



**DISPUTE RESOLUTION
PRACTICE IN RUSSIA**





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GRATA INTERNATIONAL IN RUSSIA



60+
PROFESSIONALS



950+
CLIENTS



26
YEARS OF
EXPERIENCE





ABOUT FIRM

GRATA International is an international law firm that provides services in the following practices, including corporate law, international trade and customs law, project finance and public-private partnership, real estate, litigation, intellectual property, etc.

Our experience and knowledge allow our clients to conquest serious disputes and settle complex issues in the most efficient way. We adhere to very responsible approach to every case and properly perform our obligations to the clients. GRATA International experts are professional lawyers, attorneys, who have extensive experience in addressing legal issues in various areas of law, take active part in drafting bills as experts, thus providing high-quality services and participating in the creation of a favourable legal and business climate.

GRATA International is a global team uniting the unique expertise of more than 250 highly qualified lawyers in more than 18 locations.

Since its foundation in 1992, GRATA International has been striving to provide its clients with the high-quality legal services, always expanding the range of services and a network of partner offices.

Therefore, taking into account the opportunities offered by Russia within the framework of doing business, GRATA International opened its office in Moscow, then in St. Petersburg and Rostov-on-Don, and further expanding to Novosibirsk, Samara.

The firm's ability to provide high-quality outcome using access to many world jurisdictions, as well as the ability to address the most complicated assignments of clients in the most effective way for both parties, is our main advantages that we implement in our Russia offices.





INTRODUCTION

“For several years of our work we have been managed to unite top-ranked specialists in various law sectors, which is supported by international and Russian rankings. GRATA International is among the best law firms according to Chambers Europe, Legal 500 and Pravo-300 (Право-300).

Litigation practice of our firm in Russia includes 5 offices in different cities and is represented by a team of professionals with profound knowledge of the whole range of court matters and an impressive experience in addressing disputes throughout the territory of Russia and beyond.

Our clients are both Russian and multinational companies that appreciate us for creative and non-standard approach, understanding of clients needs and positive outcome.

Our main success criterion is the safe and successful business of our clients. Therefore, regardless of the scale of your project, you will receive services that you deserve!”



Dmitry Samigullin,
Managing Partner,
RBL Law Office
Associated office of
GRATA International
in Samara
The Best Lawyer according to
Chambers&Partners Europe 2017



OUR KEY FOCUS AREAS

Pre-trial dispute settlement

Court representation in Russia,
all instances

Representation on
arbitrations and arbitral tribunals

Legal support in
the course of enforcement

Enforcement of
foreign judgements and awards

Seeking injunctions
in foreign arbitrations

Acting as an expert on Russian
law in arbitration
proceedings held abroad

Legal support in the course
of audits by state authorities

Legal advice on the structuring of
transactions and
investments from a dispute
resolution perspective (choice of
law, forum, investment treaty
protection, jurisdictional matters)

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Court is one of the few places
where you can obtain justice.

Yevgeniy Gorokhov,
Attorney at law, Head of Dispute Resolution Department,
GRATA International in Moscow

”



OUR EXPERIENCE

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LAWYERS



Moscow

- Successful representation of a Russian representative office of the world leading company providing services in utility systems, in a dispute with one of the largest oil refinery plants in the Russian Federation over recovery of debt under a construction contract;
- Successful representation of a Russian representative office of a foreign company in a legal dispute with the world's largest enterprise for the production of high-grade phosphate raw materials on debts recovery under a service contract under a claim for over 30 mln roubles;
- Successful representation of a Russian representative office of a large foreign company in a court dispute with a counterparty on debts recovery under a contract. Over 63 mln roubles were collected in favour of the claimant through pre-trial settlement and legal proceedings;
- Successful representation of a Russian representative office of one of the world's largest international group of companies, engaged in production, maintenance services and leasing of compressor, mining and industrial equipment, as well as construction machinery in a dispute over recovery of surrender value of leasing item under the claim for about 30 mln roubles;
- Successful representation of a Russian representative office of a large foreign company in a dispute with a Russian company with a supplier of metal products (armature, billets) and metallurgical raw materials (scrap metal) in a dispute over recovery of debts under a supply contract under a claim for over 33 mln roubles;
- Successful defence of a Russian representative office of a US company - world leader in the development of tapping and plugging technologies, in the case on inclusion into the list of creditors of the company rendering repair works and technical support of gas pipelines, recovery of a debt in the amount of about 1 bln roubles;
- Successful representation of a Russian subsidiary of one of the large international entertainment channels in a series of disputes (over 10 disputes) with cable operators on enforcement and debt recovery under license agreements for about 90 mln roubles.

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The form of provision and presentation of information on the case depends on the dispute venue, court, and a particular judge.

We take into account these features in our work.

