

DORSEY & WHITNEY LLP

REPRESENTATIVE INTERNATIONAL ARBITRATION AND LITIGATION

- *Abitbol v. TradingScreen, Inc., et al.* (AAA Int'l Centre for Dispute Resolution) (member of arbitration panel that adjudicated claim that respondent company improperly redeemed claimant's stock in respondent company at less than fair value)
- *Aero Falcon, S.A. v. G. Andrew Deutsch and Falcon Jet Aircraft* (N.J.) (lead counsel for owner of jet aircraft distributor in Argentina brought by prior owner alleging interference with contract and related claims; favorable decision after three week trial)
- *AG fur Industrielle Elektronik Agie v. Sodick Co.* (N.D. Ill.) (antitrust counsel to Japanese defendant machine manufacturer in patent and antitrust case with Swiss plaintiff involving wire electrical discharge machine tools; summary judgment and favorable settlement before trial)
- *Alakayak v All Alaskan Seafoods, Inc.* (Alaska) (lead defense counsel for Japanese corporations in a class action antitrust case brought by 5,000 Bristol Bay, Alaska fishermen; four-month jury trial in Anchorage; defense verdict)
- *Alfa Builders, Inc. v. Alfagres S.A. de C.V.* (M.D. Ala.) (counsel to developer in trademark infringement and unfair competition action against Colombian building products manufacturer; permanent injunction)
- *Alfa Corp. v. OAO Alfa Bank* (S.D.N.Y.) (counsel to insurance and financial services company in trademark infringement and unfair competition action against Russian bank; pending)
- *American Legend Cooperative v. Douse* (AAA Int'l Centre for Dispute Resolution) (counsel for American claimant asserting breach of employment agreement claims against a British respondent; compromise award)
- *APCO Sales, Inc. v. LG Electronics U.S.A., Inc. f/k/a Goldstar International, Inc.* (AAA Int'l Centre for Dispute Resolution) (lead counsel for Korean company in dispute with sales representative involving claims of breach of contract and defamation; favorably settled)
- *Aunyx Corp. v. Canon* (US Int'l Trade Commission; D. Mass.; 1st Cir.) (defense of Japanese company and US subsidiaries in antitrust litigation; obtained directed verdict, which was affirmed on appeal)
- *Babyage.com, Inc. v. Toys "R" Us, Inc., et al.* (E.D. Pa.) (represented Swedish defendant corporation in antitrust actions claiming resale price maintenance)

- *Banco Nacional Ultramarino, S.A. v. Chan* (N.Y.) (counsel to Portuguese bank suing Nigerian entities and others concerning \$7 million stolen and fraudulently transferred from the bank's Macao branch through three U.S. banks to Nigeria and Switzerland; favorably settled)
- *BASF v. Valspar* (Zurich Chamber of Commerce arbitration) (lead respondent's counsel in trade secrets/licensing dispute concerning chemical coatings for containers; favorably settled)
- *BAT Plc v. Commissioners of the Inland Revenue* (European Court of Justice) (challenging the UK credit system for taxing dividends from non-residents and the failure to regard foreign sourced dividend income as franked investment income under European law)
- *Beijing Huakong Technology Co. Ltd. v. MSAR Equipamentos Industriais Ltda* (Stockholm Chamber of Commerce)(counsel to Brazilian respondent-counterclaimant in arbitration of claims brought by Chinese and Brazilian claimants alleging breach of contract and counterclaims for theft of computer software and related technology; pending)
- *Cadbury Schweppes Plc, Anglo American Plc, Prudential Assurance Co. v. Commissioners of the Inland Revenue* (European Court of Justice)(representing corporate taxpayers challenging the lawfulness under European law of the UK's controlled foreign company rules and aspects of the dividend provisions; pending)
- *Cargill Financial Services International, Inc. v. Inkombank* (N.Y.) (counsel to U.S. company, as agent for five British banks, suing to recover balance on a defaulted letter of credit issued by Russian bank; obtained a \$9.2 million judgment, more than 98% of which was collected)
- *Cargill, Incorporated v. Bunge Foods Ltd.* (N.Y.) (counsel to plaintiff in both a N.Y. Supreme Court case and an appraisal proceeding before an expert accountant resolving post-closing audit adjustment claims by Cargill against South American company Bunge, applying Venezuelan generally accepted accounting principles; favorably settled)
- *Cesar SA v. Costumes LP* (AAA Int'l Centre for Dispute Resolution) (lead claimant's counsel to French costume manufacturer in accounting dispute with U.S. co-owner; favorably settled)
- *Comverse, Inc. v. ATI Chile* (AAA Int'l Centre for Dispute Resolution, S.D.N.Y) (counsel to Chilean terminated multinational distributor)
- *ConAgra, Ltd. v. Iraqi State Company for Food Stuff Trading* (D.D.C.) (counsel to U.S. plaintiff exporter on contract and letter of credit claims in Foreign Sovereign Immunities Act case against Iraqi defendants and U.S. Office of Foreign Assets

