



Finance for restructuring and insolvency

Omni Bridgeway's finance is a
lifeline for insolvency practitioners
and other stakeholders to
maximise returns to creditors



When businesses falter or fail, Omni Bridgeway's finance helps insolvency practitioners and creditors access liquidity without additional debt, cost or risk.

"Litigation claims are inherently risky and the estate doesn't want to pay out cash to pursue these claims so bringing in a third party funder keeps those claims moving forward while the cash is deployed in other ways."

REGINA LEE, MANAGING DIRECTOR, ALIX PARTNERS LLP



Finance solutions to monetise dispute assets

Litigation and arbitration claims, judgments and awards are valuable assets that can be leveraged to generate and increase returns to creditors. Insolvent estates with insufficient funds, creditors unwilling to fund actions and insolvency practitioners, all use dispute finance to realise the full value of litigation assets.

Finance is available prior to filing, during a dispute, on appeal or during enforcement of judgment or awards.

'Seed' finance

Insolvency practitioners may lack resources for investigations to assess the viability of potential claims. 'Seed' finance allows promising claims to be investigated. It can cover liquidator's examinations, investigating recoverability against defendants, counsel advice, court applications and other expert reports required at the early stages of restructuring or insolvency.

Recovery and enforcement

Instead of using limited estate funds, Omni Bridgeway provides the finance, strategic know-how and project management to recover unpaid judgments and arbitration awards against able, but unwilling or evasive debtors.

Single claims and portfolios

Dispute finance covers the costs of insolvency practitioners, legal and other advisers and disbursements associated with pursuing insolvency-related claims, such as:

- Contractual disputes leading up to an insolvency event
- Claims against directors and officers for breaches of duties leading to a corporate collapse
- Negligence claims against auditors or other professionals related to a company's insolvency
- Insolvent trading claims
- Claims relating to uncommercial transactions, such as claw-back actions, preference payments or unwinding undervalue transactions to return funds to the insolvent estate

Asset tracing and protection

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

Purchasing legal assets

For immediate capital, we can purchase (or pay cash advances on) debts, judgments, arbitration awards and claims – including insolvency claims which may be held by other parties. This can include single claims or portfolios of multiple disputes or non-performing loans.

Security for costs and adverse costs cover

We can provide up-front 'security for costs' and protect insolvency practitioners and the estates they represent, from adverse costs exposure.

“Being able to use seed funding to do investigations and firm up our position is vital for us in pursuing a claim.”

“The earlier you engage the dispute financier, the more tools and options you have to present to your creditors or stakeholders. Engage a funder very early.”

LUKE FURLER, PARTNER, AJ CAPITAL

Dispute finance delivers peace of mind

Omni Bridgeway's solutions are ideal for insolvency lawyers representing insolvency practitioners, creditors and insolvency practitioners appointed as receivers, administrators and/or liquidators. Our finance helps stakeholders move forward with confidence.

Unlock value in intangible assets

Access much-needed cash by leveraging claims, judgments and awards as revenue-generating assets.

Outsource risks

Protect insolvency practitioners, and the estates they represent, from the down-side risk of litigation by transferring 'security for costs' and adverse costs exposure to Omni Bridgeway. Avoid the costs of unsuccessful actions through our non-recourse capital.

Preserve authority

Work with like-minded insolvency, restructuring and finance experts from Omni Bridgeway who 'speak the language' on legal and recovery strategies and respect the insolvency practitioner's overriding authority.

Manage cash flow

Pursue legal claims and recoveries while preserving capital or distributions to creditors.

Supplement resources

Mitigate the exposure of insolvency practitioners, legal or other advisers to WIP or receivables.

Assist with enforcement

Obtain 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.

Achieve efficiency

Adopt and adapt Omni Bridgeway's Master Agreement across insolvency scenarios for efficiency.

“Litigation funding is an option that every bankruptcy professional should consider as part of their tool kit.”

REGINA LEE, MANAGING DIRECTOR, ALIX PARTNERS LLP

“Dispute finance should be the rule not the exception when looking at recovery actions for insolvent estates. Omni Bridgeway are always going to be your best acid test of the commercial viability and recoverability of an action.”

DAVID WALTER, PARTNER, ASIA PACIFIC RESTRUCTURING AND RECOVERY GROUP, ALLEN & OVERY



“Portfolio financing is a really useful tool for liquidators because we often look at more than one claim, particularly in cross-border contentious liquidation. Portfolio financing allows you to leverage up some that may not be as strong as others, and still get access to capital to explore and fund.”

LUKE FURLER, PARTNER, AJ CAPITAL



“What places Omni Bridgeway ahead of its peers in the insolvency space is the breadth and depth of expertise and connectivity in the insolvency litigation field. Omni Bridgeway understands insolvency processes and the stakeholders involved which means they are a valuable part of the team handling the estate, beyond just being a source of funding.”

DAVID WALTER, PARTNER, ASIA PACIFIC RESTRUCTURING AND RECOVERY GROUP,
ALLEN & OVERY

Insolvency finance is our heritage

We pioneered insolvency finance and are the world's most experienced insolvency finance team.

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

GLOBAL RESTRUCTURING AND INSOLVENCY EXPERTISE Our global team includes insolvency lawyers, former liquidators, accountants and recovery specialists from premier international firms, economists, financial experts, business intelligence and asset tracing professionals, educated at the world's leading institutions. We understand insolvency regimes around the world and companies and insolvency advisers know, respect and trust us.

TRACK RECORD We have achieved significant recoveries over decades for hundreds of creditors and estates facing challenging circumstances.

REPUTATION The world's leading organisations and insolvency advisers choose Omni Bridgeway. Our brand is respected and we are not intimidated by challenging cases, strong opponents or evasive debtors. Where court, creditor committee or other approvals are required for dispute finance, Omni Bridgeway's brand, record of integrity and experienced team provide comfort to those decision makers.

GEOGRAPHIC COVERAGE We are on-the-ground with clients and their advisers so we understand legal and insolvency regimes around the world. We have expansive networks and we are culturally-sensitive.

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)

COMMERCIALITY Prompt solutions are essential in times of stress. We assess cases quickly, are entrepreneurial and adapt to find ways to meet your financing needs and underwrite your expenses promptly.

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

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 Omni Bridgeway is 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.

“We chose Omni Bridgeway for the first funded insolvency case in Singapore because they are strategic partners who are on-the-ground. The team has resources around the world and heavy experience in funding litigation, particularly in the insolvency context.”

LUKE FURLER, PARTNER, AJ CAPITAL

The global leader in financing and managing legal risks

Debtor and creditor relationships traverse geographic borders, assets are often dispersed and business operations may be subject to multiple legal and insolvency regimes around the world. Our global team has the international presence, know-how and networks to support restructuring and recovery strategies for distressed companies and their advisers.



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