



FINANCIAL SERVICES LITIGATION

Jenner & Block’s international Financial Services Litigation team understands the unique legal challenges faced by clients in the sector. Our experienced trial lawyers and solicitors have extensive industry knowledge and experience advising the world’s leading financial institutions and their executives in the management of risk and dispute resolution.

Why choose us?

- **Best-in-class, comprehensive legal advice.** Our lawyers are experienced in handling commercially sensitive and “bet-the-company” cases that require the implementation of pre-emptive strategies. We can provide guidance from the early identification and resolution of operational or regulatory risk, to the successful litigation of complex, multi-billion dollar securities disputes through trial and appeals.
- **International reach.** We work with investment and retail banking groups, funds, REITs, asset managers, private equity houses and venture capitalists around the globe, so can support our clients’ needs no matter where they do business.
- **Extensive experience with enforcement agencies.** Our relationships and history of working with agencies such as the US Securities and Exchange Commission, the US Department of Justice, the UK Serious Fraud Office and the UK Financial Conduct Authority ensure that we stay abreast of all relevant sector developments.

This experience, combined with our client profile, means that we have the knowledge and the ability to handle the sorts of high-profile cases many other major law firms often cannot handle due to conflicts. When you have a dispute that requires nothing short of the best, we stand ready to provide the right assistance at the right moment.

Types of matters

While not an exhaustive list, we focus on the following types of financial services disputes:

- Agency and trustee disputes
- Bank failures
- Bankruptcy adversary proceedings
- Benchmark investigations and disputes
- Breach of contract
- Breach of fiduciary duty
- Commercial arbitration
- Commercial and commodity financing
- Consumer finance
- Contentious insolvency and restructuring
- Data breach
- Derivatives
- Fraud
- Pension/ERISA litigation
- Partnership controversies
- Pricing investigations
- Real estate
- Regulatory enforcement
- Tortious interference
- Trade secrets and unfair competition



REPRESENTATIVE MATTERS

- **Benchmark investigations.** Advising former senior executives of global financial institutions in relation to investigations by the US and UK criminal and regulatory authorities into allegations of benchmark manipulation.
- **Trade secrets litigation.** Representation of a start-up trading firm in bet-the-company litigation with a competitor that focused on trade secrets and restrictive covenant claims.
- **Banking fraud.** Advising in connection with civil and criminal proceedings in the United Kingdom, United States, Singapore and various offshore jurisdictions arising out of a US\$420 million fraud perpetrated against several major banks.
- **Mishandling of funds.** Defense of one of Japan's largest banks against allegations that it improperly handled funds in an account of a prominent public figure.
- **Syndicated loan facility dispute.** Representation of a venture capital lender in an action brought in New York state court by a group of institutional co-lenders concerning a dispute over the sale of collateral securing an US\$85 million syndicated loan facility.
- **Financial crisis litigation.** Representation of a global asset manager in its five-year \$1.5 billion litigation against a multinational insurance corporation concerning the consequences of the corporation's bailout by the federal government.
- **CFPB lawsuit.** Representation as national counsel to a group of consumer installment lenders and loan servicers facing civil litigation and regulatory enforcement actions throughout the country, including a first-of-its-kind lawsuit brought by the Consumer Financial Protection Bureau (CFPB).
- **English High Court dispute.** Securing an award of US\$186 million for the Liquidators of a Middle Eastern conglomerate in English High Court proceedings against a broker-dealer arising out of the misappropriation of assets.
- **UK regulatory action.** Advising in the defense of a regulatory action and a £1 billion group litigation claim against a global financial institution and certain of its former directors.
- **UK regulatory investigation.** Conducting an investigation and reporting pursuant to an appointment by the UK financial regulator in connection with the failure of a large investment fund.
- **REIT punitive damage claim.** Representation of an S&P 500 healthcare real estate investment trust in a federal lawsuit for tortious interference arising out of an acquisition of another publicly traded healthcare REIT. The three-week jury trial resulted in a US\$101 million verdict for our client. The Sixth Circuit affirmed, and remanded for consideration of punitive damages. Following our victory, the punitive damage claim settled, bringing our client's total recovery to US\$227 million.
- **Federal Takings Clause challenge.** Lead trial counsel on behalf of an NYSE REIT in successful federal constitutional challenge under the Federal Takings Clause to a municipal ordinance which imposed a more than \$100 million burden on property in California.
- **Lender class disputes.** Counseled real estate arm of a major international client on a dispute between classes of lenders involving multi-tiered lending facilities related to real estate in the Midwest.
- **Partnership controversy.** Represented plaintiff investor in partnership dispute involving company investing over US\$100 million in EB-5 immigrant investor funds in real estate development projects in Milwaukee.
- **Commercial arbitration.** Successfully counseled and litigated on behalf of commercial real estate financing companies concerning disputes over complex debt and equity agreements related to well-known high rise buildings in New York.

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- **Pension plan litigation.** Representation of a global investment manager in a high-stakes litigation matter in federal court in Minnesota concerning allegations of more than US\$1 billion in pension plan losses.