



DISPUTE RESOLUTION

www.gratanet.com

Dispute resolution practice of GRATA International is represented by a team of professionals with a profound knowledge of the wide range of disputes and an impressive experience in its resolution throughout all countries of the law firm's presence.

Our lawyers are top-ranked experts in various areas of law, recognized by international rankings. The team includes lawyers with judicial experience, acting arbitrators of international commercial arbitration institutions. GRATA International is among the best law firms according to Chambers Europe, Legal 500 and Pravo-300.

Our clients are both local and multinational companies that appreciate our creative and non-standard approach, understanding of clients' needs and positive outcomes.

Our main success factor is the safe and successful business of our clients. Therefore, regardless of the size of your project, you will receive legal services of high quality.

SERVICES



Commercial disputes



Corporate disputes



Collection of receivables



Pre-trial dispute settlement



Representation in courts of law and arbitration (state commercial) courts, in arbitration proceedings



Representation in the antimonopoly body in resolving disputes related to unfair competition



Legal support in the course of enforcement



Bankruptcy, restructuring and transactions with "bad" assets



Asset tracing of debtors



Recognition and enforcement of foreign judgments and arbitral awards



Taking interim measures in connection with arbitration proceedings taking place abroad



Legal support during inspections of state bodies



Disputes with governmental authorities



Mediation

EXPERIENCE

- Representing one of the biggest construction companies in the region, in the major litigation against one of the biggest commercial banks in the Republic of Armenia. The matter refers to the 4 bank guarantees in the total amount of USD 1 219 429 and EUR 3 645 874. The root cause of the dispute is not thoroughly specified the extent of the independence of bank guarantees from the guaranteed obligations as per the Armenian legislation, and hence the court findings in the frames of the case are predicted to become a judicial precedent for Armenia;
- Representing the client in the administrative court proceedings against the Armenian Tax Service Office. The case refers to disputing the fines assigned by the Tax Services regarding the deals the tax service allegedly qualified as “only paper-based transfers”. The deals in question are two major contracts the client concluded with one of the subcontractors in the frames of EIB (European Investment Bank) and ADB (Asian Development Bank) financed Armenian Government project for the reconstruction of M1 Talin-Lanjik-Gyumri Road. The disputed fine amount is approximately USD 3,5 million;
- Representing the Armenian branch of a Chinese state-owned hydropower engineering and construction company in bankruptcy proceedings against its debtor to foreclose the debt in the amount of USD 796 942 and EUR 3 121 032;
- Represented Toshiba Company against a local company before the Supreme Court of Azerbaijan in recognition and enforcement of Foreign Arbitral Award in favor of our client. The award was recognized and directed to the Bailiff’s department for enforcement (USD 4.4 million);
- Represented the subsidiary of a Turkish construction company (defendant) before Azerbaijani courts in a dispute (value USD 5.5 million) with Azerbaijani Deposit Insurance Fund (plaintiff). Achieved conclusion of a settlement agreement in favor of the defendant;
- Represented an individual shareholder of the local company (defendant) in a dispute with the other shareholder of the company (plaintiff). Achieved conclusion of a settlement agreement in favor of our client and the defendant's successful exit from the company through a share sale-purchase agreement;
- Recognition and enforcement on the territory of Belarus of a foreign court decision in favor of the export support center of another state including stages of appeal, as well as subsequent legal support of enforcement proceedings against a debtor in Belarus as part of debt collection related to export financing by a foreign financial structure;
- Legal support of a foreign food equipment manufacturer in a commercial dispute with a Belarusian purchaser connected with a failure to perform payment obligations and performance of conditions for turnkey works, including a pre-trial settlement of the dispute;

