

# 3<sup>rd</sup> English Law Day Forum in Kyiv

Thursday 21 March 2019



UKRAINIAN NATIONAL  
BAR ASSOCIATION



British Embassy  
Kyiv



The Law Society  
of England and Wales



# Welcome to English Law Forum in Kyiv

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The Law Society of England and Wales in partnership with the Ukrainian National Bar Association and the British Embassy Kyiv are pleased to welcome you to the third English Law Day Forum in Kyiv.

We are pleased to be supported by the Ukrainian Bar Association and the British Ukrainian Law Association.

We hope you will enjoy this important legal event and take the opportunity to meet new colleagues and old friends during the conference and networking reception.



## Programme

09:30 – 10:00	<p><b>Registration and refreshments</b></p>
10:00: - 10:20	<p><b>Welcome and opening of the conference</b></p> <p><b>Christina Blacklaws</b>, President of the Law Society of England and Wales  <b>Cathy Cottrell</b>, First Secretary Energy Policy and Head of Commercial Section, British Embassy Kyiv  <b>Lidiya Izovitova</b>, President, Ukrainian National Bar Association</p>
10:20 – 11:30	<p><b>Session 1 – Good times: Ukrainian start-ups and SMEs doing business in the UK</b></p> <ul style="list-style-type: none"> <li>– Setting up a corporate structure – key facts</li> <li>– UK tax regime</li> <li>– Visa and immigration rules</li> <li>– Raising finance in London – getting the right kind of financing is key to any successful venture</li> <li>– Bank accounts, sanctions and restrictions</li> </ul> <p>Moderator: <b>Ivan Grechkivsky</b>, Managing Partner, Law Offices of Grechkivsky, Kyiv</p> <p>Speakers:  <b>Roman Filatov</b>, Managing Partner, FJM Lawyers and Solicitors LLP, London  <b>Jamal Khan</b>, Managing Director, Lucrum Wealth Partners, London  <b>Tanya Laidlaw</b>, Partner, Quastel Midgen LLP, London  <b>Sue Millar</b>, Partner, Stephenson Harwood LLP, London  <b>Dmitry Zapol</b>, Partner, IFS Consultants, London</p>
11:30 – 12:00	<p><b>Tea and coffee break</b></p>
12:00 – 13:00	<p><b>Session 2 – Time for change – Angel exit and other options including estate planning and restructuring</b></p> <ul style="list-style-type: none"> <li>– IPOs, AIM, and GDR</li> <li>– M&amp;A transactions</li> <li>– What to do with the money – estate planning</li> <li>– Structuring Ukrainian Angels: do not forget Ukrainian law angles</li> </ul> <p>Moderator: <b>Robert Gray</b>, Senior Associate, Baker McKenzie LLP, London</p> <p>Speakers:  <b>Graham Conlon</b>, Managing Partner, CMS Cameron McKenna Nabarro Olswang, Kyiv  <b>Alina Plyushch</b>, Partner, Sayenko Kharenko, Kyiv  <b>Dominic Prentis</b>, Partner, Goodman Derrick LLP, London</p>

13:00 – 14:00	<b>Lunch</b>
14:00 - 15:30	<p><b>Session 3 – The price of success/the consequences of failure: resolving your disputes in England and Wales</b></p> <ul style="list-style-type: none"> <li>– Cost effective disputes resolution</li> <li>– Efficiency and reduced costs – what is being done to make arbitration quicker and cheaper?</li> <li>– Third party funding of arbitration disputes: opportunities and limitations</li> <li>– Family law implications - benefits and risks of England and Wales</li> <li>– Unexplained Wealth Orders</li> <li>– Cross-border insolvency</li> </ul> <p>Moderator: <b>Tatiana Menshenina</b>, Partner, Withers LLP, London</p> <p>Speakers:  <b>Michael Fenn</b>, Partner, Pinsent Masons, London  <b>Sergey Litovchenko</b>, Partner, Bivonas Law LLP, London  <b>Alex Thompson</b>, Senior Associate, Gateley Plc, London  <b>Izzy Walsh</b>, Head of London, Hall Brown, London</p>
15:30 - 16:00	<b>Tea and coffee break</b>
16:00 - 17:00	<p><b>Session 4 – Working with English and Welsh solicitors on cross border and international matters – panel discussion – war stories: truths learned from failure and building blocks of success</b></p> <p>Moderators: <b>Artem Doudko</b>, Partner, Osborne Clarke, London and <b>Yuri Botiuk</b>, Partner, CANDEY, London</p> <p>Speakers:  <b>Timur Bondaryev</b>, Managing and Founding Partner, Arzinger, Kyiv  <b>Ben Hornan</b>, Partner, Hogan Lovells International LLP, London  <b>Irina Nazarova</b>, Managing Partner, ENGARDE, Kyiv  <b>Evgeniya Rubinina</b>, Senior Associate, Freshfields Bruckhaus Deringer LLP, London</p>
17:00	<b>Closing remarks</b> by Eugenia Rebotunova, Chair, British Ukrainian Law Association
17:05 - 19:30	<b>Networking reception</b>