- Control; obtained judgment before trial against Iraqi government agency and bank)
Consarc Corp. v. Iraqi Ministry of Industry (D.D.C. and D.C. Cir.) (lead counsel to U.S. and European engineering firm in litigation against Iraqi ministry and banks and the U.S. Office of Foreign Assets Control; on fraud claim obtained \$55 million punitive damage judgment against a foreign government agency, one of the largest to date in a Foreign Sovereign Immunity Act Case)
- *Constructa, Inc. v. BPM Associates, L.P.* (AAA) (counsel to American subsidiary of French construction firm suing French owner of large condominium project in NYC on breach of contract claims; favorably settled)
- *Control Data Corporation v. The Islamic Republic of Iran et al.* (Iran-United States Claims Tribunal) (counsel to U.S. claimant for constructive expropriation of the assets of claimant's Iranian subsidiary and alternative claims of breach of contract and tort on the part of the defendant government, its agencies and instrumentalities; settled favorably after hearing on the merits)
- *Coors Brewing Company v. Federico Cabo et al.* (Ad hoc proceeding under UNCITRAL Arbitration Rules) (counsel to Coors in action arising out of brewery acquisition in Mexico; pending)
- *Cosmair, Inc./Redken Laboratories, Inc. v. Caribbean Beauty Distributors, Inc.* (AAA Int'l Centre for Dispute Resolution) (sole arbitrator of dispute involving a manufacturer's request for a declaratory judgment sustaining its termination of a distributor agreement with a Puerto Rico distributor and counterclaims by distributor for breach of contract, breach of Puerto Rico Dealer's Act and intentional infliction of emotional distress)
- *CyberOptics v. Yamaha Motor Company* (D. Minn, Fed. Cir. Tokyo Dist. Ct.) (lead plaintiff's counsel to U.S. optical sensor manufacturer alleging "patent flooding" and theft of technology; favorably settled)
- *DaimlerChrysler UK Limited and DaimlerChrysler AG v. Direct4Cars Limited* (English Patents County Court)(represented German car manufacturer and UK affiliate in trademark infringement action; favorably settled)
- *DaimlerChrysler UK Limited and DaimlerChrysler AG v. Classic Cars UK* (English High Court, Chancery Division)(represented German car manufacturer and UK affiliate in trademark infringement, passing off, and domain name action; obtained damages and costs)
- *Delta Sales, Inc. v. LG Electronics U.S.A., Inc. f/k/a Goldstar International, Inc.* (AAA Int'l Centre for Dispute Resolution) (lead respondent's counsel for Korean company in dispute with sales representative involving claims of breach of contract and defamation; favorably settled)

