

Commercial litigation

Dispute resolution is constantly evolving and not surprisingly the issues you are facing are developing in line with the changes affecting the global economy. The economic issues we currently face have not simply affected financial institutions, but many other industries as well.

In an increasingly unstable market, disputes are inevitable and budgets are limited. In our current environment, cash is king and we know that results are all that count. We understand that you need more than just technical competence. We know that clients of all sizes and almost all sectors have imperatives that we must recognise and adhere to. Cashflow is crucial and we must plan dispute costs to enable you to budget effectively. At the same time, we know that you need a strategy where the end justifies the cost - a proportionate approach

Our services

At the core of our work is domestic and international commercial litigation. Our experienced team has huge collective expertise in commercial disputes across a range of sectors. Based in London, Brussels, Paris and Munich our commercial litigators provide a clear and objective service and have experience at every level of the key commercial courts in those centres.

Experience and expertise should be a given and with our lawyers it is. The additional value we add is a home-grown philosophy of getting close to our clients and working alongside them to understand their needs. Together, we develop a results-based strategy that does not lose sight of the cost/benefit balance. We understand that some litigation is "bet the company" and some is not - the same approach cannot be taken to all types of dispute.

Our broad sector experience also means that we understand that every business in every sector has other criteria that must be factored into litigation decisions. Because we know our clients, we get to know those criteria. We also have in-depth knowledge of the types of litigation funding that are available and advise clients as a matter of course on their funding options.

Of course, commercial litigation does not exist in isolation. We have experience of all types of alternative dispute resolution (ADR) and arbitration, both ad hoc and through the major European institutions. One dispute may involve all of these processes and our expertise and experience means we are able to guide our clients through any process or forum.

Highlights of our experience

Our European commercial litigation experience covers a wide variety of sectors and types of dispute. Our fast-growing team consists of 19 partners and more than 25 other lawyers. Although

each partner has distinct areas of specialist expertise in the dispute resolution sphere, all practise commercial litigation.

Business/share sale/joint venture disputes

Sales of businesses and shares invariably involve long and complex documentation, warranties, guarantees, indemnities and retentions. We act for both buyers and sellers in disputes arising out of business sales and our recent experience includes acting in relation to back to back warranty/indemnity claims on a sale and on-sale, reduction of a Swiss bank guarantee in respect of tax warranties and professional negligence claims arising out of advice given in relation to a share sale.

Complex commercial disputes

Some disputes defy categorisation. We regularly advise clients in relation to business to business disputes, tort claims, regulatory disputes, trusts and pensions claims and other disputes that require both broad knowledge and specific expertise.

Corporate disputes

We regularly deal with boardroom/shareholder disputes, which can be the most personal and hard-fought of disputes, both within Europe and internationally. Our recent experience includes advising both majority shareholders in proceedings in Europe, Africa and offshore and advising minority shareholders in domestic disputes. We also often provide pre-litigation and "corporate support" advice alongside our highly-rated Corporate Practice.

A selection of our clients



Arbitration

We represent a range of UK and international clients in arbitration proceedings. Our experience includes advising on more than 10 USA and UK interrelated arbitrations with a value of in excess of US\$300million in the reinsurance sector; advising a leading German group on €20million claims in relation to the installation of technical plant in Bahrain; and representing a Middle Eastern business in an ICC arbitration regarding an investment dispute in excess of US\$2billion.

Domestic and international trade disputes

We frequently act for and against suppliers, distributors and retailers in disputes arising out of both domestic and international trade. Issues involved range from trade finance issues (documentary credits, guarantees etc) to quality and delivery problems. Recent cases relate to matters such as shipping, retention of title, non-delivery, quality, letters of credit and non-payment.

Public law

We have acted for commercial clients in substantial judicial review cases where matters of principal with ramifications across whole sectors have been at issue.

Class actions

We have been at the forefront of defendant group litigation in certain sectors in England and have many years of experience in relation to the complex procedural aspects, logistics and strategies that these types of cases involve

Why choose us

As part of a full-service firm with more than 375 lawyers across Europe we have the weight, expertise and reach to deal with commercial disputes of all types and in all sectors. We have been praised by clients and the legal directories for our grasp of the commercial landscape and understanding of our clients' needs. Those qualities are the cornerstone of our philosophy. leading European corporate practice advising on

"Sources say this firm engenders great loyalty in its clients and never drops the ball."

**Quotation from
Chambers 2013**

"Fieldfisher provides "quality advice and is responsive to tight deadlines".

**Quotation from
Chambers 2013**

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