



Claim Monetization & Dilution

Kobre & Kim is the only firm providing integrated services for complex, cross-border claims disputes. We have a strong track record on both the offensive (claim monetization) and defensive (claim dilution) end, allowing us to devise and anticipate strategies on both sides of the problem.

Claim Monetization

We help clients realize value from their claims, developing investigative, enforcement and asset tracing/recovery plans in the pre-dispute stage for later implementation. Our integrated team, of former U.S. government lawyers, Hong Kong solicitors, UK solicitors and barristers (including Queen's Counsel) and offshore lawyers, uniquely positions us to drive cross-border proceedings — advocating directly for our clients or closely leading local counsel in jurisdictions around the world.

International Judgment and Arbitration Award Enforcement

As the only firm able to deliver the full spectrum of global asset recovery services, our team has been featured on the front page of *The Wall Street Journal* and recognized repeatedly in legal industry publications as one of the most highly regarded firms in this field. Currently, we are acting as enforcement counsel on the two largest international arbitration award enforcement projects in the world.

- Representation of ConocoPhillips in implementing a worldwide enforcement strategy in relation to a US \$2 billion International Chamber of Commerce (ICC) arbitration award and a US \$8.7 billion International Centre for Settlement of Investment Disputes arbitration award against the Republic of Venezuela and its national oil company, Petróleos de Venezuela, S.A. (PDVSA). In respect to the ICC award, our team assisted ConocoPhillips to achieve a settlement with PDVSA for the full value of the award plus interest, less than four months after it was rendered.
- Representation of Process & Industrial Developments Ltd., an international engineering company from the BVI, to enforce a US \$9 billion arbitration award against the Federal Republic of Nigeria.
- Representation of a *Fortune 500* company defrauded of US \$65 million+ in recovering the funds from bank accounts in Hong Kong and the People's Republic of China.
- Representation of Chevron in the successful enforcement of an investment treaty arbitration award against the Republic of Ecuador for US \$100 million+ (with interest), involving extensive enforcement analysis and litigation throughout the world, including Western and Eastern Europe. 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.
- Representation of DuPont in enforcing a US \$920 million judgment against Kolon Industries, a South Korean conglomerate operating in Asia, the U.S. and Europe, which involved asset research and litigation in a variety of jurisdictions including Japan, Brazil, and Romania among others.
- Representation of the Commonwealth of the Northern Mariana Islands, a U.S. territory, in enforcing judgments of US \$120 million+ against assets and defendants in multiple jurisdictions in the U.S., the Caribbean, and Asia. Our work in this matter was profiled on the front page of *The Wall Street Journal*.

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Offensive Investigations

KOBRE & KIM

We act as special counsel to deploy an asset-focused, private enforcement operation to combat fraud and restore lost revenue. These high-stakes, large-scale campaigns aim to acquire competitive information about commercial threats, bring civil claims and assist or induce law enforcement action.

- Representation of a Middle Eastern sovereign government to investigate alleged sanctions and money laundering violations. Our work on this matter included advising the government on the ongoing criminal investigation and executing a global strategy to prosecute and recover assets from those involved in multiple jurisdictions.
- Representation of a patent company in conducting investigations into a competitor's operations, supply chains, retail networks, affiliates, trade partners, and customers in support of monetizing and protecting Client's patent portfolio.
- Representation of an international company in developing and executing a cross-border asset recovery strategy against assets and targets located in Europe, the Middle East, and the U.S., among other jurisdictions to recover over \$300 million taken by fraud.
- Representation of a global energy company in a coordinated investigation concerning potential collusion between a competitor and sovereign government.
- Representation of a global energy company in a coordinated cross-border asset recovery investigation into a certain debtor's officers and directors and their affiliated entities.
- Representation of a fund manager regarding the regulatory risk of inducing foreign investment partners to perform certain corporate actions.
- Representation of a Middle Eastern sovereign government to investigate alleged sanctions and money laundering violations. Our work on this matter included advising the government on the ongoing criminal investigation and executing a global strategy to prosecute and recover assets from those involved in multiple jurisdictions.

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Claim Dilution

We aggressively defend targets of government asset forfeiture or commercial judgment enforcement campaigns. Our firm has handled some of the largest cases in the asset forfeiture defense space, representing high-profile private clients on a global scale. We have a successful track record of defending against asset seizures and reducing settlement amounts, often with hundreds of millions of dollars at stake.

Government Asset Forfeiture/Confiscation Defense

We provide litigation advice related to assets, including preparing clean funds analyses and innocent owner narratives, both of which are essential to onboarding with transactional providers and presenting future litigation scenarios. Such analyses can maximize arguments that the sources of the funds are clean and that a client owns them lawfully. We regularly petition regulatory agencies such as the Office of Foreign Assets Control (OFAC) to lift or reduce sanctions currently levied against our clients and restore access to the international financial system. We have successfully convinced governments and courts (including offshore courts) to release assets, reduce forfeiture requests or permit restructuring of trust assets.

- Representation of an Asia-based business executive in a multi-jurisdictional investigation involving allegations of fraud, bribery, and money laundering.
- Representation of a Russian businessman and former owner of a large Russian bank, in defending against asset confiscation efforts by the Russian Federation, involving proceedings in Cyprus, Austria, the Cook Islands, the U.S., and Lichtenstein, among others.
- Representation of a prominent Monaco-based family in defending against asset confiscation efforts by authorities in the UK, involving proceedings in Monaco, New Zealand, and the UK.

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International Judgment and Arbitration Award Enforcement Defense

KOBRE & KIM

Most of our matters involve awards and judgments in the range of US \$100 million to billions of dollars. We have deep experience acting on behalf of both award debtors and creditors, allowing us to understand potential strategies on both sides of disputes. On the defensive side, we have succeeded in protecting clients against asset seizures and reducing settlement amounts.

- Representation of a Kazakhstan-based joint venture in the oil & gas industry in developing strategies to protect against potential arbitration award enforcement efforts in the U.S., Bermuda, the UK and Luxembourg.
- Representation of Tiger Eye Investments, a Cayman Islands company alleged to be holding US \$400 million+ in funds from Brazilian investors, against efforts by the U.S. and Brazilian governments to freeze and seize assets. Obtained complete dismissal of the case which resulted in a precedent-setting opinion from the US Court of Appeals DC Circuit.
- Representation of the former ruling family of an African country in defending against attempted asset seizures of US \$1 billion+ by a consortium of governments in litigations across Europe, including in France, Luxembourg, Switzerland, Turkey, Cyprus, and Monaco.

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