- *Druck Corp. v. The Macro Fund (U.S.) Ltd.* (S.D.N.Y.) (represents foreign defendants in litigation concerning plaintiff's investment in Cayman Islands hedge fund)
- *Eldorado Stone, LLC v. Magic Stone Korea Co., Ltd., et. al.* (AAA Int'l Centre for Dispute Resolution)(counsel to American claimant asserting breach of contract and intellectual property claims against South Korean and Chinese respondents; award of money damages and injunctive relief)
- *Electricity Pensions Trustee Limited v. Creek Funding Corporation, Sarakreek Holding N.V.* (Int'l Chamber of Commerce, Paris)(counsel for claimant for claims arising out of breach of stock purchase agreement involving sale of hotel and office complex; favorably settled)
- *Energy Overseas Int'l, Inc. v. POSVEN, C.A.* (Ad hoc proceeding under UNCITRAL Arbitration Rules) (lead counsel to Venezuelan subsidiary of a Korean steel manufacturer in an arbitration of controversies arising out of contracts for the construction of a hot briquetted iron facility in Venezuela by two subsidiaries of a United States engineering and construction company; favorably settled)
- *Galaxy Investment Fund Ltd. v. Fenchurch Capital Corp.* (S.D. Ill.) (counsel to defendant fund manager and its Bermuda-based investment fund in a case commenced by a Swiss investment fund alleging securities fraud and related claims; case dismissed without any liability)
- *Gobuty v. Mayo Clinic* (D. Minn.) (lead defense counsel to U.S. medical institution accused of malpractice by Canadian patient; jury verdict for defendant)
- *Hatco Corporation and Royal Lubricants v. James V. Mustacchio, et al* (N.J.) (counsel to French maker of high-tech synthetic lubricants in case involving alleged disclosure of confidential information and interference with contractual relations; successful defense)
- *Hermes, S.A. v. Hermes Furriers, Ltd.* (S.D.N.Y.) (counsel to French fashion manufacturer and retailer against New York company infringing plaintiff's tradename; defendant enjoined and assessed damages)
- *Hornack v. Song Woun Industrial Co.* (N.D. Ohio) (lead counsel to defendant Korean company in litigation concerning commercial contracts; favorable settlement)
- *ICA Technologies, Ltd., Ishikawajima-Harima Heavy Industries, Co., Ltd. and Canon Sales Co., Inc. v. Etec Systems, Inc., Etec Systems Japan, Ltd. and ATEQ Corporation* (D. Or.) (represented Japanese-based plaintiff in intellectual property dispute involving licensing and distribution rights; favorably settled)
- *In re Toshoku America* (S.D.N.Y.) (counsel to U.S. company adverse to bankrupt Japanese debtor on claims relating to international shipments of soybean oil and other

products; favorably settled)

- *In the Matter of Certain Electrically-Resistive Monocomponent Toner and “Black Powder” Preparations Therefor* (U.S. Int’l Trade Comm’n) (respondents’ counsel in Tariff Act Section 337 proceeding involving claims that respondents’ importation and sale of copier toner constituted unfair acts and unfair methods of competition by reason of alleged conduct actionable under U.S. antitrust laws and under common law and statutory law of unfair competition; claims dismissed by International Trade Commission)
- *In the Matter of Certain Electrical Discharge Machinery Apparatus* (AGIE v. Sodick Ltd.) (U.S. Int’l Trade Comm’n) (counsel to Japanese respondent in Section 337 proceeding concerning machine tool patent of Swiss competitor; favorable result)
- *In the Matter of Certain Personal Computers with Memory Management Information Stored in External Memory* (Intel Corp.v. TwinHead et al.) (U.S. Int’l Trade Comm’n) (represented Taiwanese respondent computer manufacturer in patent-based Section 337 proceeding initiated by Intel Corporation concerning PC microprocessor technology; obtained summary judgment before trial dismissing proceeding)
- *JazzPhoto v. Imation* (D.N.J.) (defense of Italian and Hong Kong subsidiaries of U.S. company in product liability action brought by U.S. company; favorably settled)
- *JF Corp. v. Cargill Financial Services* (N.Y. state court)(counsel to American company sued by Brazilian orange growers alleging breach of financing contracts relating to hedging of juice transactions; pending)
- *Kamyr, AB v. Kamyr, Inc.* (N.D.N.Y., 2d Cir.) (counsel to Swedish and Norwegian plaintiffs in patent infringement, unfair competition and antitrust litigation with U.S. and Finnish defendants; favorable settlement prior to trial in this case and related Swedish court case)
- *Kerr-McGee Chemical Corp. v. United States and Mitsui Denman (Ireland) Ltd.* (U.S. Int’l Trade Comm’n and Court of Int’l Trade) (trial and appellate counsel to Irish respondent-intervenor in antidumping case; successful defense of favorable Int’l Trade Admin. determination on appeal)
- *Koren-DiResta Construction Co., Inc. v. Indonesian Mission to the United Nations* (AAA) (lead counsel for owner; favorable settlement after hearings)
- *Magnum Research v. Israeli Military Industries, Ltd.* (ICC Int’l Ct. of Arbitration) (lead claimant’s counsel in dispute concerning patent and trademark rights to Desert Eagle® pistol; favorable interim award after first phase of hearings precipitated favorable settlement)
- *Marks & Spencer p.l.c. v. David Halsey, Her Majesty’s Inspector of Tax* (European

