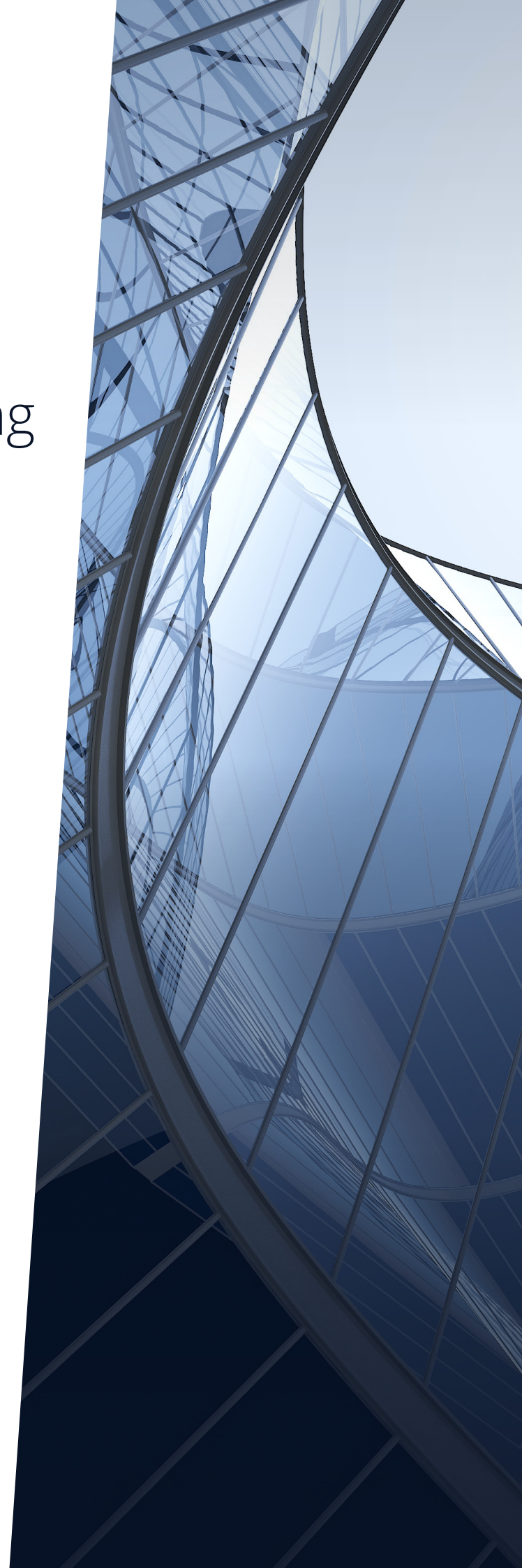




Asset monitoring & enforcement funding

Omni Bridgeway's expertise, assistance and funding help you to recover what is due to you



Why Omni Bridgeway?

You are in a safe pair of hands with us

TRACK RECORD

We have achieved significant recoveries, over decades, for hundreds of clients facing challenging circumstances around the world.

REPUTATION

The world's leading organisations choose Omni Bridgeway. Our clients' professional advisers respect and trust us. Our brand is respected and we are not intimidated by strong or evasive opponents.

CAPITAL

We have significant funds to pursue enforcement all the way to recovery.

TECHNICAL EXPERTISE

Our multi-disciplinary, global team of civil and common law litigators, enforcement lawyers, recovery specialists, economists, financial experts, and business intelligence professionals is distinguished by a hands-on, pragmatic approach. We are experienced professionals drawing on extensive experience from premier international law firms and world-class institutions. We are seasoned negotiators, and are able to negotiate valued-added settlements tailored to each unique situation on any level of corporations and sovereigns.

ASSET TRACING & INVESTIGATIONS

Our in-house asset tracing specialists have refined our strategies and operating procedures over decades to find, freeze and assist with the attachment of assets and navigate legal challenges in over a hundred jurisdictions.

CULTURAL SENSITIVITY

Our multi-national, multi-lingual specialists, cover over 35 languages, combining global expertise with nuanced local insights. With an on-the-ground presence worldwide, we navigate regional practices and customs with cultural sensitivity.

NETWORK

Through our extensive global network of senior contacts and trusted relationships with the world's leading legal and other advisers, we can open the doors that lead to a resolution.

TENACITY

Patience and persistence are important in this field and we are relentless. Our strategies are aimed at securing the highest possible recovery in the shortest possible time, but we are relentless and will persevere if a recovery takes longer than anticipated.

Our offering

Protect your victories and successes on judgments and awards with Omni Bridgeway

At Omni Bridgeway we help clients around the world mitigate the costs and risks of international disputes and recovery actions. Our financial and strategic input assists clients achieve successful outcomes, free up their legal budgets and monetise good claims, while controlling risk.

We are one of the largest and most experienced international litigation and enforcement funders globally, with 24 locations and over 200 staff globally.

In choosing to work with us, the resources at your disposal extend beyond the provision of finance to meet the costs of legal proceedings. They also include provision of case relevant intelligence and asset tracing services by our experienced in-house intelligence team, with access to learnings from hundreds of past recoveries. If it comes to it, our tactical enforcement knowledge will prove invaluable in your case.