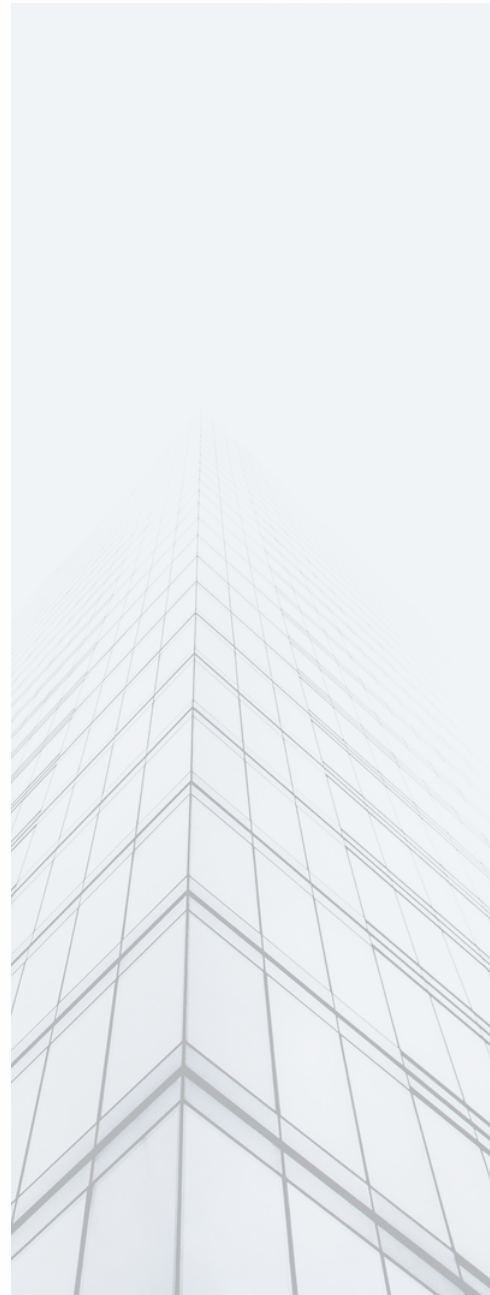
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“The team's significant knowledge, high degree of accountability, and willingness to go above and beyond were all on display when providing services...”

- Chambers Global Guide 2023

EXPERIENCE

- Consultation and representation of an EAEU resident cargo receiver in connection with seizure of goods by the Belarusian customs authorities based on false declaration. Within a project we provided legal consultation on customs and administrative law and procedural legislation, drafted documents for participation in administrative proceedings, including on replacement of the security measure and release of the seized cargo;
- Representing Hong Kong Company against KorkemTelecom in China International Economic and Trade Arbitration Commission (CIETAC). The Claim is justified and fully satisfied by CIETAC. Enforcement and recognition of the CIETAC Arbitral award in Kazakhstan State Court;
- Representing construction company on a road construction project transportation corridor “Western Europe-Western China” in the Court of AIFC against The Committee for Road of the Ministry of Industry and Infrastructure Development of Republic of Kazakhstan, claim amount USD 3 178 977. The Claim is justified and fully satisfied;
- Representing China Rising Energy International in Arbitration cases in Kazakhstan International Arbitration as defendant (the claim amount was reduced to USD 5,5 million);
- Representing a client in the local courts in the tax dispute on transfer pricing (USD 15 million);
- Representing a client in the court dispute related to loan facility agreement against one of the largest commercial banks (claim USD 50 million);
- Representing a foreign investor in the local courts in the dispute related against a local commercial bank in a dispute on a return of deposits and invalidation of the mortgage agreement (EUR 15 million);
- Representing several depositors in the District Courts of Nicosia for their blocked funds at FBME Cyprus after the bank’s license was revoked by CBC on December 21, 2015;
- Assisted several clients of FBME Cyprus to receive their compensation of EUR 100 000 (guarantee scheme deposit) from the Central Bank of Cyprus;
- Legal Services in Recognition of Foreign Judgments in Civil, Commercial Matters and Arbitral Awards;



