



International Commercial & Trade Dispute Resolution

Because parties conduct business in a global market, international commercial disputes can arise. In US litigation, these cases raise complex issues involving service of process under the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, personal jurisdiction challenges, forum non conveniens defense, as well as substantive law and evidentiary issues relating to Incoterms® and the U.N. Convention on Contracts for the International Sale of Goods ("Vienna Convention").

Our Experience

INTERNATIONAL COMMERCIAL & TRADE DISPUTE RESOLUTION

Managing the defense by local counsel of a US oil/gas equipment manufacturer in litigation pending in Israel brought by an insurer and pipeline operator seeking indemnification for payments made arising out of largest environmental catastrophe in Israel.

Advised Massachusetts life sciences supply company to negotiate favorable settlement of dispute with Chinese supplier over defective COVID-related products, obtaining agreement for a seven-figure credit on future purchases of supplier's products .

Advised a Texas lighting company in the negotiation of a settlement of a dispute with its US customs broker regarding breach of fiduciary and gross negligence claims to obtain a favorable settlement including a cash payment and series of credits and maintaining a long-term relationship.

Coordinated the successful prosecution of a breach of contract claim by UK counsel on behalf of a US oil/gas equipment manufacturer in litigation against a UK-based customer to obtain summary judgment leading to a favorable settlement for payment of the judgment and

attorneys' fees.

Represented a California graphic film manufacturer in breach of fiduciary duty and fraud claims against its US customs broker to obtain a full-value settlement of its claims for the broker's fraudulent billing practices and underpayment of duties to US Customs and Border Protection (CBP) and secure funds in connection with the representation of the client before CBP in a prior disclosure to satisfy the loss of revenue and obtain a CBP declination of civil penalty assessment.

Obtained a multimillion dollar default judgment in Western District of New York federal court against a Canadian alternative energy financing company, resulting from filing an amended complaint to add a breach of contract claim upon discovering information entitling the client to bonus compensation under a consulting agreement, including developing a potential Mutual Legal Assistance Treaty (MLAT) strategy to pursue collection against the defendant company and its sole shareholder.

Represented an Australian distributor against an Ohio food equipment manufacturer for breach of contract and related claims under UN Convention on Contracts for the International Sale of Goods (CISA) in Ohio state court litigation.

Represented a former NBA player agent against a Greek professional basketball club in Northern District of Ohio federal court litigation to execute on District Court of Massachusetts federal court default judgment, including defeating a motion to quash execution and coordinating with Boston and New York City counsel to defend efforts to vacate the judgment on personal jurisdiction grounds, and garnishing funds to be paid to the defendant by the NBA. The case settled favorably during mediation at the US Court of Appeals for the First Circuit.

Represented a Mexican forklift supplier in Ohio state court litigation brought against the purchasing company and its owner for fraud, civil conspiracy, conversion, breach of contract under the CISG and violation of the Ohio Corrupt Activity Act. The case was promptly and favorably settled prior to the defendant filing its Answer.

Obtained a confessed judgment in Ohio state court on behalf of an Israeli company, resulting from breach of a promissory note, including filing a successful bank account garnishment, leading to a negotiated settlement in full satisfaction of the judgment and interest.

Represented a Bolivian joint venture in a breach of contract action filed in the Northern District of Ohio federal court against an Ohio company regarding the sale of a tunnel boring machine, used to complete the largest water tunnel project in Bolivia, favorably settling the case after mediation, saving significant discovery costs, including depositions in Bolivia.

In Central District of California federal court litigation in Los Angeles, represented a Chinese manufacturer on breach of contract claims brought against its former US sales agent, including defending counterclaim alleging breach of a purported exclusive distributorship agreement, fraud, and violations of California's Unfair Business Practices Act, with case favorably settling at mediation.

Represented a globally-recognized Indian business services company in Ohio state court and subsequent Northern District of Ohio actions in a breach of contract action against a US company that outsourced business services to the Indian client, settling the case at mediation, avoiding costly discovery involving witnesses in India, the UK, Michigan, and North Carolina.

In Southern District of Ohio federal court, obtained recognition of Ontario judgment for a Canadian global supplier of technology products.

Represented an oil/gas sector manufacturer in trademark and copyright infringement claims against Mexican, Indian, and Iranian manufacturers, obtaining negotiated agreements to cease and desist the infringing activities, including Indian and Iranian competitors' removing infringing website content.

IF WE CAN ASSIST YOUR COMPANY RESOLVE AN INTERNATIONAL COMMERCIAL OR TRADE DISPUTE, PLEASE CONTACT US AT
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