## Biographies

### Christina Blacklaws

President of the Law Society of England and Wales

Christina studied Jurisprudence at Oxford and qualified as a solicitor in 1991. She has developed and managed law firms including a virtual law firm and setting up the first ABS with the Co-op. More recently, she was Director of Innovation at a top 100 firm. She holds a range of public appointments including member of the Family Justice Council, trustee of LawWorks, member of the Judicial Diversity Forum, and chair of the government's Lawtech Delivery Panel.



Christina is the President of the Law Society of England and Wales and performs a range of ambassadorial and representative functions both domestically and internationally.

### Timur Bondaryev

Managing and Founding Partner, Arzinger, Kyiv

Timur is an Attorney, Managing Partner and Head of the Real Estate and Construction, Antitrust and Competition, IP, Advertisement and Promotion practices at Arzinger. Alongside this, he heads the firms automotive, life sciences and healthcare, food and beverages, and retail practices.



He has extensive experience of working for state authorities and in large corporations. He was Head of Division with the Legal Department at the State Property Fund of Ukraine and Head of the Legal Department at Ukrainian Aluminium, a subsidiary of Russian Aluminium Company. Timur Bondaryev is a highly respected law practitioner enjoying an excellent reputation in the local and international market.

### Yuri Botiuk

Partner, CANDEY, London

Yuri Botiuk is an experienced commercial litigator specialising in large scale disputes representing a wide range of clients including Russian, Ukrainian, Arabic and UK based clients both corporations and individuals. He is particularly sought out by Russian speaking clients for his expertise in handling disputes originating in the CIS.



Yuri has wide ranging experience of resolving disputes through litigation and arbitration. The disputes range from multi-million-dollar multi-jurisdictional fraud claims through to shareholders disputes, partnership disputes, foreign law claims, enforcing foreign judgments, construction disputes, actions for and against directors, defamation, breach of contract, tort and insolvency.

Yuri is regularly invited to speak as an expert on a variety of topics regarding doing business in Russia/Formal Soviet Union (FSU). Yuri appears in UK, US and FSU print, radio and television media on issues regarding Russia, Ukraine and the FSU. Notable recent litigation cases involved appointing administrators over the estate of a London based Oligarch, an action on behalf of a Russian airline, and acting on behalf of the Russian Region of Samara in enforcing Russian Judgments against a Russian Oligarch.

## Graham Conlon

Managing Partner, CMS Cameron McKenna Nabarro Olswang, Kyiv

Graham is the Managing Partner of CMS Cameron McKenna Nabarro Olswang Ukraine. An English-qualified M&A lawyer who trained with Linklaters, Graham advises on high profile M&A transactions throughout CEE/CIS.

Recent high-profile transactions include acting on Cargill's 100 million dollar joint venture to build a grain terminal on Ukraine's Black Sea Coast (probably the highest profile M&A deal in Ukraine in 2016), the sale of Ciklum to George Soros, and Advent International on the sale of ISIDA and Partner in Pet Food. Graham holds a Masters in Finance from London Business School, and a law degree from King's College London.



## Cathy Cottrell

First Secretary Energy Policy and Head of Commercial Section, British Embassy Kyiv

Cathy graduated in Russian and Soviet Studies from the School of Slavonic and Eastern European Studies which is now part of University College London.

