

Overview

In today's global marketplace, litigation of business disputes is often unavoidable. Whether you're a public company, private business or individual entrepreneur, you can look to us for advice on your most complex commercial litigation needs.

With your objectives clearly in mind, we strive to protect your interests through carefully developed and customized litigation strategies. Enforce or defend vital contracts and partnership rights. Defend against claimed business torts. Navigate complex energy and infrastructure disputes. Anticipate business disputes and avoid the risk and costs of litigation. We can help.

Whether at the negotiating table, in the courtroom or before an international arbitration tribunal, you will be alongside lawyers with an extraordinary track record of success. Working with Dentons' lawyers, we will ensure your business is positioned to overcome its toughest challenges.

Areas of focus include:

- Defamation and Reputation Management
- Franchising and Distribution
- Privacy and Cybersecurity
- Professional Liability Litigation
- Shareholder and Partnership Disputes

Representative Experience

- **51 community interest companies as the second to fifty-second interested parties community interest companies:** Successfully advising in the high-profile Health Lottery proceedings in High Court. Camelot, the operator of the National Lottery, had tried to block The Health Lottery from operating in its current form by applying for permission to bring a claim for judicial review of the Gambling Commission's decision to grant operating licenses to the Health Lottery. The High Court found that The Health Lottery, which manages and operates 51 separate community interest companies across the UK, is basically lawful and that multiple society lotteries are not prohibited by the Gambling Act 2005.
- **Archer Daniel Midland:** Representing the global food processing and commodities trading corporation in complex commercial litigation regarding the grain industry.
- **Beemak Plastics:** Advising private equity buyers in the acquisition of Beemak Plastics LLC, a manufacturer of point of purchase display products. We continue to represent the company on intellectual property portfolio management and prosecution, contracts, employment matters, environmental issues and commercial litigation.
- **CHEMK Group:** Representing a world leading ferro-alloys company in several major trade defense proceedings before the European Commission, including reviews and refund proceedings. Dentons represented the same client in several parallel direct actions before the General Court of the European Union against measures and decisions adopted by the EU institutions. One of the legal challenges involves an unprecedented legal claim likely to have an

impact on the future practice of the EU institutions in reviews of anti-dumping measures.

- **Community Interest Companies (CIC):** Acting in a High Court action brought by Camelot, challenging the legality of the Health Lottery, a multiple society lottery operated for and on behalf of 51 CICs supporting health related good causes around the UK. Our team provided the Court with important evidence regarding the CICs' purpose and operations. The Gambling Commission successfully defeated Camelot's application for permission to bring a claim for judicial review of the Gambling Commission's decision in 2010 to grant operating licences to the Health Lottery scheme. In its much publicized decision, the first to consider the effect of the Gambling Act section 19, the Court agreed with the Commission that the 51 CICs were not established for private gain and that multiple society lotteries are not prohibited by the Gambling Act.
- **Exide Technologies:** Serving as special litigation counsel to the Official Creditors' Committee of the world's largest producer of lead-acid industrial and automotive batteries. At a heavily contested confirmation hearing, the Creditors' Committee defeated the plan of reorganization proposed by the debtors and lenders. As special litigation counsel, our team obtained a ruling from the bankruptcy court that the proposed Chapter 11 plan included an unreasonably low settlement amount with respect to litigation brought by the Creditors' Committee against the company's pre-petition lenders. As a result of our efforts, a settlement was reached that provided US\$200 million to the unsecured creditors. This new settlement amount was US\$190 million more than the unsecured creditors stood to collect under the prior proposed plan. In addition, we obtained a ruling whereby the court became the first Delaware Court to recognize the Committee's deepening insolvency claim as a cognizable claim under Delaware law, and made other groundbreaking rulings in favor of the Committee.
- **Individual investor groups:** Defending groups of individual investors and banks worldwide from litigation brought by representatives of the estates of Bernard Madoff, Bayou Group and related entities to recover multimillions in transfers or repaid investments. The Madoff case is the first to employ bankruptcy fraudulent transfer litigation against investors for recovery of ordinary withdrawals from their brokerage accounts that are insured under the Securities Investor Protection Act.
- **Industry association:** Advising regarding potential causes of action against public bodies, concerning a decision by the public body to use its agreements with the association's members to recover a substantially greater proportion of its running costs than previously.
- **International House of Pancakes and DineEquity, Inc.:** Achieved a complete victory in the Ninth Circuit Court of Appeals who readily affirmed the district court's decision in dismissing a putative class action complaint against IHOP at the pleading stage, before even any discovery or class certification argument was required, where Sultan Hameed filed a putative class action complaint on behalf of a nationwide class of IHOP franchisees in the Eastern District of California, alleging numerous business practices and contracts violations impacting his franchise relationship with DineEquity (parent company of IHOP and Applebee's).
- **Manhattan Loft Corporation Limited:** Defending the client against a multimillion pound claim made by property agent Charles Lissack. Mr. Lissack claimed a share of the profits from Manhattan Loft Corporation's celebrated redevelopment of Sir George Gilbert Scott's Grade I-listed building at St. Pancras into loft apartments and the St. Pancras Renaissance Hotel. The judgment followed a two-week trial and the Judge dismissed the claim, finding that there was no agreement to pay Mr. Lissack a share of the profits from the development and that there was no basis for his claim to a quantum meruit payment.
- **Official Committee of Retirees for the City of Detroit:** Represented the Official Committee of Retirees in the largest Chapter 9 bankruptcy case in US history. The Committee represented the interests of approximately 23,500 public safety and general City retirees, as well as the interests of approximately 9,000 dependents, who were owed approximately US\$9 billion in pension and retirement health care benefits. With the assistance of Dentons, almost all pension benefits were protected and health care benefits payments continued. This representation was honored by *The M&A Advisor* with the 2014 Restructuring of the Year Award.
- **One of the world's leading imaging solutions company:** Advising on corporate, litigation and employment matters regarding its activities in Spain. The team advised the client on IT/IP matters and the eventual discussions for the signing of various contracts with most of the Spanish representative theme parks in Spain including Port Aventura, Terra Mitica, and Parc d'Atraccions del Tibidabo.
- **Royal Indemnity Company:** Serving as lead counsel in a month-long jury trial concerning the fraudulent use of surety bonds to facilitate an equipment leasing scheme. Royal and other surety companies had issued \$300 million in lease bonds to guarantee payments under commercial equipment leases originated by Commercial Money Center, Inc. (CMC), which were combined into lease pools and sold to investors or lenders. It came to light, however, that CMC had been operating a Ponzi scheme, using the sale of later lease pools to make payments on earlier defaulted leases. After CMC collapsed, the investors sued Royal and other sureties on the bonds. For Royal, the Dentons team ensured the case was settled favorably, as the federal district court upheld its right to assert the fraudulent inducement defense.

- **Société GénéraleCrédit Lyonnais (LCL)** : Advising in connection with the €24.5 million LBO financing for the acquisition of TCS, a company specialized in express package and document shipping for, among others, the banking, insurance and pharmaceutical industries.