Evgeniya Bondarenko,
Managing Partner of USCONSALT Law Firm, Associated office of
GRATA International in Novosibirsk

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Our experience

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LAWYERS



Novosibirsk

- Successful representation of shareholders of the largest energy company in a dispute on the recovery of securities with a total value of about 30 mln US dollars;
- Successful representation of the world's largest producer of high-quality anthracite (customer) in a dispute with a road construction company in Siberia (contractor) on uncompleted and poorly executed works during the road construction. The aggregate amount of the settled claims under the amicable was 8 mln US dollars;
- Successful representation of the creditor in challenging the debtor's transactions, under which the claims of other creditors were included into the register of claims for a total of about 1.5 mln US dollars;
- Successful representation of a housing cooperatives in the Supreme Court of Russia in a dispute with the antimonopoly authority and the largest telecommunications operator in Russia. Judicial acts of three arbitration instances were cancelled and a decision was made in favour of the principal. This Supreme Court precedent stopped the practice of prosecution of housing cooperatives throughout Russia;
- Successful representation of the world's largest producer of high-quality anthracite in a dispute on the protection of its business reputation in a dispute that arose from the publication of untrue information by the former employee of a principal;
- Successful defence of a large bottled water producer (customer) in a dispute with a software developer (contractor) for automation of planning and monitoring of order delivery to clients. It was proven that the software is suitable for use by the principal, the debt and penalty were recovered from the contractor;
- Successful comprehensive support of creditors in challenging several transactions of the debtor, invalidation of contracts for a total amount of over 10 mln US dollars.



Our experience

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LAWYERS



Rostov-on-Don

- 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 25 mln US dollars;
- Legal support in a large tax dispute in court between participants of the railway infrastructure and the tax authority. The dispute resulted in the 90% reduction of the amount of tax additional charges totalling to more than 1 bln roubles;
- Representing a large agricultural enterprise in a corporate conflict. The client's control over the moved-out assets was restored;
- Restructuring of the debt obligations of a large food processing company through the judicial procedures, including the bankruptcy procedure, which resulted in the preservation of the debtor's business;
- A joint project with GRATA Moscow office to protect a subsidiary of a large foreign holding company against a claim for over 900 mln roubles. The court proceedings resulted in the dismissal of claims brought against our client in full (I instance).



Our experience

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LAWYERS



Samara

- 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 debts recovery from the counterparty. The debt amount was 2 mln US dollars;
- Representing a large oilfield service company in a dispute with the largest oil company of Serbia to recover the debt for the work performed and a counterclaim for recovery of losses caused by the oil well accident. The court proceedings were conducted in accordance with the Regulations of the Arbitration Institute at the Stockholm Chamber of Commerce under the Serbian law. The amount of claims was over 400 thsnd Euros;
- Representing an oil company (with American Hess Corporation as the major shareholder) in tax disputes in Russian courts challenging the tax audit results for amount of additional expenses of 500 thsnd US dollars;
- Representing 12 European insurance companies in Russian courts in cases for reimbursement of the guarantees amount from a Russian company for 1 mln US dollars.



Our experience

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LAWYERS



Saint Petersburg

- Successful representation of Lomonosov Ceramics, the largest ceramics manufacturer in the North-Western Federal District, in a dispute with the Interdistrict Inspectorate of the Federal Tax Service (Inspectorate) on additional charging of VAT for over 13.5 mln roubles and bringing to tax liability under the relevant article. The complexity of the dispute was that at the moment of the client's appeal, the court precedents were in the Inspectorate's favour because the courts based on the fact of dishonesty in the conduct of tax agents when choosing counterparties. During the court proceedings, the lawyers of Legal Studio Law Office (GRATA International associated office) managed to prove that the Inspectorate's findings on unreasonable tax benefits were mistaken, and also to change the courts approach to consideration of this category of disputes;
- Protecting the rights of a (Waste Processing) Plant to a property complex of over 350 mln US dollars in a dispute with the City Property Management Committee of St. Petersburg, including restoration of the rights to illegally seized property (190 items total);
- Representing three large hotel complexes in St. Petersburg in a dispute with the Federal Antimonopoly Service of Russia. The dispute consideration was complicated by the presence of formal signs of collusion and simultaneous change by the clients in prices for hotel services. The legal position developed by our team allowed neutralising the negative circumstances of the dispute and led to the satisfaction of the clients' claims in full;
- Successful representation of an enterprise engaged in the manufacture of die tooling in the recovery of debts under the construction contract for over 315 mln roubles. The situation was complicated by the existence of an additional agreement signed between the parties, which significantly changed the subject of the construction contract;
- Representing a large trading house in St. Petersburg in a dispute with the City Property Management Committee regarding the inclusion of the leased premises into the list of objects that are not subject to redemption by the lessee. When addressing this category of disputes, courts often base on the priority of the state interests. During the dispute hearing, the lawyers proved the contradiction in the Committee's actions to the Law of St. Petersburg 'On the Development of Small and Medium Businesses in St. Petersburg' (No. 194-32);
- Representing an individual in a corporate dispute. At the time of appeal, the client being the majority shareholder of the company had lost control over the property complex worth a total of 2.5 mln US dollars. The measures taken allowed restoring the control over the enterprise in full, transactions related to the property alienation were successfully challenged within several proceedings and the property was returned to the legal owner;
- Representing the contractor in a dispute with the tax authority. The tax authority audited the taxpayer's activities on the construction of Zenit stadium within in preparation for the World Cup. The company's turnover for the audited period was more than 15 bln roubles. The dispute consideration resulted in a decrease in the total amount of additional charges from 200 mln to 36 mln roubles;
- Representing a large developer in the Supreme Court in a dispute with IDGC of Centre on recovery of a penalty under a standard agreement for technological connection to electric grids that is concluded on identical terms throughout the territory of Russia. Within the dispute, in January 2018, the Supreme Court changed the legal approach and deprived IDGC of Centre of the right to accrue and recover a penalty from developers under the agreements for technological connection to electric grids based on the conditions that provide for advance payments.



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