She joined the Foreign Office in 1991 to work in the Soviet Research Department and worked there throughout the 1990s as the UK was developing new relationships and opening Embassies in the newly independent states. Her first posting in 1999 was as a trade attaché to Moscow. She has since served in Kuwait and Serbia as well as another tour in Russia before arriving in Kyiv in the summer of 2017.

## Artem Doudko

Partner, Osborne Clarke, London

Artem is a Partner in the International Arbitration Group at Osborne Clarke. He heads up the Russia and CIS Disputes practice.

Artem is an English qualified Solicitor Advocate who has a strong reputation and profile in his field and has been repeatedly voted as one of the top 'young' Russia and CIS disputes lawyers in the Russian Arbitration Association's annual vote. Artem has been identified year-on-year as a 'Future Leader' in the field of arbitration by *Who's Who Legal* and as a 'Rising Star' in commercial arbitration by both Legal Media Group's Expert Guides and Super Lawyers.

A Fellow of the Chartered Institute of Arbitrators, Artem has extensive experience of cases under all the major arbitral rules, including both commercial arbitration and investment arbitration. He regularly advises on significant and complex international cases, covering a wide range of issues including strategic, substantive, jurisdictional and conflict of laws issues. Artem has acted for major corporate groups, ultra-high net worth individuals, states, and state-owned entities.

Artem is a regular speaker on topics of English law and international arbitration at major conferences and seminars organised for lawyers, in-house counsel, senior business executives and law students.



## Michael Fenn

Partner, Risk Advisory Services, Pinsent Masons, London



Michael is a Partner in the Pinsent Masons Litigation and International Arbitration Team in London. Michael trained and qualified at Nabarro Nathanson before joining the boutique law firm Reid Minty LLP as a Partner. Michael subsequently joined McGrigors LLP (which merged with Pinsent Masons LP in 2012) as a Partner in 2008. Michael has a wide experience of litigation and disputes. These range from multi-million dollar multi-jurisdictional fraud claims through to banking disputes, shareholders disputes, wrongful trading actions, actions for and against directors, , defamation, breach of contract, tort, insolvency, and shipping claims.

Current cases include:

- Acting on behalf of Aeroflot in the Commercial Court in London in respect of a multi-million dollar fraud claim
- A multi-million dollar ICC arbitration for a Russian Corporation arising out of a series of supply and distribution agreements in the Middle East
- A multi-million dollar English High Court case for a Swiss investment bank in respect of an alleged fraud
- Acting for an English investment company in Judicial Review proceedings against the Financial Ombudsman Service

## Roman Filatov

Managing Partner, FJM Lawyers and Solicitors LLP, London

Roman is the Managing Partner of FJM. He has extensive experience advising on M&As for private companies, international joint ventures, venture capital and private equity investment, both for the investors and targets, raising finance (both equity and debt) for start-up companies. Roman's expertise covers most major industries, such as oil & gas, transport, media, luxury goods, entertainment, information technology, banking, automotive, hotels and leisure.



Roman also advises high net-worth individuals on various legal and commercial issues, including setting up business structures and family offices, succession planning, investments, and wealth management. Roman's additional areas of expertise include commercial contracts (agency, franchise, and distribution), intellectual property, real estate finance and investment.

Roman Filatov qualified as a solicitor in 2002. He is a member of the British-Russian Law Association, works closely with the Russian-British Chamber of Commerce and active in the Russian and CIS community in London.

## Robert Gray

Senior Associate, Baker McKenzie LLP, London

Robert is a Senior Associate in Baker McKenzie's London M&A team, but he splits his time between the London, Kyiv, and Moscow offices. He regularly advises large national and international corporations, financial institutions and private equity firms on cross-border and domestic M&As, joint ventures, and corporate reorganisations throughout the CEE/CIS region. Recent high profile transactions include advising LSE listed Ukrainian agricultural company MHP S.E. on its acquisition of Perutnina Ptuj's Eastern European meat production business.



Robert oversees English law corporate transactional work throughout Baker McKenzie's Eastern European and CIS offices, having formerly been based in Moscow from 2010 to 2016. Robert speaks English, Russian and German.

