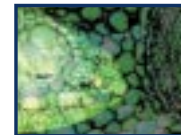


BIRD & BIRD

Dispute Resolution





Bird & Bird resolves disputes

Dispute resolution should begin and end with a clear business objective. The role of the legal adviser is to help steer the client, by the best means possible, from a problem to a successful commercial solution.

Bird & Bird resolves disputes

Not every journey goes to plan. Nor does business always run smoothly. But at Bird & Bird we know that resolving disputes for our clients is an art as well as a science. We are not satisfied with merely analysing legal problems, we want to create positive solutions.

So when we are dealing with contentious matters we understand fully that the optimum outcome is not necessarily achieved by following a rigid path. We appreciate that every case is genuinely different. The law and the processes available, arbitration, mediation, litigation, risk management, need to be deployed and orchestrated in a fluid and creative way.

By working in close partnership with our clients we respond flexibly to new circumstances as they arise. We believe that the management of any dispute must, above all, fit with our clients' wider business objectives.

As a result, our dispute resolution activity is integrated with the other work we undertake for our clients. It is all part of a rounded service designed to help our clients manage their affairs to best effect through minimising risk. Our in-depth sector knowledge, international reach, close relationships with our clients and innovative approach give us a unique advantage when acting on their behalf. And that extends from advance alerts on the latest legal developments, which could give rise to risk management issues, through to a relentless determination to secure our clients' interests in the courts should that become necessary.

In these pages, we focus not on the processes of law but on the distinctive qualities which we bring to dealing with disputes.



Working together

All disputes involve risk. To have a true partnership with clients lawyers must not only work totally in tandem with clients but they too must feel they have something at stake.



Working together

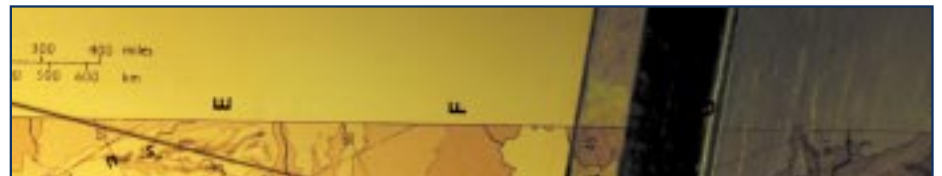
Acting domestically or internationally one of our greatest strengths is our ability to create strong and effective working relationships and partnerships with our clients, especially when they are facing the challenge of a dispute.

At Bird & Bird we do not work FOR our clients. We work WITH them.

These partnerships extend across every aspect of the relationship. Because we take an integrated approach with our non-contentious colleagues, we become involved in potential disputes from the very earliest stage and we can assess risk, alone or with other professional advisers. This enables us to provide you with early advice in confidence.

Our established understanding of your business means that we will not attempt to impose a lawyer-led approach upon you. We are committed to accompanying you through all stages of the business process and believe firmly that commercial priorities and realities must dictate the general legal strategy. And whether we recommend negotiation, arbitration, mediation or litigation, it will be because that is the right route for your circumstances.

We are happy to discuss creative fee arrangements to reflect the outcome of the legal process. Excellence comes as the norm but in the real world results matter, as much to us as to you.



A man and a woman in business attire are shaking hands in the center of a tunnel. The tunnel is formed by numerous overlapping, hand-drawn purple lines that create a sense of depth and perspective. The background is a light, textured surface. The overall image conveys a message of connection and understanding within a complex environment.

Know the sector, connect with the client

Getting the right result is about more than just winning. It is a subtle mix of understanding the sector, being in tune with the client and producing an outcome which is beneficial over the long-term.

Know the sector, connect with the client

At Bird & Bird we have invested in gaining a deep understanding of some of the most exciting and dynamic sectors in the economy: aviation & aerospace, banking & financial services, communications, e-commerce, information technology, life sciences, media and sport.

So just as we aim to be fully briefed about your business, we are also committed to grasping in detail the wider context in which you operate, its current trends and terminology, whether that be in the public or private sectors.

From this basis of real sector appreciation, we are able to provide advice that is leading-edge in legal terms and also tempered and tailored to your circumstances. This is because we know that our advice, to be of best use to you, has to be pragmatic and realistic and make commercial sense.

