

## RUSSIA ORDERED TO PAY \$159M OVER CRIMEA REAL ESTATE CLAIMS

An international tribunal has unanimously awarded about \$159 million to a group of investment companies that owned properties in Crimea that were expropriated by Russia in 2014. The ruling covers the Crimean peninsula.

## Alibabacoin Wins The First Round Against Alibaba

U.S. District Judge Paul Oetken in Manhattan who is handling the case: “Alibaba Group Holdings Ltd v. Alibabacoin Foundation et al, U.S. District Court, Southern District of New York, No. 18-02897” denied the claim of Jack Ma’s companies who were attempting to force the creation of Alibabacoin (ABBC).

## Russia Held Liable for Crimea Real Estate Seizures

A group of Ukrainian investors have won more than US\$159 million in damages against Russia over expropriated real estate in Crimea. The state has been held liable for the seizures for the first time in four years ago.

## Debt-Collection Firm Settles Class-Action Lawsuit

A New Jersey-based debt-collection business and its law firm have agreed to settle a class-action lawsuit that alleged they abused the New York City civil courts by trying to collect thousands of dollars on thousands of judgments that were not valid in New York City.



# Litigation Wrap

Second Quarter 2018

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# 2Q2018 Developments

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## **\$159M Award Against Russia**

A team led by **John Townsend** and **Jim Boykin** has secured the first award on the merits in a series of international arbitrations brought against the Russian Federation following Russia's invasion of the Crimean Peninsula. On May 2, a Permanent Court of Arbitration tribunal unanimously found Russia liable for breaches of the Ukraine-Russia bilateral investment treaty and ordered Russia to pay approximately \$159 million in compensation, including pre-award interest and legal costs to the claimants.

## **Crypto Trademark Suit Win**

On June 19, Hughes Hubbard led Dubai-based Alibabacoin Foundation to a major victory in federal court over Alibaba Group, defeating two applications for interim injunctive relief against use of the name "Alibabacoin" in association with cryptocurrency activities. **Jim Dabney** led the HHR team, which included **Professor Thomas Lee**, of Fordham University School of Law, who is Of Counsel at Hughes Hubbard.

## **Class Action Settlement Approved**

Working with the New York Legal Assistance Group (NYLAG) on behalf of low income New Yorkers, Hughes Hubbard helped settle a class action

lawsuit against one of the nation's largest debt buyers, Asta Funding, its subsidiary, Palisades Collection, and its law firm. Under the settlement approved by a U.S. District Judge on April 10, the defendants will pay \$3.9 million and cease all collections against the class of more than 60,000 people. **Diane Lifton** led the HHR team, which included **Meaghan Gragg**.

## **Republic Team Wins in Appeal**

**Chris Kiplok** led a team that scored a decisive victory against Republic creditor, ALF VI Inc., who challenged the substantive consolidation provisions in Republic's Chapter 11 plan of reorganization. On March 28, a U.S. District Judge affirmed the bankruptcy court's ruling that Republic's estates should be substantively consolidated and that Republic's plan of reorganization did not unfairly discriminate against the appealing creditor.

## **Firm Prevails in Top EU Court**

**Stefan Naumann** obtained another victory for medical device maker C5 Medical Werks on May 3 when the European Union's highest court—the European General Court—rejected rival CeramTec's motion to have the case removed from the Paris Court of First Instance, which had canceled

CeramTec's three EU trademarks covering the color pink and the shape of orthopedic implants on Feb. 22.

## **Significant Pro Bono Settlement**

Only days before his trial was to begin, Hughes Hubbard obtained an excellent outcome for pro bono client, Jose Quezada, by negotiating a \$50,000 settlement to resolve civil rights claims related to a pattern of harassment by prison correctional officers that culminated in a brutal assault. **Jim Fitzpatrick** and **Vilia Hayes** supervised the litigation team; **Dustin Smith** represented Quezada.

## **Patent Claims Dismissed**

On May 14, after more than a year of pretrial proceedings, **Jim Dabney** won dismissal of all claims against Automated Packaging Systems, Inc. for alleged infringement of U.S. Patent No. 9,003,743 for apparatus for inflating and sealing pillows in packaging cushions. HHR thereafter filed counterclaims against the Plaintiff for abuse of process, attempted monopolization and related torts. The case is currently in discovery.

## **Lehman Claims Appeal Won**

HHR's Lehman team prevailed in a \$117 million appeal of a bankruptcy

court ruling upholding the Trustee's determination that claims from market loss do not arise from account transfers. The dispute involved a complex intersection of the Bankruptcy Code, the Uniform Commercial Code, and the Securities Investor Protection Act. **Chris Kiplok** led the Lehman team while alum **Jason Benton** argued the appeal.

## **Arbitration Team Honored**

On April 12, Hughes Hubbard was recognized for the third year in a row by Global Arbitration Review (GAR) as one of the top 30 international arbitration firms. At the same ceremony, a joint working group on cybersecurity in international arbitration, that includes HHR attorney **Hagit Elul**, won a prestigious GAR Award for "Best Development." The working group is a joint project of the International Institute for Conflict Prevention and Resolution (CPR), the International Council for Commercial Arbitration and the New York City Bar Association. As Chair of the Arbitration Committee of the CPR, Elul is the CPR's representative on the working group.