



One of the five best Russian law firms handling complex dispute resolution cases
One of the nine best law firms operating in Russia

(Chambers Europe Awards 2022 • The Legal 500, 2021 • Chambers Europe, 2021 • GAR 100, 2021 • Pravo.ru-300, 2021)



Maxim Kulkov
Managing Partner

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'Maxim Kulkov is a formidable trial lawyer who has very persuasive advocacy skills.'

The Legal 500 EMEA, 2021

'Maxim Kulkov is one of the strongest Russian litigators acknowledged for his marked skill in complex Russian commercial disputes.' He is very persuasive in court.'

Chambers Europe, 2021



Oleg Kolotilov
Partner

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'Oleg Kolotilov understands the ever-changing landscape of Russian law and can clarify what seems complex.'

The Legal 500 EMEA, 2021

Oleg Kolotilov 'has a deep knowledge of the legislation and can motivate the client not to give up.'

Chambers Europe, 2021



Nikolay Pokryshkin
Partner

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'Nikolay confirmed expectations, more importantly, he was able to surpass them. Even before we had questions about further steps and possible arguments of our opponents, Nikolay had already prepared answers to them.'

The Legal 500 EMEA, 2021

'Nikolay Pokryshkin showed himself to be a lawyer with perfect knowledge of the subject. I would particularly note his good understanding of the international practice in insolvency cases and operational decision-making.'

The Legal 500 EMEA, 2020

WHO WE ARE

Russian trial lawyers who provide the same quality of service as international law firms but at a local price

We do not spread our staff thin. Our narrow focus on complex commercial disputes guarantees a premium quality service

Maximum partner involvement in every single project

Flexible pricing policy and payment options

WHAT WE DO



International Commercial Arbitration



Russian and Foreign Litigation



Settlement



Insolvency and Restructuring



Expert Opinions on Russian Law for Foreign Arbitrations and State Courts



Corporate and Regulatory Investigations

IN 2021

US\$780m

the total value of the cases we won

17 arbitrations

54

litigation cases in Russian state courts

15

expert reports on Russian law

WE HAVE WORKED IN

27 EUROPEAN COUNTRIES

6 CIS COUNTRIES

27 REGIONS IN RUSSIA

7 COUNTRIES IN THE AMERICAS

5 AFRICAN COUNTRIES

12 ASIAN AND MIDDLE EASTERN COUNTRIES





Commercial Arbitration

Representing a client in the LCIA arbitration in a dispute with **one of the richest Russian businessmen according to Forbes**, in connection with the illegal deprivation of the share of our client in a large Russian bank. The dispute is complicated by oral agreements between the parties and covers multiple jurisdictions, such as Cyprus, Bermuda, Russia and England.

Preparing an expert report by Maxim Kulkov in an SCC arbitration with regard to the statute of limitations for a contractor agreement. The client was a **contractor for a leading Russian producer of nickel**. The Tribunal agreed with Maxim Kulkov's opinion, and the client defeated a **US\$15m claim**.

Representing a claimant in a dispute involving two oilfield services companies in arbitration under ICAC Rules. The client claimed compensation for restoring the hermetic seal of an ultradeep oil well after defective cementing works by the defendant. The firm won **over 90% of the claim** and attained a revolutionary breakthrough for the sector by overcoming contractual provisions strictly limiting the contractor's liability. To date, no comparable outcomes have ever been achieved in Russia.

"KK&P is able to manage complex international arbitrations with consummate professionalism and efficiency in terms of response times, complying with challenging directions and communicating eloquently and persuasively with the tribunal and the opposing party. They are also excellent forensic lawyers with excellent attention to detail with the ability to identify minute details that advance a client's case even where these are buried in extensive evidence."

The Legal 500, 2021



Foreign Litigation

Preparing an expert report and giving evidence before the High Court of England in *PJSC Tatneft v Bogolyubov & Ors* on over a hundred issues of Russian law, including the possibility of bringing a tort claim against a company's controllers in response to the company failing to perform contractual obligations and thereby ignoring the 'competition of claims' principle and insolvency rules on subsidiary liability, as well as issues of pure economic loss and interference with contractual rights. After a 12-week trial, the High Court agreed with the testimony of Maxim Kulkov. As a result, the firm's efforts helped the defendants to defeat a **US\$300m claim**.

Advising the client, which was sued by a rival company in connection with an alleged patent infringement. The claim is aimed to block the import, manufacture, sale, and use of the client's invention, which the rival company claims infringes its patents.

Preparing an expert report in the dispute between **Russian chemical holding company, one of the world's leading phosphate-based fertilizer producers**, and its ex-employee being heard by the High Court of England. The opponent alleges that in addition to his employment-based compensation, he was orally guaranteed 1 % shareholding in the company which he has not received so far.

"The firm's key attributes are creativity, responsiveness and in-depth expertise in Russian law and an ability to explain Russian law and how it is applied in practice. The lawyers have a keen understanding of how they can assist in their role as overseas lawyers in complex multi jurisdictional litigation."

The Legal 500, 2021

We have always done and will always do what we are best at – commercial disputes



Domestic Litigation

Representing **RBC, one of the largest Russian media holdings**, in a dispute over a claim by Independent Oil and Gas Company (NNK) for the recovery of **RUB500m** for damage to business reputation allegedly caused by an article published by RBC about a transactions between NNK and Rosneft. The firm's efforts helped to defeat the claim against our client.

Representing **Raiffeisenbank** in a dispute over the demolition of a shopping mall (pledged in favour of the bank) based on the claim of a municipal authority. The parties entered into a lease agreement for a municipal land plot, which nullified the opponent's claims, as the basis for its demolition claims was the lack of title to the land. The court upheld our arguments and dismissed the opponent's claim.

Representing clients (**former members and directors of the company**) in a major corporate conflict in order to restore lost control over the company and protect against the recovery of corporate losses under 12 parallel cases on the expulsion of participants from the company, challenging corporate decisions, transactions on the disposal of shares and assets, recovery of losses and subsidiary liability.

"They have a strong preparation in court hearings. They represent the interest of our company as if they are part of it."

Chambers Europe, 2021



Insolvency

Successfully defending **Shell** in insolvency proceedings against Mariysky Oil Refinery regarding a claim to challenge the debtor's payments to our client of **US\$74m** as unfair preference over other creditors. The case was complicated by payments being made within a month prior the bankruptcy and exceeding the limit of 1% of the debtor's assets.

Representing the interests of **Sovfrakht and Koksokhimtrans** in the bankruptcy case of the Antipinsky Oil Refinery with the lenders' claims totalling **US\$5bn**. The successful defence against challenging transactions in favour of clients required the establishment of a precedent for recognising forced payments late after filing for bankruptcy as committed in the ordinary course of business.

Leading participation in the **Metrostroy** bankruptcy case. The project is critical, both for the continuation of the construction of the metro in St Petersburg and for the satisfaction of lenders' claims through the return and sale of assets worth more than **US\$200m** and subsidiary liability of the debtor's shareholders.

"The firm is highly visible in bankruptcy and insolvency matters, is distinguished by its thorough planning of strategy and tactics, stands out thanks to meticulous attention to detail of every single document and piece of evidence."

Chambers Europe, 2020