



VOLKOV & PARTNERS

LAW FIRM

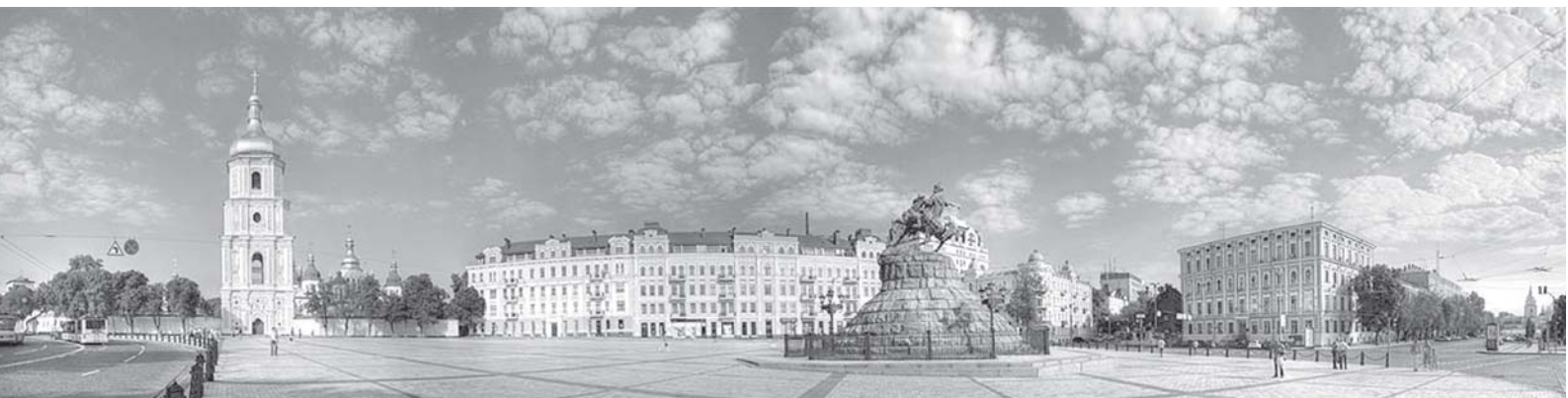


Dispute Resolution



Contents

Introduction	3
Practice Areas	4
International Arbitration	5
Administrative Litigation	6
Commercial Litigation	7
Civil Litigation	8
Our Clients	9
Acknowledgements	10



Introduction

Volkov & Partners is one of the leading law firms of Ukraine providing a full spectrum of legal services.

The firm was established in March 2005 by Oleksiy M. Volkov who has over 20 years of experience of legal practice, including being managing partner of one of the largest law firms in Ukraine.

Volkov & Partners is among the leaders in the fields of Dispute Resolution, Anti-trust, Antidumping and International Trade, Corporate and Oil & Gas.

List of our clients could be easily found on a best part of Forbes Global 2000 list, including multinational corporations in the fields of FMCG, oil and gas, banking, agriculture, transport and telecommunications.

Oleksiy M. Volkov, Managing Partner, has obtained multiple awards and recognitions from his peers in the industry.

Volkov & Partners Law Firm has been steadily acclaimed over last years as one of the reputable Ukrainian law firms, including recognitions in the fields of Dispute Resolution, Corporate and Natural Resources.



Practice Areas

Over the last years litigation and international arbitration practice has become one of the most significant areas in Ukrainian legal practice.

Volkov & Partners' litigation and international arbitration practice has the intellectual depth, creativity and geographic scope to successfully resolve virtually any type of legal dispute within Ukrainian jurisdiction.

We have wide litigation and international arbitration experience and successfully represent our clients before the Supreme Court of Ukraine, the High Commercial Court of Ukraine, the High Administrative Court of Ukraine, the courts of appeal, and district courts of commercial, administrative and general jurisdiction, as well as before international arbitration institutions.

Our dispute resolution service areas include:

- Antitrust;
- Telecommunications;
- Natural Resources & Energy;
- Banking & Financial Services;
- Corporate;
- Tax;
- Consumer Protection;
- Insolvency Proceedings;
- Employment;
- Intellectual Property;
- Real Estate;
- Securities;
- Torts;
- International Arbitration;
- Mediation.



International Arbitration

Our International Arbitration practice stands out as one of the key areas of legal services we provide.

Our lawyers and attorneys at law have vast experience of representing clients in disputes in arbitration tribunals in Ukraine and abroad. In particular, we have handled disputes in the fields of commerce, energy, air transport, telecommunications, etc.

We also advise our clients on risks minimization and on choosing effective method of potential disputes resolution and applicable law when concluding foreign economic agreements.

Our experts have been involved in various arbitrations, including:

- Successful representation in the International Commercial Arbitration Court at the Chamber of Commerce and Industry of Ukraine of one of the global leaders in agricultural trade in the dispute involving debt collection under the joint activity agreement worth over US\$8,000,000;
- Successful representation in the International Commercial Arbitration Court at the Chamber of Commerce and Industry of Ukraine of the company, engaged in well-drilling and mining, in the dispute involving debt collection under the contract worth over US\$200,000;
- Successful representation in the International Commercial Arbitration Court at the Chamber of Commerce and Industry of Ukraine of the airline company in the dispute involving debt collection under the aircraft freight agreement worth over US\$50,000;
- Advising one of the global leaders in electronics and household appliances trade on initiation of the litigation on debt collection under supply and agency agreements worth around US\$2,000,000 in the Netherlands Arbitration Institute;
- Advising one of the global leaders in telecommunications on initiation of the litigation on debt collection under supply and loan agreements worth around US\$1,500,000 in the Arbitration Institute of the Stockholm Chamber of Commerce.