EXPERIENCE

- Representing a Russian air carrier in its dispute with one of Kazakhstan's airports over an aircraft accident - a birdstrike. To date, there was no judicial practice on this issue. We created the first precedent in the Kazakh judicial practice by proving in court that the airport was liable for the damage;
- Representing one of the largest Kazakh manufacturing plants in nine litigations with suppliers over fraud and invalidity of contracts. We have successfully invalidated fraudulent contracts;
- Representing interests of a holding company managing assets in the oil and gas in a corporate dispute in AIFC Court;
- Representing a major Kazakhstani mobile company, Jusan Mobile against a Kyrgyzstani state telecommunication company in a dispute on a debt recovery under the service contract;
- Advised and represented Huawei Technologies Co., Ltd. as a creditor in bankruptcy procedure of the mobile operator Fonex (AkTel LLC), participated in court proceedings, creditors' meetings, and advised the client on restructuring AkTel LLC, observed tenders and supported the client during the procedure of a special administration;
- Representing a Korean insurance company in recognition and enforcement of arbitral award of the Korean commercial arbitration board;
- Representing one of the largest pharmaceutical distribution companies from Egypt in complex fiscal litigation with the annulment of certain administrative acts for the establishment of financial obligations related to customs duties (customs taxes and VAT) in connection with some types of medicines;
- Representing Moldovan Authorities - State Road Administration before the Court of Milano and the Court of Venice, Italy in defending claims deriving from infrastructure development agreements in two arbitrations on contractual performance, with claims valued at over EUR 15 million;
- Advising one of the major German construction companies in relation to several civil disputes in public procurement matters, as well as in domestic litigations regarding public procurement proceedings in connection with works and services of public interest. Deal's value exceeded EUR 12 million;
- Represented the borrower during mediation and debt collection proceeding;
- Represented Service provider for payment dispute with the Client and successfully executed Reconciliation agreement;
- Represented the corporate clients on various commercial contract-related disputes under civil court proceedings;
- Successful representation of a Russian representative office of the world leading company providing services related to the utility systems, in a dispute with one of the largest oil refinery plants in the Russian Federation over the recovery of a debt under a construction contract;
- Successful representation of a Russian office of a US company, a world leader in the development of tapping and plugging technologies, in a case on inclusion into a register of creditors of a company rendering repair works and technical support of gas pipelines of a claim in the amount of about RUB 1 billion;

EXPERIENCE

- Successful representation of a Russian subsidiary of one of the largest international entertainment channels in a series of disputes (over 10 disputes) with cable operators on enforcement and debt recovery under license agreements for about RUB 90 million;
- Representing a large Russian company engaged in drilling and blasting operations for large infrastructure and construction projects in the Russian court proceedings related to the recovery of the debts from the counterparty;
- Representing a large oilfield service company in a dispute with the largest oil company of Serbia to the recovery of the debt for the works performed and a counterclaim for recovery of losses caused by an oil well accident;
- Representing an oil company in tax disputes in Russian courts challenging the tax audit results for the amount of additional expenses of USD 500 000;
- Representing several European insurance companies in Russian courts in cases for reimbursement of the amount of the guarantees from a Russian company for USD 1 million;

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High levels of responsibility, professionalism, preparedness and availability were displayed by the GRATA International team. - Chambers Global Guide 2023

