

Overview

Business involves taking risks. Your choice of litigation and dispute resolution lawyers should not.

At Dentons, our lawyers draw upon their extensive experience, trusted judgment and insight to develop a customized strategy—always with your specific business objectives at top of mind. Together, we tackle challenges efficiently and effectively so that you can move ahead.

Our dispute resolution lawyers employ the most appropriate tools and strategies for each stage of the process and each unique situation. Whether through timely use of innovative alternative dispute resolution techniques or skillful and persuasive advocacy in the courtroom, you can count on our lawyers to maximize your prospects for a successful outcome. We also work with you to assess and manage your risks in relation to the legal costs of the dispute and to seek to minimize the likelihood of future litigation.

Whether your dispute has strategic, reputational or financial importance and whatever the subject matter, your success is our priority.

Areas of focus include:

- Alternative Dispute Resolution (ADR)
- Appellate Advocacy
- Auto Manufacturers Liability Litigation
- Class Action Defense
- Commercial Litigation
- Competition and Antitrust Litigation
- Constitutional Law, including Aboriginal Law
- Construction and Engineering Disputes
- Consumer Products Representation and Services
- Dispute Risk Management
- E-Discovery
- Employment Disputes
- Energy Litigation
- Environmental Litigation
- ERISA Litigation
- Fraud, Corruption and Asset Recovery
- Information Governance
- Infrastructure and PPP
- Insurance Litigation and Arbitration
- Intellectual Property Litigation
- Mining Litigation and Dispute Resolution
- Pensions and Benefits Disputes
- Pharmaceutical and Medical Device Litigation
- Product Liability and Complex Torts
- Real Estate Litigation and Dispute Resolution
- Regulatory and Administrative Tribunals
- Sales Practices
- Securities and Shareholder Litigation
- Shareholder Activism
- Tax Litigation and Dispute Resolution

- Financial Markets Litigation and Regulation
- Financial Services Litigation
- Forestry Products Litigation
- Transportation Litigation and Dispute Resolution
- Trust and Estate Litigation

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.
- **Banque Palatine:** Representing the defendant in a lawsuit against Banque Delubac arising out of the termination of an IPO mandate.
- **BP:** Advising in connection with class action settlements relating to the Deep Water Horizon oil spill litigation and in connection with the handling of claims related to an off-specification fuel event.
- **Covec:** Representing in numerous disputes with the State Treasury, subcontractors and other entities—in a case related to construction of a stretch of the A2 Berlin-Warsaw motorway. Having terminated a motorway construction contract with the State Treasury, Covec is engaged in multi-party litigation including several separate cases with the State Treasury and subcontractors. Transaction value: €200 million.
- **Cross-border anti-corruption investigation:** Represented Fresenius Medical Care AG & Co. KGaA, a global health care/medical device company with operations in more than 150 countries, in connection with parallel SEC and the DOJ investigations into multiple alleged violations of the FCPA in Asia, Africa, Europe, and North and South America. Working with our locally based practitioners, our global team helped the client respond to this cross-border investigation and implement new global anti-corruption policies and procedures. The Dentons team ultimately resolved the US criminal inquiry through a non-prosecution agreement with the DOJ and a regulatory order by the SEC.
- **First American Financial Corporation:** Achieving complete victory for our long-time client (subsidiary First American Home Buyers Protection Corporation) in the class action, when the court granted First American's motion to dismiss the plaintiff's case with prejudice and refused to allow the plaintiffs to amend their Fair Housing Act, Fair Employment and Housing Act, or Unfair Competition Law claims. Case made new law in several important areas for title insurers. The case was in federal district court in California.
- **GlaxoSmithKline (GSK):** Represented GlaxoSmithKline plc in qui tam whistleblower litigation, alleging violations of the US False Claims Act in connection with the drug Paxil, and seeking billions of dollars in damages. Our team convinced the court, at an early stage in the litigation, to dismiss the whistleblower's case in its entirety with prejudice and without an opportunity to amend. Our team convinced not only the court, but also the US Department of Justice, to support our position in seeking dismissal.
- **Important pharmaceutical company:** Representing before the Commercial Court of Nanterre, in a litigation proceeding initiated by another pharmaceutical company in relation to the consequences and settlement terms of the termination of a longstanding quasi-worldwide contract for the distribution of the other pharmaceutical company's products; the dispute consists of alleged breaches and requests for forced production of documents; the alleged damages are claimed to be up to €20 million.
- **Insurance company:** Representing in a class action involving the issue of whether the use by insurance companies of preferred provider organization (PPO) discounts when calculating medical payments coverage amounts constitutes a deceptive practice and/or breach of contract. This is part of a series of class actions nationwide, but predominantly located in Madison and St. Clair counties in Illinois, dealing with this and similar medical payment reimbursement class-action issues. The trial court in this case certified an Illinois-only class, and the insurance company appealed. The Fifth District Appellate Court refused to hear the interlocutory appeal. However, the Illinois Supreme Court, based on our motion and briefs, required the Fifth District to take the case. In this decision, the court reversed the class certification order, finding that the relevant contracts clearly allowed the conduct in question. Therefore, there was no valid breach of contract, unjust enrichment or fraud claim upon which to base a class certification. This is a significant decision because many of the Firm's insurance clients have similar class actions that we are defending, and this case will serve as precedent for those cases.