Administrative Litigation

Assisting our clients in administrative proceedings is one of the priority areas of our practice. Our lawyers and attorneys at law have been involved in handling various disputes of business entities against government authorities, including tax agencies.

Providing legal professional and expert assistance in this sector is incredibly important as it allows avoiding substantial losses that might be inflicted by unlawful actions or decisions of government authorities. The majority of cases in this area Volkov and Partners has been participated in was solved in favour of our clients. Among the most prominent projects we can mention the following:

- Representation of a number of clients in disputes on VAT refund worth over UAH50,000,000;
- Representation of Kyiv Agency of Air Services KIY AVIA in actions against tax authorities on challenging decisions on charge of penalties totalling UAH84,000,000;
- Representation of one of the global leaders in trade and production of energy drinks in its action against tax authorities on challenging a decision on additional tax liabilities amounting to about UAH4,000,000;
- Representation of one of the global leaders in fast food in the dispute against the Shevchenkivska State District Administration in Kyiv on challenging the local government authority's actions;
- Representation of GE Fabbri Editions in its action against tax authorities on challenging tax notices-decisions on reduction of VAT refund amounting to over UAH1,400,000;
- Representation of LUKAviaOil in its action against tax authorities on challenging tax notices-decisions worth over UAH3,000,000;
- Representation of the leading Ukrainian travel company in its action against tax authorities on challenging decisions on imposition of penalties totalling over UAH5,500,000.



Commercial Litigation

Volkov and Partners Law Firm provides its corporate clients with legal assistance in any disputes in commercial courts of all instances in any region of Ukraine.

Our lawyers and attorneys assist in commercial courts litigations in various sectors of economy, including: real estate, trade, hydrocarbon production, transport, intellectual property, catering industry, public procurement etc.

For example, our law firm provided legal assistance to and represented interests of the clients in the following litigations:

- Advising McDonald's Ukraine Ltd. in litigation concerning real estate, reimbursement of losses, changes to or termination of contracts;
- Representing Belvedere Ukraine in litigation regarding trademark infringement;
- Representing Zagorye, one of the leading Ukrainian travel companies, in court proceedings with regard to trade name and trademark infringement. The case ended up in off-court settlement, under which the defendant undertook to discontinue using our client's intellectual property;
- Advising the well-known Russian manufacturer of cosmetics, on litigation in the case regarding reimbursement of losses amounting to over UAH2,000,000;
- Advising Henkel Ukraine, Unilever Ukraine, Colgate-Palmolive Ukraine, and Kimberly-Clark Ukraine in the litigation concerning Procter & Gamble Ukraine's breach of the Law on Protection of Economic Competition;
- Representing leading Ukrainian weekly in litigations regarding disputes between shareholders;
- Advising DID Kons LLC in litigation on debt collection based on the promissory notes for the amount over UAH40,000,000;
- Representing a client in the litigation with regard to invalidation of the general shareholders' meeting of the Dnipropetrovsk Oil Extraction Plant.



Civil Litigation

Our law firm also provides its corporate clients with legal assistance in civil litigation (including cases on land, housing, labour, family and protection of consumer rights).

More precisely, we consult our clients on land disputes (appeals against decisions and agreements on land rights), labour disputes, social protection issues, taxation in employer-employee relationships, peculiarities of foreigners' employment and taxation, issues of consumer rights protection etc. We successfully represented interests of our clients, both employers and employees, in labour disputes, cases concerning reinstatement in employment, and compensation for moral damages.

We represent interests of our clients in the common courts of all instances, including the High Specialized Court of Ukraine for Civil and Criminal Cases and the Supreme Court of Ukraine.

Among our clients are such companies as Cargill International SA, Colgate-Palmolive Ukraine, IKEA, KMPG-Audit, McDonald's Ukraine Ltd., Hy-Line International, PRK Partners, Emirates Airlines etc.

Our law firm provided legal assistance in litigations concerning the following cases:

- Representing KMPG-Audit in the case on reinstatement of the dismissed employee and compensation for moral damages resulting from the dismissal;
- Representing McDonald's Ukraine Ltd. in disputes against consumers;
- Representing Belvedere Ukraine in dispute related to reinstatement of the dismissed employee;
- Advising a number of clients on foreigners' employment and taxation of foreign employees;
- Representing AgroComBank in the case related to recognition of ownership right for real estate.

All court disputes which are mentioned above were won by our clients.



Our Clients

Among our largest clients are:

- AES Corporation;
- Auchan;
- Austrian Airlines;
- Cargill;
- Colgate Palmolive;
- Electrolux;
- General Motors;
- Henkel;
- Huawei;
- Kimberly-Clark;
- Lenovo;
- McDonald's;
- Metro Cash & Carry;
- Red Bull GmbH;
- Samsung Electronics;
- Swedwood Ukraine;
- Swissport;
- Unilever;
- AgroComBank;
- KiyAvia;
- LUKOil;
- Nibulon;
- Farmak.



Acknowledgements

Volkov&Partners Law Firm cooperates closely with many international law firms. We are ready to work side by side, and that's what our clients benefit from.

The membership in the European Business Association, TAG Law, International Fiscal Association and International Business Law Consortium enables us to assist in projects realized in several jurisdictions.

During the last years, our firm has gradually improved its results in TOP-15 of the leading national law firms according to the research of Yuridicheskaya Praktika weekly edition.

Our firm is recommended by the world-wide known legal reference systems:

- Chambers Global
- Martindale-Hubbell
- The Legal 500
- PLC Which Lawyer?

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