Dispute Resolution

Litigation practice of GRATA International is represented by a team of professionals with a profound knowledge of the whole range of litigation matters and an impressive experience in dealing with disputes throughout all countries of firm’s presence.

Our lawyers are top-ranked specialists in various areas of law and received recognition from international rankings. GRATA International is among the best law firms according to Chambers Europe, Legal 500, Pravo-300.

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

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

Our key focuses areas:

► Collection of receivables;
► Pre-trial dispute settlement;
► Representation in courts of law and arbitrazh (commercial) courts, in arbitration proceedings;
► Legal support in the course of enforcement;
► Bankruptcy, restructuring and transactions with “distressed” 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 investigations of state bodies;
► Disputes with governmental authorities;
► Mediation.

Brochures:
References

- Inkai JV LLP
- Oilfield Production Consultants (OPC)
- Petrom
- HKR Architects
- Talgo
- Enka
- Turkuaz Invest

Industries

- CONSTRUCTION & INFRASTRUCTURE
- INDUSTRY & TRADE
- MINING
- OIL & GAS
- PHARMACEUTICALS & HEALTHCARE
- TECHNOLOGY, MEDIA & TELECOMMUNICATIONS
- TRANSPORT

Recognition

Belarus

Pravo 300, 2021, III group

Georgia

Chambers & Partners

The Legal 500
Legal 500, Tier 3, 2016-2019
Is 'always ready to meet the client's needs and to work with them'. ‘Strong legal knowledge and experience’.

Legal 500, Tier 2, 2020
The lawyers, headed by Irakli Kordzakhia and Sofia Roinishvili, were praised for their work in local courts and arbitration, as well as for handling disputes which have resulted in precedent-setting decisions by the Supreme Court of Georgia.

Legal 500 EMEA, 2021, Tier 2

Kazakhstan

Chambers & Partners, Band 2, 2016-2019
The team "are able to predict the next steps of the process and how the litigation procedures will play out, and can plan accordingly". "They have the right balance between Kazakh law knowledge and practical insights".

Legal 500, Tier 2, 2017-2019
GRATA International's disputes team has notable strengths in construction and commercial cases. A client hails the team as 'one of the strongest' and 'among the best in Kazakhstan', comprising 'dedicated lawyers with a passion to for their work'.

Chambers & Partners, Band 2, 2020
"Strong regional firm with expertise in commercial disputes", "popular choice for international law firms requiring domestic representation or Kazakh law advice in international arbitrations".
Legal 500, Tier 2, 2020

Described by clients as ‘having an impressive amount of experience in litigations and arbitrations’, GRATA’s dispute resolution team was noted for its expertise in commercial and construction litigation.

Kyrgyzstan

Pravo 300, 2021, I group

Russia
Experience

Azerbaijan

► Successfully represented the leader of the international corporate applications market in a litigation with a company in Azerbaijan on debt collection in the amount of EUR 87,000;
► Advised and represented a major global pharmaceutical company, in litigation concerning debt recovery of USD 712,000. Judgment was ruled in favor of our client;
► Represented one of major German construction companies in a dispute with respect to the repayment of debt due to failure to fulfill contractual obligations by an Azerbaijani company for EUR 6,000,000;
► Corporate dispute on share-sale between a leading mobile applications and services companies in Turkey. Achieved a judgment in favor of our client;
► 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 one of major Russian insurance companies in a dispute with a local reinsurer to failure to pay insurance payment in USD 900,000 amount;
► Recognition and enforcement of an arbitral award issued by Korean Commercial Arbitration Board in favor of a major Korean industrial conglomerate against an Azerbaijani company (value USD 2,000,000);
► Represented the client in the Supreme Court during the hearing on recognition of the judgment of Minsk Court (Belarus Republic) in Azerbaijan. Recognition of the judgment was achieved and sent for enforcement. GRATA lawyers represented the client during the enforcement stage and ensured full repayment of debt amount – USD 310,779;
► Successfully represented the Client, producer of animal food (Turkish company) in litigation concerning debt recovery for EUR 422,000. Achieved a judgment in favor of the plaintiff and enforcement in full;
► Achieved repayment of debt in amount USD 80,000 owed to the local branch of an international power supply company.