Court of Justice)(counsel to British department store chain in litigation alleging that English tax law concerning surrender of losses between company group members in different member states of the European Community violates the EC Treaty; won)

- *Marks & Spencer p.l.c. v. New York Fashions, Inc.* (M.D. Fla.) (counsel to British department store chain alleging trademark infringement; favorably settled)
- *Maron Nu-Tech, Inc. v. Obagi Medical Products Corp.*, (Cal. state ct.) (counsel to manufacturer in action involving business tort claims regarding distributorship network in Asia; favorably settled)
- *Mehadrin Ltd. v. Marq Packaging Co.* (S.D.N.Y.) (counsel to largest Israeli fruit grower on breach of contract claims involving fruit-packaging equipment; favorably settled)
- *Metric Constructors, Inc. v. Kvaerner Generator AB* (Int'l Centre for Dispute Resolution, NY) (represented respondent Swedish engineering firm in dispute with joint venture partner; favorably settled)
- *Minnesota Mining and Manufacturing Company v. The Islamic Republic of Iran* (Iran-United States Claims Tribunal) (counsel to U.S. claimant on claims of breach of contract and unjust enrichment in relation to supply of specialty materials for renovation of Tehran stadium for the Asian Games and fraudulent drawdown of related bank guarantees; favorable award)
- *Molina v. Mayo Clinic* (D. Minn.) (lead defense counsel to U.S. medical center accused of malpractice by Chilean patient; favorably settled)
- *Modesto City Schools v. Riso Kagaku Corporation* (E.D. Cal) (counsel for Japanese defendant in a federal class action antitrust case asserting violations of Sections 1 & 2 of the Sherman Act; favorably settled)
- *NEC Semiconductors Limited & Ors v Commissioners of the Inland Revenue* (English High Court, Court of Appeal, House of Lords) (representing group of non-EU multinational corporations contending that the UK imputation system offends the non-discrimination provision of double tax conventions and European law; pending)
- *NHL Enterprises, L.P./NHL Enterprises Canada, L.P. v. Pacific Trading Cards, Inc.* (AAA Int'l Centre for Dispute Resolution) (mediator of dispute involving alleged breach of license agreement)
- *Nicola Products Ltd. v. NI Corporation* (Japan Commercial Arbitration Rules)(counsel for the Japanese respondent defending contract claims asserted by the Canadian claimant; claims dismissed)
- *Obagi Medical Products, Inc. v. Koh, et al.* (Cal. Sup.Ct., Los Angeles) (counsel to

skin products manufacturer in action against distributor for breach of distribution agreement, unfair competition, and misappropriation of trade secrets. Also involved proceedings in Singapore; obtained judgment and permanent injunction).

- *Olsher Metals v. Banco Central HispanoAmericano* (N.Y.) (counsel to Spanish bank in a breach of contract case involving alleged failure to pay commodities trading profits due; favorably settled)
- *Parnell v. Tremont Capital Management Corp.* (AAA Int'l Centre for Dispute Resolution)(member of arbitration panel that adjudicated claim that respondent hedge fund terminated the employment of its CEO without cause under an employment agreement and breached its fiduciary duty to him under a shareholders agreement)
- *POSVEN, C.A. v. Liberty Mut. Ins. Co.* (S.D.N.Y.) (counsel to Venezuelan plaintiff project owner in litigation with a construction bonding company concerning a hot briquetted iron plant in Venezuela; settled)
- *Productos Mercantiles E Industriales, S.A. v. Faberge USA, Inc.* (AAA Int'l Centre for Dispute Resolution, S.D.N.Y., 2d Cir.) (lead counsel for complainant Guatemalan manufacturer in dispute over termination of trademark licensing agreement; obtained and fully enforced favorable arbitration award and judgment against licensor)
- *Quadranga Art, Inc. v. Fratelli Bonella SRL* (AAA Int'l Centre for Dispute Resolution) (mediator of dispute involving alleged breach of contract)
- *Rates Technology Inc. v. Sharp Electronics Corp.* (E.D.N.Y.) (counsel to Japanese defendant in patent litigation; favorable settlement)
- *Robomatix, Ltd. v. Aluminum Co. of America* (W.D. Pa.) (counsel to Israeli manufacturer of robotic laser machinery used to manufacture aluminum auto bodies for Audi, suing Alcoa for breach of contract and fraud; favorably settled)
- *SAFA Collections, Inc. v. Gianni Versace S.r.L. and Gianni Versace S.p.A.* (AAA Int'l Centre for Dispute Resolution) (chaired arbitration panel that adjudicated dispute involving international fashion designer's alleged breach of franchise agreement)
- *Santiago v. Canon U.S.A., Inc.* (D.P.R., 1st Cir.) (lead defense counsel in action for alleged breach of Puerto Rico Dealer's Act and for alleged gender discrimination in violation of Puerto Rico Constitution; summary judgment for defendant affirmed on appeal)
- *Scandinavian Trading Company v. Ashland Oil (Bermuda)* (N.Y.) (counsel to plaintiff Swedish company in successful suit against Bermuda-based oil merchant for breach of contract and fraud; favorably settled)
- *Shanghai Automation Instrument Co., et al. v. Dennis Kuel, et al.* (N.D. Cal.)