But there is more involved here than just data and facts. Analyse any dispute and it is clear that emotions and motivations also have to be understood and taken into account. We recognise the importance of being sensitive to what drives you. Only then can we take full account of all the factors which shape your thinking when it comes to making key decisions on how to progress to a resolution.



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Pushing forward the boundaries

The law never stands still. Old solutions may not meet new challenges.
In a dynamic business lawyers must be as innovative as their clients.



Pushing forward the boundaries

Our clients know that innovation is the source of progress and success. Even tried and tested methods must be open to scrutiny when new techniques and approaches promise better results. The same applies to the law and especially in relation to dispute resolution. Our experience as trained mediators and arbitrators in many jurisdictions means we are well versed in the most recent dispute resolution techniques.

To reflect the sectors our clients operate in, we have a particular predisposition to innovation. New sectors throw up novel challenges and we take satisfaction at being in the forefront of finding original answers to new legal conundrums. So while we draw heavily upon our experience, it is not to repeat it but constantly to find new and better ways of serving our clients. Rather than shrinking from tackling the unprecedented, we have an appetite for developing landmark resolutions, so long as that is in the client's best interests.

Without exception our international team supports this bold approach. Working together as a single team, from Beijing to London, encourages us to think ahead on a global basis, anticipate upcoming problems and share legal initiatives. This enables us to offer our clients a truly forward-looking and integrated service.



Creative at every stage

Legal problem-solving, during dispute resolution, depends on lateral thinking as well as logic.



Most disputes involve the unknown and the unpredictable. Our role is to restrict risk to the minimum. However, the evolving nature of every dispute makes it unrealistic to pretend that the unexpected can be eliminated entirely.

The way in which unscheduled developments are handled is often the biggest test of proficiency. To persevere regardless could be disastrous. But equally one must not be panicked into precipitate action.

At Bird & Bird our philosophy is simple. Successful dispute resolution requires a sustained approach based on creativity and pro-activity. Within the context of a general strategy we must be constantly probing and testing out alternatives, looking for the best route within a changing scenario. And if the other side springs a surprise then we must respond creatively not merely reactively.

This extends right through to the conclusion of the dispute whether that be by negotiation or by court judgment. Brute force rarely wins and it neither intimidates nor impresses us. We believe the best results are achieved by a tenacious adherence to our clients' interests in a way which is smart and resourceful.





Flexibility at an international level

Dispute resolution is a quick moving, challenging process in which changes of direction and new eventualities constantly occur. Flexibility at an international level is central to our overall philosophy.

Flexibility at an international level

Globalisation increasingly means that when disputes arise they involve more than one jurisdiction. Cases which go to international dispute resolution may well involve the laws of a number of countries.

With offices located throughout Europe and in Asia, as well as the use of good friends elsewhere, such as the USA, we have the capability of advising in the key jurisdictions. We appreciate that not all countries are alike and this enables us to fine-tune the overall strategy to take account of these trans-national differences. The sectors in which our clients operate can also be assisted by non-traditional proceedings, such as, administrative procedures, regulatory complaints and/or European or WTO relief. In all jurisdictions we analyse and recommend the best route to the right result.

Our internal management systems enable us to co-ordinate the development of a case across national and international boundaries. This is particularly useful in terms of selecting the best forum in which to launch a case for jurisdictional advantage, for example, to take account of the way disclosure rules vary, or for the most cost effective result.

Goals may change and alternative approaches may be required at short notice to enable our clients to gain the best result. This level of flexibility is central to our overall philosophy. Like many businesses today, dispute resolution is a quick moving, challenging process in which changes of direction and new eventualities constantly occur. Bird & Bird's International Dispute Resolution Group relishes the opportunities to rise to that challenge.



BIRD & BIRD

www.twobirds.com

Bird & Bird is an international legal practice comprising Bird & Bird LLP and its affiliated and associated businesses.

Bird & Bird LLP is a limited liability partnership, registered in England and Wales with registered number OC340318 and is regulated by the Solicitors Regulation Authority. Its registered office and principal place of business is at 15 Fetter Lane, London EC4A 1JP. A list of members of Bird & Bird LLP and of any non-members who are designated as partners, and of their respective professional qualifications, is open to inspection at that address.