More than capital. Benefit from shared risk management

Without the ability to collect, a judgment or award is of little value. Sophisticated counterparties and reluctant debtors will do whatever they deem necessary to hide assets, prolong proceedings and evade creditors. Experienced judgment enforcement and asset recovery specialists with the capital to back a successful enforcement strategy are required to provide the necessary strategic counter. Omni Bridgeway provides this solution and will be your formidable ally throughout this process.

From the outset, prior to obtaining your judgment or award, we will work alongside you to:

- identify and monitor your counterparty's assets and other leverage points, primarily using our internal asset tracing resources;
- provide strategic advice in relation to the preservation of assets for enforcement (including as to whether any interim conservatory measures may be required and in which jurisdictions such measures may effectively be sought);
- advise on measures required to ensure that the award or judgment, once rendered, will be enforceable in the jurisdictions where assets are located;
- formulate a heavy-hitting multi-jurisdictional enforcement strategy ready for deployment if the award or judgment is ultimately not paid voluntarily.

In the event of non-payment, we will move swiftly to implement the planned enforcement actions to exert maximum pressure and secure recovery.

“Omni Bridgeway's strength and enforcement expertise helps us pressure the opponent to achieve a successful recovery... Contracting with Omni Bridgeway is the best thing we could have done, as we had no other way of progressing without them.”



Years
35+

experience in funding
and assisting enforcement
and asset recovery
proceedings globally



Locations
24

with experts
on-the-ground
throughout the world



Specialists
200+

around the world



Languages
35+

“Omni Bridgeway combines legal intelligence, research and finance acumen for a rather unique blend. I have worked with Omni repeatedly, and the matters we jointly work on are always complicated cross-border matters that really require sophistication.”

CHAMBERS & PARTNERS, 2022, GLOBAL ASSET TRACING & RECOVERY

Bespoke solutions for your organisation

When you expect that your counterparty will not voluntarily satisfy your award or judgment, bringing Omni Bridgeway on board from the outset – even when you don't seek Omni Bridgeway's funding to meet the costs of the proceedings – will maximise your chances of recovery.

Successful identification and monitoring of assets to lay the foundation for successful recovery requires integrated intelligence, strategy and timing. The earlier you bring experts onboard the better.

We assist clients during their dispute resolution journey to identify assets and prevent their dissipation to maximise recoveries.

We understand that clients do not always wish to utilise Omni Bridgeway's capital to fund the substantive proceedings. The benefits of our global enforcement expertise and strategic insight are however still available.

Omni Bridgeway's asset monitoring and enforcement funding solution is available for clients who foresee enforcement risk and either (i) wish to fund the merits phase themselves, or (ii) the uncertainties of the case mean our investment criteria for the funding of the merits phase are not able to be satisfied. The asset monitoring and enforcement funding agreement is entered into during the merits phase of the proceedings, with the nature of Omni Bridgeway's services converting from asset identification and preservation to enforcement once the judgment or award is finalised and the debtor refuses to pay.

The funding structure operates as follows:

01

During the merits phase:

- The asset monitoring and enforcement funding agreement is executed;
- A lower success fee, payable only from recoveries in the proceedings, is applicable;
- The client continues to pay all legal fees and expenses of the ongoing case; and
- Omni Bridgeway:
 - Will conduct a global asset trace to identify assets of the counterparty(ies);
 - Regularly monitors the counterparties' assets;
 - Provides strategic advice in relation to the preservation of assets for enforcement, in particular (i) whether interim measures to preserve assets may be required and whether, where and how that can be achieved; and (ii) to ensure that the final award will be enforceable (including, amongst others, by advising on the counterparties that should be included as parties to the claim and checking the validity of the relief requested); and
 - If assets are located in jurisdictions where pre-judgment attachments are allowed (and third-party funding of proceedings to obtain such pre-judgment attachments is permissible), fund these actions.

02

Post award:

- A higher success fee will be applicable once the merits phase has concluded; liability is established and the debtor does not voluntarily pay the award or judgment;
- Omni Bridgeway will refine its coordinated global enforcement strategy on the basis of its up-to-date understanding of the debtor's asset position; and
- Omni Bridgeway will assume the risk of funding the recovery and will manage the enforcement strategy with regular reporting to the client.

All funding provided by Omni Bridgeway is non-recourse, meaning we are only paid if the case is successful, with success determined by the receipt of funds and not just the issuance of a positive award or judgment. On a successful resolution, Omni Bridgeway is typically entitled to reimbursement of the amounts it has paid plus a fee, calculated as a percentage of the resolution sum or a multiple of the amount invested. The amount of the fee depends on the case and its duration. The fee is lower if the case resolves sooner.

The global leader in financing and managing legal risks

Today's disputes involve multi-national, multi-cultural and multi-lingual parties facing multi-jurisdictional issues and cross-border recoveries. A global team is essential to meet these needs.



Our team



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Omni Bridgeway is the global leader in legal finance and risk management, providing dispute and litigation finance from case inception to post-judgment enforcement and recovery. Listed on the ASX, Omni Bridgeway operates from over 20 international locations.

Curious to know more?

We would be delighted to explore tailored solutions to unlock value for your business.

omnibridgeway.com