbitration $2.8 billion shareholder dispute between Eurasian and Turkish companies.
- Alfa Telecom Turkey (part of the Alfa investment group) in one of the most high-profile, multibillion-dollar, corporate battles concerning a leading mobile telecoms operator. The proceedings are before a distinguished LCIA tribunal sitting in London.
- Vivendi against Deutsche Telecom in Europe's largest telecoms arbitration relating to a shareholders' dispute worth in excess of €2.5 billion under the rules of the Vienna International Arbitration Centre. The arbitrations were successfully concluded in a global settlement of all litigations and arbitrations.
- Altimo, the telecom platform of the Alfa Group and the largest shareholder in VimpelCom, in securing a victory against Telenor, its second largest shareholder. Telenor sought to enforce its alleged preemptive rights under the VimpelCom shareholders agreement to preserve its voting interest in a major takeover. Telenor withdrew with prejudice all of its claims against Altimo, allowing the $23.5 billion merger to proceed.

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Mining, Resources and Commodities

- Vale S.A. in connection with the collapse of Dam I of the Corrego de Feijão iron ore mine in Brumadinho, Brazil.
- The Latin American subsidiary of a U.S. global specialty chemicals company in a multibillion-dollar pricing dispute with a governmental entity of a Latin American country.
- A venture capital and private equity company in an LCIA arbitration in London, under New York law, against a Hong Kong-based British counterparty relating to Brazilian regulatory approvals, success fees and earn-out provisions following the sale of a major iron-ore mining project in Brazil.
- One of the world's largest steel companies in a multibillion-dollar arbitration in South Africa concerning the conversion of mining rights.

Financial Institutions, Insurance and Securities

- A group of U.S.- and Switzerland-based international insurance companies in two arbitrations against another U.S.-based international insurance company. The arbitrations concern a worldwide advertising dispute with particular relevance to the Chinese market. Both sides have asserted claims for false advertising and other related claims for injunctive relief and an unspecified amount of damages.
- An international bank in relation to potential arbitration claims against it arising out of the sale of our client's Asia Pacific merchant acquiring business.
- A Singaporean investment company in the enforcement in Hong Kong of an SIAC arbitration award. The award is part of an ongoing shareholder dispute following a the high-profile dispute involving the trademark "Ku De Ta."
- A leading life insurer in Taiwan, in a dispute arising out of a $100 million IT implementation project with SAP, one of the largest enterprise software firms in the world.
- An Indian financial institution in a New York-based ICDR arbitration arising from a dispute with a minority investor, a U.S.-managed investment fund, which sought to sell back its equity stake in a jointly held company based in India.
- A financial services client in a $500 million LCIA arbitration arising out of an asset management agreement in breach of local regulations.
- A Brazilian financial institution in a potential post-M&A arbitration relating to a sophisticated escrow arrangement and a complex series of indemnification claims following its sale of a bank in Switzerland. The Swiss Chambers in Zurich is the designated arbitration institution and the dispute is governed by Swiss law.

Health Care, Life Sciences and Pharmaceuticals

- Lead counsel for a Canadian pharmaceutical device company in a large ICDR arbitration against its U.S. distributor, in which our client claims a breach of a U.S. distribution agreement, including failure to honor a commitment to promote and market the products in question.
- An American biopharmaceutical company in the successful resolution of a multibillion-dollar contract dispute regarding a drug development collaboration that was subject to AAA arbitration.
- A large, nationwide provider of electronic medical records software in an ad hoc arbitration.
- Brazilian sellers with respect to a post-closing dispute with a U.S. company arising out of the Quota Purchase Agreement in the health care field.
- A major pharmaceutical company and its affiliates against four insurers in four Bermuda Form arbitrations seated in London.
- A leading U.S. pharmaceutical company in a $100 million claim against one of its excess liability insurers.
- A designer and manufacturer of valved holding chambers for infants and seniors in connection with an ICDR arbitration relating to an exclusive supply agreement.
- A pharmaceutical device manufacturer in an ICDR/AAA arbitration arising out of an action to terminate a worldwide pharmaceutical marketing license for a cancer diagnostic product.
- Shareholders in a €200 million ICC arbitration for release of a retention bond following the sale of a pharmaceuticals company.

Real Property and Hotel-Related Cases

- Acting for entities associated with members of the Qatar Royal family in a series of disputes, across multiple jurisdictions, and including a major LCIA arbitration in London relating to a group of super-luxury landmark hotels.
- Emaar Properties, in connection with its billion-dollar property investment in India with MGF properties. This London-seated, Indian law governed ICC arbitration arises out of a dispute between our client and an Indian property developer.
- Lead counsel for a North American hotel owner in a dispute with a European hotel management company concerning the "Force Majeure" termination (in 2021) of a hotel management contract due to COVID-19. The dispute is governed by New York law and calls for ICDR arbitration in Miami.