(represented Chinese company against several Silicon Valley corporations alleging conversion; obtained \$22 million judgment)

- *Shvetz v. Shield Association; and Shvetz v. Kozlov* (Md. state ct.) (counsel to investor suing association of retired Russian military officers concerning investment in fishing vessel in Sakhalin, Russia; obtained judgment)
- *Sid Feders v. Pearson* (N.Y. state ct.)(counsel for British defendants in breach of contract dispute involving television program development issues; claims against clients dismissed on motion)
- *Sillam v. Refco Group* (S.D.N.Y.) (representation of British defendants in commercial tort action brought by French plaintiff claiming \$80 million in damages)
- *Skanska Construction Int'l Ltd. v. Aker Kvaerner Projects Ltd.* (LCIA) (counsel to subsidiary of Norwegian multinational engineering and construction corporation in contract dispute with former joint venture partner in project in India)
- *Small [Her Majesty's Inspector of Tax] v. Mars UK Ltd. et al.* (English High Court, Court of Session, House of Lords)(dispute on the proper accounting treatment for depreciation against trading stock)
- *Sofi Classic, S.A. de C.V. v. Hurowitz, et al.* (S.D.N.Y.) (counsel to apparel manufacturer in breach of contract action against U.S. distributor; pending)
- *State of Washington v. Nichirei Foods Corporation* (Wash.) (lead defense counsel for Japanese-owned company involving state environmental laws; favorably settled)
- *Sure Energy, Inc. v. Daewoo International (America) Corp.* (E.D.N.Y.) (defense of customer's action against subsidiary of Korean company; dismissed)
- *Swe-Dish Communications Co. v. DFH Network, Inc.* (Ad hoc arbitration under UNCITRAL rules, Paris) (counsel to wholesaler of soccer TV matches in action for breach of contract brought by satellite uplink/downlink company; favorably settled)
- *Telelogic AB v. Computer Associates International, Inc.* (N.Y.) (counsel to U.S. defendant in case in which Swedish company alleged breach of contract, fraud, and other claims related to asset sale; favorably settled)
- *Thomson-CSF v. Northwest Aerospace Training Corporation* (ICC Int'l Ct. of Arbitration) (lead respondent's counsel for airline pilot training company in dispute)

with manufacturer of Airbus A340 aircraft simulator; favorable award)

- *33741 Industries, Inc. v. Webasto AG Fahrzeugtechnik* (N.Y.) (counsel to German defendant corporation in contract action concerning split up of international joint venture)
- *Tondu v. BC Gas* (Wash.) (lead defense counsel for a Canadian company in case involving corporate law and contract claims; dismissed on jurisdictional grounds)
- *Trensky v. Triska* (S.D.N.Y.) (mediator of dispute involving governance of international cultural affairs organization)
- *West LB AG v. US Bank* (S.D.N.Y.) (lead defense counsel for bank in claims relating to its role as collateral agent in funding facility involving diagnostic medical equipment; favorably settled)
- *Wyesco v. Kvaerner* (W.D. La.) (counsel for Norwegian multinational successfully compelling arbitration in London on breach of contract claims)