## **Ivan Grechkivsky**

Managing Partner, Law Offices of Grechkivsky, Kyiv

Ivan specialises in dispute resolution and corporate law. He has extensive experience in representing foreign and Ukrainian clients in commercial and administrative disputes.

Ivan actively participates in the bar self-government in Ukraine. He is currently Chair of International Relations Committee of Ukrainian National Bar Association as well as a Council Member of the International Bar Association, and representative of Ukrainian bar at the Council of Bars and Law Societies of Europe.



## **Ben Hornan**

Partner, Hogan Lovells International LLP, London

Ben is a Partner in Hogan Lovells' international arbitration team based in London. Ben represents clients on complex, high value, cross-border disputes. Ben has particular experience of arbitrations involving Ukraine and the CIS region, as well as the oil & gas, mining and natural resources, and financial services industry sectors.



In addition to handling numerous arbitration proceedings under the LCIA, ICC, SIAC, UNCITRAL and other sets of arbitral rules, Ben has been involved in national court proceedings in relation to all aspects of the arbitration process – including applications for worldwide freezing orders, challenges to awards, and enforcement – in several jurisdictions, including England, Cyprus, Ukraine, Russia, Kazakhstan, Turkey, and the British Virgin Islands.

Ben is known for being hard-working, determined and highly commercial. He comes recommended by *Legal 500 (2019)* as being an 'excellent lawyer' and having 'real arbitration experience and expertise'.

## **Lidiya Izovitova**

President, Ukrainian National Bar Association

Lidiya Izovitova was first elected as president of the UNBA for a five year term in 2012 and was re-elected for a second term in 2017. Ms Izovitova was also president of the Union of Advocates of Ukraine from 2011 to 2016.

Ms Izovitova has been practicing as an advocate since 1972. She is also a member of the Constitutional Assembly and has been elected on three separate occasions as a member of the High Council of Justice. In 2007, she was elected as President of the High Council of Justice.



## **Jamal Khan**

Managing Director, Lucrum Wealth Partners, London

Jamal is a qualified solicitor and has more than 18 years of corporate law experience gained in major international law firms (Dentons and Dewey LeBoeuf) and with a substantial private equity fund/family office (as General Counsel) which held investments in the CEE/CIS region in excess of one billion dollars.

In his role as General Counsel, he was responsible for advising on all legal aspects related to the set up and compliance of the private equity fund as well as the acquisition, restructuring and sale of fund portfolio companies. Most recently, he has advised the senior principals of a family office in London on their various investment portfolios, a US multinational industrial services company on a corporate group reorganisation, and a Russian ultra-high net worth individual and his family on their potential relocation to the UK and the provision of specialist tax and immigration advice.



## **Tanya Laidlaw**

Partner, Quastel Midgen LLP, London

Tanya is the Head of Immigration at Quastel's and has been advising international clients on UK immigration matters for more than a decade. Tanya is known for her solution-oriented approach and dedication to the success of her clients. Tanya advises on all aspects of UK immigration, from HNW business immigration to visitor visas. As Head of Immigration Tanya has built an outstanding team of lawyers and caseworkers who act on business, private and corporate immigration matters.

Tanya holds a degree in law from the University of Westminster. She is a Member of the Immigration Law Practitioners Association. Tanya speaks English, Ukrainian, and Russian.



## **Sergey Litovchenko**

Partner, Bivonas Law LLP, London

Sergey qualified as a solicitor in 2010 with McGrigors LLP (which merged with Pinsent Masons LP in 2012 and is now a Partner at Bivonas Law LLP. Sergey is an experienced commercial litigation and arbitration lawyer. He has experience in multi-million dollar multi-jurisdictional fraud claims, shareholders disputes, defamation, breach of contract, tort, and insolvency claims. He also has experience acting in high value divorces. Sergey is a native Russian speaker. He heads the Russia and CIS Desk at Bivonas Law LLP.