- Representing the largest cement producer in Europe in a corporate conflict with the Russian party and returning of assets previously moved out of the joint company for a total value of over USD 25 million;
 - Representing a large agricultural enterprise in a corporate conflict. The client's control over the moved-out assets was restored;
 - A joint project with GRATA Moscow office to protect a subsidiary of a large foreign holding company against a claim for over RUB 900 million. The court proceedings resulted in the dismissal of claims brought against our client in full;
- Successfully protected the interests of KNAUF Petrobord LLC, a subsidiary of KHAUF, Group, in a dispute with Rosprirodnadzor (the Federal Service for Supervision of Natural Resources) over unlawful recalculation of coefficients on waste disposal limits;
 - Representing a major construction trust in a dispute with the Federal Tax Service, resulting in a 94% reduction of tax authorities' claims;
 - Representing a Client in a dispute over recovery of a total amount of 270 million rubles (about EUR 4.5 million) under agreements to novate prior transactions;
 - Advising and representing the interests of a Kazakhstan-based telecom operator in the economic courts of the Republic of Tajikistan on debt collection from the Tajik Internet provider;
 - Advising and representing the interests of the Branch of a French construction consulting company in the courts of the Republic of Tajikistan on labour issues;
 - Advising and representation of the interests of a Russian commercial bank in the economic courts of the Republic of Tajikistan for the recovery of debts from a Tajik textile factory;
 - Consulting and representing interests of Employee vs. multinational oil & gas corporation;

EXPERIENCE

- Consulting and representing the interests of local IE before authorities of Turkmenistan within the framework of arbitration case on large-scale multijurisdiction deal.
- Acting as Turkmenistan law legal expert for a Turkish construction company in pre-judicial settlement of dispute due to issuance of wrong technical conditions and design documents by the owner of a construction project in Turkmenistan;
- Acting as Turkmenistan law legal expert for Integral Petroleum SA in pre-judicial settlement of oil and gas delivery suspension dispute due to COVID-19 pandemic restrictions in Turkmenistan;
- Acting as Turkmenistan law legal expert for an Iranian oil and gas company in an unlawful termination of contract case against Turkmenistan oil and gas company;
- Acting as Turkmenistan law legal expert for a Belorussian chemical industry equipment manufacturer in an unlawful termination of contract and payment of damages case against Turkmenistan chemical industry company;
- Successful defense of Coca-Cola Bottlers Uzbekistan in a USD 2 million potential tax avoidance case against the State Tax Committee of Uzbekistan;
- Successful defense of UzBAT JV against a lawsuit for annulment of unilateral termination of employment filed by a highly ranked official;
- Successful representation of Bunyodkor FC football club at CAS (Switzerland) in a dispute against Rivaldo (Brasil) and annulment of FIFA decision;
- Representing the interests of the client during debt collection via foreclosure and in cases related to the termination of loan security;
- Defending client's interests in the dispute with Ministry of Infrastructure of Ukraine related to violation of antitrust regulations (abuse of monopoly position);
- Representing the interests of one of the largest operators of railway rolling stock in cases of compensation for damages caused by armed aggression.



