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## GLOBAL ISSUES, GLOBAL SOLUTIONS

Marks & Sokolov is an international law firm with offices in Philadelphia, Pennsylvania and Moscow, Russia, with plans to open an office in Kiev, Ukraine, this year. The firm has a unique focus on assisting clients with activities related to Russia, Ukraine, and other countries of the former Soviet Union. The firm provides corporate and transactional services, including business structuring, international contracting, and trade agreements, international litigation, and arbitration services, which include the preparation of legal expert reports. In addition, the firm has a broad U.S. based commercial practice. The firm advises on issues affecting a wide range of industries and businesses both in the U.S. and abroad.

Marks & Sokolov's attorneys are qualified to practice in the U.S. and Russia and have gained a profound expertise in the matters of Ukrainian law. The firm's clients, no matter where they are based, can easily access the expertise of our lawyers. Many of the firm's attorneys and support staff are fluent in English, Russian, Ukrainian, and other languages. The lawyers of Marks & Sokolov function as an integrated team. They are linked by an electronic infrastructure that allows them to bring the firm's experience and global resources to bear on clients' most demanding business and legal issues promptly and efficiently. The firm also has an established network of attorneys in many foreign jurisdictions to serve as local counsel.

### **U.S. and International Litigation Services**

In addition to its diverse U.S. domestic litigation practice, commercial litigation, securities fraud, legal malpractice, and insurance defense cases, the firm has conducted litigation and arbitrations in Cyprus, England, Russia, Sweden, Switzerland, and other countries. In 1999, the firm's founder and managing director, Bruce Marks, represented a Russian industrial company, which filed claims in New Jersey to recover \$150 million that was improperly diverted in a trade fraud scheme. In 2002, Marks filed a \$2.7 billion suit in New York on behalf of the foreign trading partners of a Russian aluminum factory whose contracts were abrogated in sham bankruptcy proceedings. In 2001, Marks & Sokolov brought claims in Colorado in excess of \$3.6 billion against Russia's largest oil company for wrongdoing related to the denial of rights to develop one of the world's richest diamond fields. In 2002, the firm brought a \$1.5 billion suit in New York against US-based entities engaged in a massive racketeering scheme to take over a substantial portion of the Russian oil industry. In 2004, the firm filed claims in Delaware in excess of \$1 billion related to the illegal seizure of a Russian vanadium plant. In 2005, the firm obtained freezing orders in Cyprus and the Commercial Court in England in a dispute over control of Ukrainian electricity distribution companies. In 2006, the firm filed suit in Massachusetts to recover \$1 billion in profits diverted from a Ukrainian ferroalloy plant.

The firm's most recent litigation successes in 2005 include a ground-breaking decision in the Second Circuit Court of Appeals in New York establishing that Russia was an inadequate forum for litigating a dispute related to the illegal seizure of a Russian oil company and a landmark decision of the Colorado Supreme Court reversing a lower court's decision dismissing a claim against Russia's largest oil company for lack of personal jurisdiction.



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## **Russian Legal Counseling**

With its rapidly developing infrastructure, abundant natural resources, and low cost well-qualified labor pool, Russia offers outstanding business opportunities. However, these opportunities present risks. The firm can assist with management of such issues, which may include navigating through weak legal and regulatory systems, conflicting laws and regulations, business fraud, and cultural barriers, by being “on the ground” in Russia to counsel the client and being on hand when problems occur. Further, Marks & Sokolov can assist in structuring business relationships to receive the protections and benefits of international arbitration procedures. For any matters that arise in the Russian courts, the firm will provide quality representation in accordance with western standards.

## **International Business and Transactional Services**

Some of the firm’s transactional experience includes:

- ◆ Structured a transaction and procured a letter of interest from the U.S. Ex-Im Bank to finance \$50 million worth of U.S. made mining equipment for export to Russia.
- ◆ Drafted and negotiated over \$60 million worth of international sales and purchase agreements, drafted numerous counter-trade agreements, railroad transportation contracts, port contracts and charter party agreements for international trading in Russia, Turkey, Greece, Italy, Switzerland, UK and South Africa.
- ◆ Prepared documents for the Defense Conversion Fund’s financing of a project in Ukraine involving converting a military plant to manufacture electric transformers from locally produced copper wire.
- ◆ Commented on the preparation of a Non-Commercial Risk Guarantee Facility for the Russian coal sector that was developed by the World Bank in Washington and the Federal Center for Project Finance in Moscow.
- ◆ Drafted and negotiated the sale of the shares of a Russian metal company for in excess of \$60 million.
- ◆ Drafted and negotiated contracts on behalf of purchasers for the acquisition of metallurgical plants in Michigan, Ohio, and West Virginia.
- ◆ Represented various Fortune 500 clients in various contract, labor, regulatory, and litigation matters in Russia.