



# Litigation Finance for policyholders

Omni Bridgeway's finance helps  
policyholders recover losses under  
their insurance policies



Insurance is intended to cover you during difficult times.

Contesting coverage denials against insurers can be complex, costly and time consuming, and in some jurisdictions can expose you to adverse costs and other risks.

Omni Bridgeway's finance and insurance expertise helps policyholders pursue strong claims against well-resourced insurers without cost or risk.





# Risk is inevitable. How you approach it is optional

When you face substantial or sustained losses for which your insurer refuses indemnity or coverage, Omni Bridgeway's finance can alleviate resource and liquidity constraints so you can pursue recoveries with confidence and peace of mind.

## Purchasing legal assets

For immediate capital, we can purchase (or partially monetise) insurance and other claims, debts, judgments and arbitration awards. This can include single claims or portfolios of multiple claims. This is a quick way to return cash to your organisation so you can focus on operations and business continuity.

## Capital advance

Leverage the value in your insurance claims, and any other contingent litigation or arbitration assets, to access immediate cash without corresponding balance sheet liability. Use our funds to sustain or grow your operations and fund your claims / ongoing litigation, arbitration or recovery of judgments and awards. Your litigation assets can also be monetised to cover uninsured losses.

## Single claims and portfolios

Our financing can cover costs associated with pursuing insurance coverage, including legal and expert witness fees, court or arbitration fees and other legal costs and disbursements. When we finance a portfolio we can also fund your defences against claims.

## Recovery and enforcement

If you hold favourable judgments or arbitral awards but prefer not to expend your resources or have limited funds to pursue them, we provide the finance, strategic know-how and project management to recover unpaid judgments and arbitration awards against able, but unwilling or evasive debtors.

## Security for costs and adverse costs cover

In cost-shifting jurisdictions, we can provide up-front 'security for costs' and protect you from any adverse costs exposure associated with pursuing your insurance coverage – effectively de-risking your position.

“A lot of policyholders who are rightfully deserving of coverage cannot afford to pursue litigation against an insurer who is denying coverage. Litigation funding can save the business after devastating losses when the insurance company simply refuses to pay.”

MICHAEL LEVINE, PARTNER, INSURANCE RECOVERY,  
HUNTON ANDREWS KURTH LLP

## Asset tracing and protection

We devise, implement and fund strategies from the outset to locate assets and safeguard collectability.

## 'Seed' finance

Up-front 'seed' finance allows promising claims to be investigated without impacting funds intended for other priorities. It can cover costs associated with investigating recoverability against defendants, counsel opinion, court applications and other expert reports, and is accompanied by our extensive experience in case analysis and strategy.

Our finance is available prior to filing a claim, during the course of existing disputes, on appeal or during enforcement of judgment or awards. And our finance is non-recourse – we only recover our expenses and a return on our investment if your claim or recovery is successful.

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“Omni Bridgeway looks at the issues and evaluates them closely. That’s very helpful to determine strategies we’re going to pursue and whether we were right about the merits of the case.”

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LINDA KORNFELD, PARTNER, INSURANCE RECOVERY, BLANK ROME LLP

“A number of businesses affected by COVID-19 and by other losses, have been so severely impacted, so financially stressed that they can’t pursue recovery. This is where litigation funding becomes a very useful tool.”

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MICHAEL LEVINE, PARTNER, INSURANCE RECOVERY, HUNTON ANDREWS KURTH LLP

“We have conversations with Omni Bridgeway about whether we can position claims to help the client obtain funding to pursue what is a very important financial asset for them.”

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LINDA KORNFELD, PARTNER, INSURANCE RECOVERY, BLANK ROME LLP





# Dispute finance helps you recover and rebuild

Our finance grants financial relief and confidence to pursue insurance coverage against well-resourced insurers.

## Capital management / Improve cash flow

- Avoid drag on P&L, balance sheet and EBITDA from costly disputes or recovery actions against insurer
- Pursue legal claims while reserving capital for business continuity, operations and growth
- Avoid opportunity cost – pursue both profit-making opportunities and legal rights
- Alleviate budget constraints and ensure cost certainty

## Monetise intangible assets

- Access much-needed cash by leveraging insurance claims, judgments and awards as revenue-generating assets
- Inject cash into your operations without corresponding balance sheet liability
- Assist your in-house legal function with revenue generation
- Finance dispute or recovery expenses without reducing operating profits, depressing financial results or inhibiting your valuation

## Outsource risks

- Protect your company from the down-side risk of litigation by transferring 'security for costs' and adverse costs exposure to Omni Bridgeway (in cost-shifting jurisdictions). Avoid the costs of unsuccessful actions through our non-recourse capital

## Retain control

- Preserve your decision-making authority on significant issues while collaborating with finance allies as claims and recoveries progress