Recent works include:

- Acting on behalf of a Russian pharmaceutical company in International Chamber of Commerce proceedings defending a claim over alleged wrongful termination of a distribution contract.
- Acting on behalf of PJSC 'Aeroflot – Russian Airlines' in its claims against Mr Berezovsky and others
- Acting on behalf of the Government of the Samara Region, Russia seeking enforcement of a Russian judgment in England against Mr Berezovsky.

## Tatiana Menshenina

Partner, Withers LLP, London

Tatiana is a Partner in the litigation and arbitration team and focuses on disputes involving Russia and the CIS. She is an experienced commercial litigator, working on both court cases and arbitrations, with market-leading experience in complex cross-border disputes. She has worked on a range of high profile cases for both corporates and high net worth individuals.



Tatiana qualified as a Solicitor – Advocate with Higher Rights of Audience, Civil Proceedings (England and Wales). She is also qualified as a Russian Advocate and was called to the Moscow City Bar in 2002.

## Sue Millar

Partner, Stephenson Harwood LLP, London

Sue is a finance litigation specialist. She focuses on investment banking disputes, involving highly complex products and structures. Her expertise extends to commercial and private banking and trade finance disputes. She is also recognised for her expertise in commercial dispute resolution where her pragmatic approach has won praise. Clients describe her as knowing ‘the best deal and how to achieve it’. She advises a diverse range of clients including insurance brokers, asset managers, corporate and pension trustees, and insolvency professionals.



Sue also leads the firm's sanctions group. She advises on a range of contentious and non-contentious issues arising in relation to the various Iranian, Libyan, Syrian and Russian sanctions regimes. Her experience in this area extends to acting for designated entities and individuals in challenging their designations before the EU Courts.

Sue co-heads the firm's Iran group with Dubai managing partner, Rovine Chandrasekera.

## Irina Nazarova

Managing Partner, ENGARDE, Kyiv

Irina has 20 years' experience in dispute resolution, including commercial litigation, cross-border litigation, international arbitration, and mediation. Irina has acted as Of Counsel to the Head of the State Property Fund of Ukraine. She is regularly engaged as counsel, arbitrator and expert in arbitral proceedings under various arbitral rules. Irina moves easily between traditional litigation, international arbitration, and ADR.



Irina Nazarova is a member of ICC Commission on Arbitration and ADR, Vice-President of ICC Ukraine National Committee and a former Member of the ICC International Court of Arbitration. She is ranked as a leading lawyer in Ukraine by *Chambers Global* (Band 1, Dispute Resolution), *Chambers Europe* (Band 1, Arbitration), *Who's Who Legal* (Arbitration), and *The Legal 500* (Arbitration, Leading individual).

## Alina Plyushch

Partner, Sayenko Kharenko, Kyiv

Alina is a partner at Sayenko Kharenko with 18 years practical experience. She specializes in private wealth management, corporate law, M&A, corporate finance, and capital markets.

As one of the leading private wealth management specialists in Ukraine, Alina heads the firm's private clients practice. She has substantial experience advising clients on the most sophisticated private wealth management issues, including protection of the rights of beneficial owners of large Ukrainian and foreign business groups. She regularly advises on setting up trust structures, foundations, investment funds, and segregated portfolio companies.

Alina has been recommended in M&A by *Best Lawyers International 2014-2019*; recognized in Corporate/M&A by *Ukrainian Law Firms 2018*; listed among the world's best private client lawyers by *Who's Who Legal: Private Client 2015-2018*; and recognized among private client lawyers by *The Legal 500, 2018*.



## Dominic Prentis

Partner, Goodman Derrick LLP, London

Dominic is an English and French-speaking corporate lawyer. He advises listed and private companies, nominated advisers and brokers, individuals, and family offices. His experience includes London Stock Exchange and AIM advice, the Takeover Code, oil & gas, mining, financial services, security and communications, alcoholic beverage producers, LLP structuring, bond issues, investment advice, and on occasion negotiations at government level. As well as working for companies in the UK, he has worked across the CIS, Europe and Francophone and Anglophone Africa. He runs the firm's French Desk.



Dominic is an active member of the Mongolian British Chamber of Commerce, the British Ukrainian Law Association, the Franco-British Law Society and the Mauritanian British Chamber of Commerce. Dominic is a frequent speaker at legal events in France and Ukraine and is listed in the Who's Who Legal of Mining Lawyers.

