



Robin Rathmell

Lawyer

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Dual-qualified as an English barrister and U.S. lawyer, Robin Rathmell represents high-net-worth individuals and institutions in international litigation involving allegations of fraud, money laundering and other forms of misconduct. Mr. Rathmell has particular experience in civil and criminal asset forfeiture and related trusts, commercial and insolvency litigation around the world, and regularly appears in front of trial and appellate courts in the U.S. and England on such issues. He also has extensive experience dealing with reputation management and crisis communications issues arising in these types of cases.

All of his engagements have an international element and, given the complex nature of the assets and fact patterns involved, usually span several jurisdictions, legal systems and asset-holding structures. In recent engagements, Mr. Rathmell has acted as counsel in cases involving all of the world's key offshore financial centers, as well as Europe, the Middle East, Africa, Asia and the Americas. As a result, in addition to his regular interface with U.S. regulatory and intelligence agencies, Mr. Rathmell also has extensive experience coordinating legal strategies in matters involving action brought by non-U.S. authorities located around the world. Mr. Rathmell's work interfacing with government agencies in multiple jurisdictions has led to him being noted in the *Legal 500* as "a cutting-edge expert at cross-border investigations."

Reflecting the multidisciplinary nature of his practice, Mr. Rathmell is recognized in numerous publications for multiple areas of practice, including for white-collar and commercial litigation in the *Legal 500*, for financial crime defense of high-net-worth individuals by Chambers & Partners, and as a Prominent Barrister in contentious trust matters and regulatory work by *Citywealth*, where he is described as, "the go-to lawyer for complex international litigation concerning high net worth individuals and trusts" and "a star in his field."

Before joining Kobre & Kim, Mr. Rathmell practiced as a barrister at Serle Court in London. At Serle Court, he focused on offshore trusts disputes and international commercial litigation and appeared as an advocate in 15+ trials and 100+ contested hearings. Mr. Rathmell graduated in law from Cambridge University with double first-class honors. He also has an international diploma in antimoney laundering and a professional postgraduate diploma in financial crime compliance. He is a trust and estates practitioner of STEP and a Fellow of the International Compliance Association.

Admissions

- Special Legal Consultant, District of Columbia
- Barrister, Eastern Caribbean Supreme Court (British Virgin Islands)
- Barrister, England & Wales
- New York

KOBRE & KIM

- U.S. Court of Appeals for the Ninth Circuit
 - U.S. District Court for the Eastern District of New York
 - U.S. District Court for the Southern District of New York
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Education

- University of Cambridge, MA, Law, *double first-class honors*
 - ICA International Diploma, Anti Money Laundering
 - ICA Professional Postgraduate Diploma, Financial Crime Compliance
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Accolades

Chambers & Partners, Financial Crime: High-Net-Worth Individuals
The Legal 500, Commercial Litigation
The Legal 500 UK, Crime, Fraud, and Licensing: Fraud: White Collar Crime
Citywealth Magazine, Leaders List: Private Wealth and Advisory Industry

Select Engagements

Government Enforcement Defense

- Representation of Jho Low, an international businessman, in global legal matters arising out of the “1MDB” matter, which involve criminal charges and civil asset forfeiture proceedings brought by the U.S. Department of Justice (DOJ), as well as additional legal action from authorities located in Switzerland, Saudi Arabia, the United Arab Emirates, Singapore and various other countries, involving several billions of USD in controversy. We have resisted ongoing forfeiture and confiscation efforts for several years, and engaged in counter-offensive litigation in the Cayman Islands and New Zealand to secure more favorable positioning for the family’s assets.
- Representation of two Russian businessmen in connection with an investigation by Russian authorities into the Russia-based financial institutions founded by our clients. The Russian Federation is making numerous politically motivated legal assistance requests against our clients around the world in both onshore (e.g., the U.S.) and offshore (Mauritius and the Cook Islands) jurisdictions. We are coordinating the global defense of those requests. We are also acting as counsel in an ongoing civil case in the U.S., as well as implementing defensive strategies, including a “clean funds” analysis, with respect to cross-border asset forfeiture proceedings.