## Supplement resources

- Relieve workload pressure for in-house resources, focus on core business and draw on our expertise in disputes and insurance actions at no additional cost
- Retain leading legal representation and benefit from our independent oversight of strategy and expenses

## Assist with enforcement

- Draw on our strategic know-how and project management to recover unpaid judgments and arbitration awards against able, but unwilling or evasive debtors

## Gain independent assessment

- Progress claims in the knowledge your position has been vetted by leading professionals with an exemplary success rate – reassuring your Board, creditors and other stakeholders

## Enhance reputation

- Enforce your legal rights and convey strength to the market and opponents
- Reassure stakeholders of your effective risk management
- Level the playing field against larger opponents

Because our insurance specialists understand first and third-party insurance, and have a deep understanding of how insurance operates, we can assess your situation promptly (reducing time, cost, anxiety and insurance-related learning curves). We are able to assess a wide range of insurance coverage claims, including those relating to the following policies:

- Commercial General Liability (CGL) (eg personal injury, property damage, product liability)
- Cargo / Storage
- Cyber and Privacy
- Credit Insurance / Lienholder Interest
- Crime / Fidelity
- Directors and Officers (D&O)
- Employment Practices
- Environmental
- Errors and Omissions (E&O) / Professional Liability
- Event Cancellation
- Fiduciary
- First-Party Property (eg business interruption)
- Patent
- Political Risk
- Product Recall
- Representation and Warranty
- Title Insurance
- Wrap Up / Owner Controlled Insurance Program (OCIP) / Contractor Controlled Insurance Program (CCIP)



# Draw on our expertise to successfully navigate insurance recoveries

**CAPITAL** We have significant funds to provide up-front cash injections and support you all the way to recovery.

**RESOURCES** Omni Bridgeway finance comes with an expert team who offer strategic insights, project management and legal cost monitoring, at no extra cost. We are the world's largest dispute finance team and our multi-disciplinary, multi-lingual specialists are here to help you.

**INSURANCE EXPERTISE** Our global team includes insurance and commercial litigation lawyers and recovery specialists from premier international firms, economists, financial experts, business intelligence and asset tracing professionals, educated at the world's leading institutions. Our experts understand how insurance companies and the industry are structured and the interrelationships between underwriting agencies, brokers, insurers and policyholders. We collaborate with stakeholders so future commercial relationships are protected and policyholders' rights are preserved. Because we 'speak your language', we assess cases efficiently and save you and your advisers time in due diligence and throughout case management.

**TRACK RECORD** We have an enviable success rate over hundreds of completed cases over decades.

**RETURNS** We have achieved significant recoveries for clients facing challenging circumstances around the world.

**Chambers**  
AND PARTNERS

**THE ONLY BAND 1**  
South East Asia, Canada (2021-23)  
Middle East (2022-23)  
Australia (2021-22)  
Asia-Pacific (2019-20)

**BAND 1**  
Australia (2021-23)  
Europe (2021-23)  
USA (2018-23)  
Latin America (2022-23)  
Global Asset Tracing & Recovery (2020-23)  
International Arbitration (2022-23)

**REPUTATION** The world's leading organisations and insurance advisers trust Omni Bridgeway. Our brand is respected and we are not intimidated by challenging cases, strong opponents or evasive debtors. We are a formidable ally by your side.

## **GEOGRAPHIC COVERAGE AND NETWORKS**

We are on-the-ground with clients and their advisers so we understand legal and insurance regimes around the world. We work with leading insurance firms, valuers, loss calculators/estimators, arbitrators, mediators, market analysts, economists and other experts. You can use your preferred experts or draw on our relationships to build your project team. We have expansive networks and we are culturally-sensitive.

**COMMERCIALITY** We assess cases quickly, are entrepreneurial and adapt to find ways to meet your financing needs and underwrite your expenses promptly.

## **BUSINESS INTELLIGENCE AND INVESTIGATION**

Our asset-tracing specialists have refined our strategies and operating procedures over decades to find, freeze and attach assets and navigate legal challenges in hundreds of jurisdictions.

**ENFORCEMENT** We are the world's most experienced enforcement team. Since 1986 we have funded, devised strategies for, and managed preventative measures and enforcements in over one hundred jurisdictions around the world. We have un-matched experience recovering for stakeholders, even in the most challenging jurisdictions in the world.

**CREATIVITY** We will fund challenges to the law if it will deliver success for our clients.

# The global leader in financing and managing legal risks

Our global team has the international presence, know-how and networks to navigate insurance claims with parties and assets located around the world.



● Current locations and serviced remotely / agents / other



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 25 international locations.

## Curious to know more?

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

[omnibridgeway.com](http://omnibridgeway.com)