- **International automobile manufacturer:** Advising and representing one of the biggest international automobile manufacturers in a products liability claim raised by a consumer alleging more than €6 million in moral and material damages. The case which started in 2010 went through all levels of the courts and our team successfully ended the case in the final appellate hearing. The decision of the Supreme Court of the Republic of Azerbaijan was entered in favour of our client on all counts. The successful outcome of the case may be a deterring factor for others to raise similar groundless claims against international automobile manufacturers.
- **Montreal Maine & Atlantic Railway directors and officers, and related entities:** After more than two years of proceedings and intense negotiations, courts in Maine and Québec have approved a US\$338 million settlement resolving the cross-border litigation and bankruptcies arising out of a tragic 2013 freight train derailment. In that widely publicized incident, a Montreal Maine & Atlantic Railway (MMA) train carrying crude oil from North Dakota exploded in the center of Lac-Mégantic, Québec, destroying many buildings and killing 47 people, in what had been called the deadliest train disaster in Canada since 1864. Civil litigation in Chicago, class action litigation in Montréal and bankruptcy litigation in Quebec and Bangor, Maine followed. Dentons cross-border team included lawyers from the US and Canada. We defended various actions and negotiated a settlement that was implemented through US bankruptcy law and Canada's Companies Creditors Arrangement Act. This settlement represents a historic and precedent-setting cross-border arrangement, due to the sweeping releases and global injunctions granted to the contributing parties.
- **Pro Bono:** Along with lawyers from Uptown People's Law Center and Equip for Equality, we secured a major pro bono victory in a seven-year legal battle to improve the treatment of thousands of prisoners with serious mental illnesses currently incarcerated throughout the Illinois state correctional system. Under the terms of the groundbreaking settlement delivered in Federal District Court for the Central District of Illinois, the Illinois Department of Corrections (IDOC) will be required to provide specialized healthcare and services for approximately 11,000 mentally ill people as well as create facilities and hire staff to treat this fragile segment of the prison population.
- **Representing the insurance industry in the aftermath of Hurricane Katrina:** Serving the insurance industry's defense efforts and representing the industry in many of the most significant cases, including presenting oral argument in the keynote case in which the validity and effect of the homeowner's insurance flood exclusion was upheld. We also successfully argued key dismissal and jurisdictional motions in actions brought against multiple insurers by the Louisiana attorney general, as well as arguing in numerous matters which resulted in the striking of class action allegations on the pleadings. Our team also obtained major favorable rulings in significant bad faith penalty and False Claims Act cases.
- **Vivendi:** Advising on the dispute over ownership of PTC, Poland's leading telecoms company. Our team was led by the Warsaw office working with colleagues in Berlin, Paris, London and New York. The team created innovative litigation strategies which brought lateral thinking to the matter and played a pivotal role in resolving it, achieving a settlement of €1.25billion for Vivendi.

Your Key Contacts

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