KOBRE & KIM

- Representation of several executives of Unaoil, a company operating in the Middle East, Central Asia and Africa, in providing a strategy to release and protect assets in the U.S., the UK, the Cayman Islands and several other offshore jurisdictions in light of a foreign bribery investigation being conducted by the DOJ and UK authorities. In a major victory for our clients, our firm secured an order from a court in an offshore jurisdiction allowing for the replacement of the trustee at the request of the trust settlor and the distribution of once frozen funds.
- Representation of an individual in an investigation being conducted by the U.S. DOJ and other authorities into alleged bribery with respect to vendor contracts awarded to a state-owned oil company and money laundering regarding the same, in which we performed a “clean funds” analysis in aid of anticipated forfeiture and confiscation efforts against our client.
- Representation of a prominent European businessperson in exploring offensive litigation strategies against adversaries conducting a derogatory public relations campaign by alleging the client's involvement in a money laundering investigation being conducted by Spanish authorities, as well as deploying various reputation management efforts to aid the client's factual and legal defenses.
- Representation of privately wealthy individuals in providing asset-related litigation advice in relation to an investigation being conducted by Brazilian authorities.
- Representation of a government source in successfully protecting highly sensitive, confidential information sought by Russian defendants in a civil money laundering and fraud lawsuit brought by the U.S. government.

Trusts & Estates Litigation

- Representation of certain New Zealand trusts to anticipate and develop strategies for preempting or defending against claims in numerous jurisdictions arising from allegations about the trusts’ settlor.
- Representation of a Chinese family and an international trustee bank in litigation venued in Jersey concerning US \$300 million.
- Representation of a well-known, high-level former Brazilian political figure charged in the U.S. with fraud-related offenses in negotiating with the New York District Attorney's Office concerning offshore trust structures related to the client's business interests.
- Representation of a Russian billionaire in a dispute over shares in British Virgin Islands companies concerning major Russian energy interests.
- Representation of Brazilian parties subject to seizure of their UK-based assets and in establishing an asset repatriation mechanism involving the UK, Jersey, Switzerland and Brazil.

International Judgment Enforcement & Offshore Asset Recovery

KOBRE & KIM

- Representation of clients challenging the UK's recognition of Russian insolvency on the grounds that the recognition is manifestly contrary to UK public policy. The team obtained the first-of-its-kind award ordering the foreign liquidator to post substantial security for our clients' costs, which significantly changed the litigation's dynamics in the clients' favor.
- Representation of a Fortune 50 company in implementing global insolvency and enforcement strategy against a company accused of funding and supporting a multibillion-dollar fraud.
- Representation of a European individual in defending against the enforcement of a foreign judgment entered in the New York Supreme Court for approximately US \$378 million in relation to allegations of both civil and criminal fraud.
- Representation of an energy and natural resources company in relation to global claim monetization efforts against perpetrators of technology theft worth in excess of \$500 million.
- Representation of Chevron in the successful enforcement of an investment treaty arbitration award against the Republic of Ecuador for US \$100 million+ (with interest). Kobre & Kim's efforts in executing an enforcement strategy, including asset tracing, efforts to identify seizure targets and the service of numerous discovery requests, culminated in Ecuador's paying Chevron the entirety of the original award plus interest.

Professional & Community Involvement

- Chancery Bar Association, Member
- Commercial Bar Association, Member
- Society of Trust and Estate Practitioners, Member
- American Bankruptcy Institute, Member
- New York State Bar Association, Member
- New York City Bar Association, Member
- The Bar Association of the District of Columbia, Member
- International Compliance Association, Fellow

Publications & Presentations

- Speaker, "Litigation is Expensive. Litigation Funding?" (CSI Group, Big Debt Recovery Conference: Moscow, April 2019)
- Speaker, "Protecting the Wealthy, their Assets and Advisors." (Cambridge Forum, February 2019)
- Speaker, How to Avoid Unnecessary Litigation - Learning from Other Peoples' Mistakes." (STEP/FFI Global Conference, January 2018)
- Speaker, "Should I Serve as a Director of Kingsland Private Trust Company? - What Every Director Needs to Know about Corporate and Fiduciary Liability." (STEP/FFI Global Conference, January 2017)
- Speaker, "The Brexit Effect: What You Need to Know" (American Bar Association, Webinar, September 2016)

KOBRE & KIM

- Co-author, "Guardianship: Strategies for Minimizing Risk" (*Family Office Exchange*, September 2016)
- Co-author, "How Will London's Specialist Court Affect U.S. Companies?" (*Law 360*, November 2015)

"A cutting-edge expert at cross-border investigations."

- *Legal 500*

"Easy to work with, smart, but tough when necessary."

- *Chambers & Partners*

"A powerhouse in cross-border/multi-jurisdictional trust litigation. He is able to deal with the most complex of issues with ease. He is excellent to work with and a great strategist."

- *Citywealth*