Belarus
Legal support in the resolution of disputes in the Arbitration Institute of the Stockholm Chamber of Commerce, including compliance with a mandatory pre-trial procedure, in the interests of a major manufacturer of medical products to terminate supply contracts and return prepayment for undelivered goods;

Legal support of a dispute for a territorial subdivision of one of the world leaders in logistics services with customs authorities and preparation of all necessary documents for participation in the judicial process;

Comprehensive legal support for a number of processes in the interests of a large foreign manufacturer of lighting equipment for the protection of intellectual property rights in the Appeals Council under the Belarusian Patent Authority, for debt collection in the economic courts of Belarus and in cases of administrative offenses, including the pre-trial stage, subsequent proceedings and appeal;

Legal support of the procedure for the recognition and enforcement on the territory of Belarus of a decision of a foreign court in favor of an export support center of another state in terms of appealing the rulings previously adopted by Belarusian courts in these cases in an appeal and supervisory procedure, preparation of relevant complaints and other documents for Belarusian courts.

Georgia

- Recognition of a foreign arbitration award – representing the interests of one of the major producers of railway wheels;
- 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 local network of petrol stations against former owners in the case on invalidation of the real estate sale and purchase agreement (claim USD 60 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).

Kazakhstan

- Representing a large international construction company in Kazakhstan in a dispute over invalidity of transactions worth over USD 200 million;
- Taking part in litigation on enforcement of international arbitration award for the recovery of over USD 46 million in damages from a large Kazakh producer of oil & gas;
- Representing a major Turkish construction contractor in a complex dispute with a customer arising out of several contracts worth approx. USD 40 million;
- 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 Kazakhstan’s largest producer of sunflower oil and related food products in its dispute over the ownership of railway tracks which connect its plant with the main railway;

Representing a Swiss bank, in proceedings for the recovery of debts from a Kazakh bank, which has gone bankrupt due to alleged fraudulent schemes of its shareholder which led to siphoning of assets of the Bank;

Advising one of Russia’s largest banks, in its potential foreclosure upon pledges in Kazakhstan underlying loans worth of USD 148 million. Assessment of risk mitigation strategies in the course of taking possession upon pledges;

Representing a Russian business in its disputes with the national air service control body which arose in the course of implementation of public procurement contracts. We have been able to successfully defend the client from the state company’s claims worth approx. USD 1.5 million;

Advising one of Russia’s largest producers of metallurgical products in relation to complex liquidation of some of its business entities in Kazakhstan;

Representing the winner of a tender for the supply of electric equipment worth approx. USD 9 million in a dispute initiated by a participant of the tender to challenge the results of the tender and invalidate the supply agreement;

Representing a large German engineering and industrial company in a dispute with a subcontractor arising out of USD 8 million services agreement;

Representing one of the world’s largest suppliers of industrial equipment in several disputes over the recovery of equipment operated by lessees in Kazakhstan under financial lease arrangements;

Representing a leading Bulgarian pharmaceutical company in a civil dispute seeking invalidation of a regulatory authority’s restriction to register a medicine;

Representing the largest Indian bank in a dispute over recovery of debt over USD 7 million under a loan agreement;

Representing a large Dutch bank in pre-trial negotiations and foreclosure proceedings with a Kazakh pledgor in relation to the recovery of debt under a loan agreement worth approx. USD 24 million;

Representing one of the largest international banks in Kazakhstan in a dispute with a foreign borrower and a local pledgor over the recovery of approx. USD 5 million under a loan agreement and related transactions;

Representing one of Kazakhstan’s largest oil and gas construction companies in a series of multimillion-dollar construction disputes and related disputes with various contractors and customers.