KEY CONTACTS



Khoren Nasibyan

Managing Partner
Yerevan, Armenia

T: +374 9819 0000
E: khnasibyan@gratanet.com



Ummi Jalilova

Managing Partner
Baku, Azerbaijan

T: +994 51 855 5145
E: ujalilova@gratanet.com



Alexander Korsak

Partner
Minsk, Belarus

T: +375 29 373 5500
E: akorsak@gratanet.com



Gulnur Nurkeyeva

Partner
Beijing, China

T: +86 10 85 098 768
E: gn@gratanet.com



Nasos A. Kyriakides

Managing Partner
Limassol, Cyprus

T: +357 25 35 2352
E: nkyriakides@gratanet.com



Irakli Kordzakhia

Partner
Tbilisi, Georgia

T: +995 32 292 18 78
E: irakli.kordzakhia@gratanet.com



Askar Konysbayev

Partner
Almaty, Kazakhstan

T: +7 701 716 8102
E: akonysbayev@gratanet.com



Ainura Takeyeva

Counsel
Aktau, Kazakhstan

T: +7 701 555 8761
E: atakeyeva@gratanet.com



Liya Akzhanova

Partner
Astana, Kazakhstan

T: +7 701 523 84 68
E: lakzhanova@gratanet.com



Zaira Sarsenova

Partner
Atyrau, Kazakhstan

T: +7 701 768 0785
E: zsarsenova@gratanet.com



Elvira Maratova

Partner
Bishkek, Kyrgyzstan

T: +996 312 31 4050
E: emaratova@gratanet.com



Igor Popa

Senior Partner
Chisinau, Moldova

T: +49 69509565401
E: ipopa@gratanet.com

KEY CONTACTS



Bolormaa Volodya

Partner
Ulaanbaatar, Mongolia

T: +976 990 850 31
E: bvolodya@gratanet.com



Vyacheslav Khorovskiy

Managing Partner
Moscow, Russia

T: +7 495 660 1184
E: vkhorovskiy@gratanet.com



Igor Stepanov

Managing Partner
Rostov-on-Don, Russia

T: +7 928 229 9596
E: istepanov@gratanet.com



Dmitry Samigullin

Managing Partner
Samara, Russia

T: +7 927 692 0522
E: dsamigullin@gratanet.com



Denis Shestakov

Partner
Saint Petersburg, Russia

T: +7 812 384 4838
E: dshestakov@gratanet.com



Kamoliddin Mukhamedov

Partner
Dushanbe, Tajikistan

T: +992 44 620 4163
E: kmukhamedov@gratanet.com



Adil Ali Ceylan

Senior Partner
Istanbul, Turkey

T: 90 212 465 66 99
E: ali.ceylan@gratanet.com



Ikbal Said Alauddin

Managing Partner
Ashgabat, Turkmenistan

T: +993 6105 0586
E: isaidalauddin@gratanet.com



Mykola Aleksyuk

Partner
Kyiv, Ukraine

T: +38 050 932 62 19
E: maleksiuk@gratanet.com



Issam Dahman

Managing Partner
Dubai, UAE

T: +971 56 656 4745
E: idahman@gratanet.com



Irina Obukhova

Partner
Tashkent, Uzbekistan

T: +9 9893 578 0629
E: iobukhova@gratanet.com

GRATA INTERNATIONAL

ABOUT US

GRATA International is a dynamically developing international law firm which provides services for projects in the countries of the former Soviet Union and Eastern Europe

full coverage of the entire region with network of offices, highly qualified team of professionals suited for cross-border projects.



Firm's reputation and expertise are confirmed by testimonials from transnational clients and leading international ratings.

A wide network of office operating under one system and platform delivers great convenience for our clients.

Any office can act as a "one-stop-shop" for its clients and provide them with access to services in other cities and countries.


GRATA INTERNATIONAL FIRM FACTS

 **> 22**
countries of presence

 **> 31**
years of experience

 **> 250**
professionals

 **> 15**
practice areas


7 700+
clients

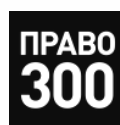

15 000+
projects

Recognition

GRATA International is regularly acclaimed by leading international rankings: Chambers Global, Chambers Asia-Pacific, Legal 500, IFLR1000, WWL, Asialaw Profiles, and is featured in Deals of the Year Awards by China Business Law Journal.

"The firm built up a convenient one-window interface to work with all jurisdictions it supports"

The Legal 500, 2022



Best Lawyers

THE WORLD PRESENCE



Integrated Offices

Azerbaijan
Baku

Belarus
Minsk

Georgia
Tbilisi

Kazakhstan
Astana
Almaty
Atyrau
Aktau etc.

Kyrgyzstan
Bishkek

Moldova
Chisinau

Mongolia
Ulaanbaatar

Russia
Moscow
Rostov-on-Don
St. Petersburg

Tajikistan
Dushanbe

Ukraine
Kyiv

Uzbekistan
Tashkent

Associate Offices

Armenia
Yerevan

Cyprus
Limassol

Russia
Samara

Turkmenistan
Ashgabat

Turkey
Istanbul

UAE
Dubai

Representatives

China
Beijing

Germany
Frankfurt

Malaysia
Kuala Lumpur

Switzerland
Zurich

UK
London

USA
New York