International Litigation and Arbitration

Continued

Construction and Equipment

- A U.S. energy company in an ICC arbitration and several parallel U.S. District Court and Appeals Courts cases involving a Spanish multinational corporation and certain of its subsidiaries. The multi-party dispute relates to a project to build a power generating station in the Northwest United States.
- A global engineering and construction company headquartered in a Eurasian country in its ICC arbitration against a Francophone African state and a state agency.
- A major energy services company in connection with a series of potential disputes with its contractor concerning the construction of a major power transmission line in Canada. The contract requires an ICC arbitration seated in Canada. The disputes involve significant issues, including claims regarding construction delay and cost, performance of the contract by the contractor, environmental breaches and associated damages.
- An affiliate of a major U.S. energy company in an ICC arbitration arising out of the construction of a gas pipeline in Colombia, including disputes over an early completion bonus.
- A Colombian cement producer in a Panama- and Madrid-based Inter-American Convention arbitration involving a dispute with a Danish cement equipment manufacturer over the sources and location of significant limestone deposits in Colombia.

Manufacturing

- A Latin American conglomerate in an ICC arbitration seated in New York against a European manufacturer arising out of a contractual obligation to fund a separate arbitration proceeding (New York law).
- Minority shareholders of a $1billion Latin American company whose assets were the subject of expropriation in late 2010.
- A multiparty claim against a Russian businessman in a $1 billion LCIA arbitration arising from alleged breaches of a shareholders agreement; this involved proceedings in the London High Court, Cyprus, and in international arbitration.
- A major Mexican cement manufacturer and its Indonesian and Philippine affiliates in an ICC arbitration arising out of a breach of shareholders agreement concerning buy-back provisions and the valuation of shares.
- The Coca-Cola Company in a dispute with Monster Energy concerning whether the launch of Coca-Cola Energy violates certain distribution coordination agreements between the parties.

Other Commercial Transactions

- Embraer S.A. and its related entities in a high-profile dispute in which the company is party to three international arbitration proceedings against The Boeing Company and its related entities arising out of the failed acquisition by Boeing of Embraer's commercial and military businesses.
- Megapolis (one of Russia's largest consumer goods distribution companies) in a complex LCIA arbitration, valued in excess of $300 million.
- Secured an arbitration victory for Rakesh Gangwal, the former CEO and chairman of US Airways and one of the two billionaire founders of India's largest airline, IndiGo. The LCIA arbitration was brought by his co-founder Rahul Bhatia and concerned a dispute over related party transactions and corporate governance.
- Acting for a company that manages a global freeware, cross-platform, cloud-based instant messaging software and application service, in a series of LCIA arbitrations.
- Representing an international private equity fund as respondent in a post-M&A dispute with a strategic buyer regarding a target in the construction industry based on allegations of fraudulent failure to disclose certain risks (DIS).
- An international company in a dispute with West Bengal as to the ownership of a significant shareholding in a very large (and strategically important) petrochemical development, arising in the context of a restructuring arrangement.
- A leading petrochemical company in an arbitration administered by the Singapore International Arbitration Centre (SIAC) arising out of a dispute concerning the sale and purchase of specialized heat transfer equipment under the United Nations Convention on the International Sale of Goods (CISG) and Singapore law.
- One of the major shareholders in a US$2 billion fight for control over a Nasdaq-listed Chinese gaming company, which was privatized in late 2015.
- A client in an ICC arbitration between a South Korean company and a Barbados-based company and its Canadian parent commenced by the Korean company for claims arising out of a franchise relationship governing the distribution of retail goods in South Korea and related appeal on jurisdiction in the courts of Singapore.
- The Chinese equivalent of Facebook or Twitter, a NASDAQ-listed company, and one of its subsidiaries in their defense of an arbitration claim valued at $650 million seated in the Netherlands. The dispute arose from a joint venture between our client and a Dutch Company.

International Litigation and Arbitration

Continued

- Achieving a very beneficial settlement agreement on behalf of a global specialty chemicals company in a mediation in Amsterdam that concluded a large dispute about warranty claims 10 years prior to our involvement.
- A leading innovator and manufacturer in a certain sector of technology-based consumer products.
- A U.S. private equity company with respect to its investment in a manufacturing company and its involvement in complex litigation proceedings in two courts in the PRC and a Hong Kong international arbitration seated in Hong Kong.
- A global media conglomerate in a dispute against a Turkish government entity in an international arbitration under the Istanbul Arbitration Centre (ISTAC) Arbitration Rules seated in Turkey.
- A Chilean company in a corporate dispute with a joint venture partner over a proposed hostile tender offer for publicly traded shares of the joint venture's subsidiary.
- A Chinese private equity firm that specializes in the media and technology sector in a HKIAC arbitration brought by its partner, a Dutch television format company, over the rights in the highest rating reality program in China, (the Chinese version of "The Voice").
- A private equity firm focused on travel and tourism in China and one of the world's largest online travel agents in a successful defense of a claim brought by two claimants.