Kyrgyzstan

Advising a Kazakh gas company on the reorganisation of subsidiaries in the Kyrgyz Republic. Representing interests of the leading bank in the Kyrgyz Republic in court on several labour disputes with ex-employees regarding payment of compensation for additional annual leave, regional salary coefficient, applicable bonuses and benefits for people leaving and working in high-mountain areas;

Representing Bank CenterCredit in a dispute over a real estate in Kyrgyzstan worth over 50 million US dollars;

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;

Advising law firm Yoon & Yang (Seoul) LLC on recognition and enforcement of the foreign court decision in the Kyrgyz
## Moldova

- Defending the prime-minister of Moldova in connection with a politically motivated case with fraud charges of EUR 250 million from a leading local Bank;
- 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;
- Representing the largest supplier of electricity in Moldova in all court instances on debt collection case;
- Representing a private company before central government authorities in a matter involving acceptance of government aid in the amount of EUR 1.2 million;
- Representing a private company in court on a case of collecting a lost income of EUR 600,000;
- Representing a private company in a mortgage law case against a commercial bank.

## Mongolia

- 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.

## Russia

**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 the 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 debt 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 debt recovery under a contractant through pre-trial settlement and legal proceeding;

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 RUB 30 million;

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 RUB 33 million;

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 RUB 1 billion;

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.

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 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.

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 USD 25 million;

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 RUB 1 billion;

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 RUB 900 million. The court proceedings resulted in the dismissal of claims brought against our client in full.
Saint Petersburg

- Successful defense of the interests of KNAUF PETROBORD LLC, a subsidiary of the KNAUF Group of companies, in a dispute with Rosprirodnadzor over illegal recalculation of waste disposal limit coefficients. The position of Rosprirodnadzor was completely refuted, and the client’s reputation was restored;
- Protection of interests of Specproekt LLC – a major manufacturer of equipment in the nuclear industry, in a dispute with Energohimsnab LLC about violations in the course of deliveries under the project. As a result of the competent actions of the lawyers, the opponent’s claim was fully developed and the counterclaim for invalidation of the imaginary transaction was satisfied;
- Successful resolution of a labour dispute of the Belarusian IT company Andersen Lab in a dispute with an employee from Russia who was dismissed as a result of systematic absenteeism and is seeking reinstatement at work;
- The resolution of a labour dispute Labmedconsalt LLC in the dispute with an employee who has abused sick leave papers. As a result of the dispute, the judicial practice was formed to combat such cases in Russia;

Tajikistan

- 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 representing the interests of the Branch of an American non-profit 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.

Turkmenistan

- 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.

Uzbekistan
Successful defence of UzBAT JV against a lawsuit for annulment of unilateral termination of employment filed by a highly ranked official;

Successful representation of the leading Russian financial institution in recognition and enforcement of Russian arbitration decision case in Uzbekistan;

Acting as Uzbekistan law expert at Singapore International Arbitration Centre in a case between Uzbekistan oil and gas company and Alcatel Shanghai Bell in respect of FIDIC EPC based contract;

Successful representation of Bunyodkor FC football club at CAS (Switzerland) in a dispute against Rivaldo (Brasil) and annulment of FIFA decision;

Representing a Ukrainian metal trader in a dispute with the State Joint Stock Railway Company of Uzbekistan for the recovery of the principal debt, penalty and legal costs of USD 600 000;

Successful defence of Nestle in a case filed by a local distributor for the recovery of the lost income of USD 750 000;

Successful representation of Knauf International in the tax dispute in respect of unlawful collection of taxes for the amount of USD 400 000;

Defence of the representative office of a Polish pharmaceutical company in Uzbekistan under the claim related to the compensation for damage and moral damage caused by illegal termination of labour relations.

Ukraine

- Representing the interests of the client during debt collection via foreclosure and in cases related to the termination of loan security;
- Representing clients (debtors or creditors) in a number of bankruptcy cases, challenging agreements concluded by the debtor and one of the creditors within the bankruptcy proceedings;
- Defending client’s interests in the dispute with Ministry of Infrastructure of Ukraine related to violation of antitrust regulations (abuse of monopoly position);
- Challenging the registration actions of the notary related to registration of title to integral property complex;
- Challenging the decision of the permanent commission of Antimonopoly Committee of Ukraine on claims related to state procurements;
- Representing a client in a dispute related to the recognition of information shared in media as false.

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