

AIFC Court and IAC Webinars Programme 2020: Webinar 14

Dispute Resolution Practice in Challenging Times: A Law Firm's Perspective

June 22, 2020

Moderator :

Sofiya Zhylkaidarova, SIGNUM Law Firm.

Speakers:

Vladislav Zabrodin, Capital Legal Services

Ilgar Mehti, EKVITA

Olena Sukmanova, Sayenko Kharenko Law Firm

Sofiya Zhylkaidarova, SIGNUM Law Firm.

Our speakers

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Azerbaijan



Ilgar Mehti

EKVITA

Founder and director



Kazakhstan



Sofiya Zhylkaidarova

SIGNUM

Managing Partner



Russia



Vladislav Zabrodin

Capital Legal Services

Managing Partner



Ukraine



Olena Sukmanova

Sayenko Kharenko Law Firm

Partner



Azerbaijan



Ilgar Mehti

Founder and Director
EKVITA LLC

Services: legal and tax advisory, accounting support and management consulting services.

Experience: 10+ years in BP Azerbaijan, giant Shah Deniz gas project, BakerMckenzie's Baku office. Ilgar has both bachelor's and master's degree in law from Baku State University as well as an LLM degree (with honors) from Northwestern University based in Chicago, USA.

He also has a Certificate in Business Administration from IE Business School (Spain) as well as Certificate on Advanced Project Management from Stanford University (USA).

He is fluent in English, Russian and Azeri languages.

Kazakhstan

SIGNUM
LAW FIRM



Sofiya Zhylkaidarova

Managing Partner
SIGNUM Law Firm

Sofiya is one of the leading lawyers in Kazakhstan with 20+ years of experience in advising numerous local and international companies on various business, M&A, tax and litigation matters. Sofiya has a versatile client base, she regularly participates in drafting various regulations and actively represents the legal society in and outside Kazakhstan. Clients highly value her for being not only technically strong but also for her commercial experience and business adviser approach, as well as for her excellent negotiations and mediation skills.

Sofiya has MBA degree from INSEAD (top business school), she acts as arbitrator in different arbitration institutions including ICC (Paris) and member of KazBar's Supervisory Board.

Russia



Vladislav Zabrodin

Founder and Managing Partner
Capital Legal Services

Vladislav practice is in the field of corporate and commercial law, M&A, real estate, project financing and public-private partnership. Over the years, Chambers & Partners and Legal 500 describe Vladislav as one of the most notable practitioners in the field. Chambers Europe 2017 noted him as an “Eminent Practitioner” and “a visible figure on the market, assisting clients with strategic issues on key projects.” Vladislav is also Chairman of the International Council of Shopping Centers (ICSC) Russian Liaison Committee and a member of the ICSC European Advisory Board.

Years of studying in the US, Finland and England allow Vladislav to be “on the same page” with foreign partners. Having over 20 years of experience in managing investment projects for market leaders, Vladislav plays an important role in the collaboration between the Russian and European retail markets.

Ukraine



Olena Sukmanova

Head of litigation

Sayenko Kharenko

Boasting over 20 years of professional experience, she specializes in the comprehensive resolution of complex disputes and conflicts. Olena gained valuable practical experience in debt collection, land dispute resolution and anti-raiding, business and foreign investment protection.

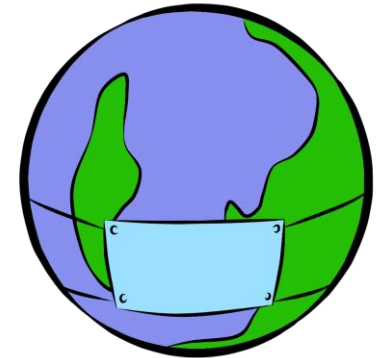
Experience in both business and public sectors allows Olena to deeply understand the needs of each client and accompany the most complex projects, providing clients with practical solutions and high-quality integrated services.

Prior to joining Sayenko Kharenko, Olena held senior positions in the legal departments of major banks and industrial holdings, where she gained unique experience in implementing projects in the banking, real estate and investments sectors, and worked for two years in public service as Deputy and First Deputy Minister of Justice of Ukraine.

Dispute Resolution Practice in Challenging Times: A Law Firm's Perspective

Introduction

1. Law Firms' Dispute Resolution Practices in Challenging Times
2. Trends and Recent Developments in Litigation and Arbitration in AZ, KZ, RU and UA
3. How Clients choose the litigation or arbitration seat



Law Firms' Dispute Resolution Practices in Challenging Times

Azerbaijan	Kazakhstan
<p>End March – Mid May 2020 - quarantine in courts Urgent cases, hearings postponed May 18 till 19 June 2020 back to normal regime 21 June till 05 July 2020, quarantine in courts (exc. urgent cases and all cases in Supreme Court)</p>	<p>State of Emergency: Postponed Litigation, Urgent Cases Online Proceedings Quarantine in Courts</p>
Russia	Ukraine
<p>Mid-March to mid-May 2020, limited regime of court operations Courts were closed. Hearings postponed. Urgent cases Recommendation – back to normal. Some courts did not follow As of June 09, 2020, all courts returned to operation Statute of limitations would not be extended, BUT it could be restored</p>	<p>Corporate conflicts Quarantine in courts Financial restructuring</p>

Trends and Recent Developments in Litigation and Arbitration

Azerbaijan	Kazakhstan
<p>“Electronic court” information system (as well as "Mobile court" application)</p> <p>Separate commercial courts and administrative courts in 6 regions</p> <p>Mediation service - an alternative method of settlement of disputes</p> <p>Private expertise</p>	<p>Court System Reforms: Judges, Filings, Hearings</p> <p>Investment Courts, Economic Courts</p> <p>AIFC Court and AIC</p> <p>Administrative Process Procedural Code</p> <p>Improvements of Court Proceedings</p>
Russia	Ukraine
<p>Hearing cases through video conferencing</p> <p>87 out of 113 courts, incl Supreme Court, joined the online hearing system</p> <p>Courts of general jurisdiction - lack of technical capabilities</p> <p>LCIA, SCC, MKAS - offering online hearings</p>	<p>High Anti-Corruption Court of Ukraine</p> <p>Court Index level of trust to court system</p> <p>Administrative Procedures for Dispute Resolution – Tax Disputes, Anti-Raider Board</p>

How Clients choose the litigation or arbitration seat

Azerbaijan	Kazakhstan
Statutory litigation place Exclusive jurisdiction Choice of parties	Statutory litigation place Investments Disputes Choice of Parties
Russia	Ukraine
Policy of choosing a venue not changed Russian commercial arbitration courts promoting online hearings Branches of HKK and Vienna Arbitration opened in Moscow in 2019	Statutory litigation place Investments disputes

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Q&A

Thank you

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