## Eugenia Rebotunova

Chair, British Ukrainian Law Association

Eugenia is the Chair of the British Ukrainian Law Council and a Senior Counsel based at Sayenko Kharenko in London, admitted in Ukraine and in the State of New York, USA. She serves as a key point of contact for the firm's UK clients as well as Ukrainian and other Eastern European clients interested in the UK market. As a triple-qualified lawyer, Eugenia has over 20 years of experience advising on international investment, restructurings, M&A, and real estate matters.



Prior to joining Sayenko Kharenko, Eugenia launched a real estate practice in the Moscow office of a major international law firm headquartered in New York and advised financial institutions, developers, hotel groups, and retail companies on international financing, construction, letting, sale of assets, and acquisitions. In addition to broad legal advisory expertise, Ms Rebotunova spent years

working for investment funds and asset management companies with broad responsibility for legal, commercial, and governmental and public relations strategies.

## **Evgeniya Rubinina**

Senior Associate, Freshfields Bruckhaus Deringer LLP, London

Evgeniya is a Senior Associate at Freshfields in London with more than ten years of experience in international arbitration. She is admitted to practise in England and Wales, Russia, and New York, USA.

She focuses on investment arbitration, international commercial arbitration, and public international law. Her experience includes acting as advocate in international commercial disputes under LCIA, ICC, and SCC rules, as well as representing clients in investment treaty arbitrations. She has experience of disputes in the metals and mining, oil and gas, electricity, construction, manufacturing, and consumer goods sectors. She has a particular focus on disputes in the former Soviet Union and has acted in high-profile disputes involving Ukrainian parties.



Prior to joining Freshfields, she worked for the World Bank Group's International Centre for Settlement of Investment Disputes. She also worked for the Permanent Court of Arbitration in The Hague.

She speaks English, French and Russian.

## **Alex Thompson**

Senior Associate, Gateley Plc, London

Alex is a Senior Associate in the Complex & International Dispute Resolution Team (CIDR Team) at Gateley Plc, the first UK law firm to list on the AIM. Having qualified in 2010, Alex specialises in dealing with contentious insolvency and fraud related matters. He has extensive experience of representing clients in the UK and abroad, as well as acting for litigation funders.



The CIDR Team is one of the largest specialist asset recovery teams in the UK. By employing innovative funding solutions, they regularly pursue actions on behalf of victims of fraud where there are no assets available to fund the action but potentially strong claims.

Recent assignments include:

- Acting for Gibraltar liquidators against an offshore director in respect of claims exceeding £50 million
- Obtaining worldwide freezing order in the UK on behalf of BVI receiver to aid enforcement in the CIS
- Instructed by Swedish HNWI to pursue fraud claims against UK accountants.

## **Izzy Walsh**

Head of London, Hall Brown, London

Izzy Walsh is the head of Hall Brown's London office and a member of the British Russian Law Association, British Ukrainian Law Association and the International Bar Association. Izzy advises on all aspects of family law, including pre and post nuptial agreements, cohabitation, divorce, dissolution of civil partnerships, financial settlements and children issues.



Izzy qualified as a solicitor in 2011 at Magic Circle firm Herbert Smith, where she practised commercial law. She then transferred across to become a family lawyer, and has specialised exclusively in family law, and in particular high net worth financial cases. She is also a qualified Solicitor Advocate (High Courts Civil Proceedings).

### **Dmitry Zapol**

International tax partner, ADIT, IFS Consultants, London

Dmitry Zapol is an international tax and business advisor with practical knowledge of the principles of individual and corporate taxation and cross-border business planning. Amongst other matters, Dmitry routinely advises high net worth individual clients in connection with their international relocation. In particular he is a leading expert in the tax matters of the UK Tier 1 Investors and Entrepreneurs.



Dmitry is an International Tax Affiliate of the Chartered Institute of Taxation (ADIT). He holds an LL.M (Tax) awarded by King's College, London and an LLB Law awarded by Durham University. Dmitry is a qualified Russian lawyer and had worked as an associate at Moscow City Bar Association "Barshchevsky & Partners".



