



# Defence-side funding

Protecting your business  
from the downside cost and  
risk of defending litigation



Defending litigation and arbitral claims can be costly, drawn-out and uncertain for a business.

Astute companies can use dispute finance to defend claims whilst mitigating associated costs and risks. It lets them assert their legal position, conserve capital and maximise prospects of success.

Here's how →

# Defence-side dispute finance for business

Third-party finance can be used to defend legal disputes, allowing you to outsource the cost and risk of defending commercial litigation and arbitration, focus on devising successful strategies with your legal counsel, and free up capital for your business. With defence-side dispute finance you can:

## Manage cash flow

- Avoid drag on your P&L, balance sheet and EBITDA from costly disputes
- Resist unmeritorious legal claims while reserving your capital for business continuity, operations, and growth
- Alleviate budget constraints and ensure cost certainty

## Use portfolio approach to unlock value in intangible assets

- Leverage your claims, judgments and awards as assets akin to traditional asset classes, such as property
- Use these assets as collateral to raise finance to pay for defence costs or other operations
- Inject cash into the business without corresponding balance sheet liability

## Outsource risks

- Transfer financial risk of complex disputes, including the risk of paying downside costs in the event of an adverse outcome
- Move forward in the knowledge your position has been vetted by leading professionals with an exemplary success rate

## Supplement resources

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

## Enhance reputation

- Convey strength to the market and opponents
- Reassure stakeholders of your effective risk management
- Level the playing field against larger opponents

“Omni Bridgeway is... a commercially-savvy team that puts together creative funding options for our clients which suit their business needs.”

TIMOTHY COOKE, PARTNER, STEPHENSON HARWOOD LLP

# Defence finance options with Omni Bridgeway

Defend your claims with confidence and let Omni Bridgeway take on the cost and risk of your defence, including adverse costs risk\*. Our flexible financing solutions can be tailored to your needs – from covering single defence cases and counterclaims to mixed portfolios of claims and defences. Finance is available at any stage of the dispute and is non-recourse – we only recover our expenses and return on investment if you succeed or if pre-agreed measures are met in single defence cases (such as dismissal of the claim).

## Our flexible capital solutions can help your business

### DEFENCE PLUS COUNTERCLAIM

If you are a defendant pursuing a meritorious counterclaim, we can fund both sets of expenses.



### PORTFOLIO

We can bundle multiple claims and defences held by your corporate group and finance the full or partial portfolio, often with favourable pricing, helping you reduce risk.



### SINGLE DEFENCE CASES

We can team with you to fund a single defence (including adverse costs\*) with our return based on measures agreed at the outset, and typically secured against collateral such as company assets or a parent company guarantee.



\* In cost-shifting jurisdictions



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"Omni Bridgeway are well known for their 'proactive approach' to funding matters. They act not just as a funder, but also add their own expertise in complex litigation."

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CHAMBERS AND PARTNERS

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“It’s not just about the money, it’s about the management of the case. Omni Bridgeway are a top class outfit...”

“Money only gets you so far. You need to have the substance, you need to have the talent. That’s worth more than gold. That’s what I really appreciate about Omni Bridgeway – High calibre. Outstanding quality. Priceless.”

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TESTIMONIAL FROM FUNDED CLIENT



# Teaming with Omni Bridgeway

**DEEP EXPERIENCE** Having reviewed, assessed and funded dispute claims since 1986, we understand both sides of a case and can apply this valuable know-how and insight to support your defence claim.

**CAPITAL** We have the resources to support you to resolution and recovery irrespective of the size and complexity of the dispute. With significant funds available world-wide, we are not intimidated by well-resourced opponents. As a listed public company, our financial position is transparent.

**TRACK RECORD** We have an enviable success rate over hundreds of completed cases over decades. We are a formidable partner by your side.

**RETURNS** We have helped funded clients achieve significant returns – revenue that might otherwise have been unrealised.

**PROJECT MANAGEMENT** Some in-house legal and finance professionals work in small to medium sized teams or are the sole legal or finance officer within their business. Accessing additional resources can be challenging and accessing know-how in unfamiliar jurisdictions can be daunting. We can save you time and supplement your resources by project managing your disputes and recoveries and monitoring legal costs, with your input on key decisions and outcomes.

**TALENT** Our multi-disciplinary global team includes experienced in-house corporate counsel, seasoned litigators, and recovery specialists from premier international law firms, barristers, arbitrators, business leaders, directors, economists, financial experts, business intelligence and asset tracing professionals, educated at the world's leading institutions. Our multi-lingual specialists are 'on-the-ground' and have local knowledge and cultural awareness.

**COMMERCIAL ACUMEN** We understand what issues are material to your dispute and its outcome, and have deep experience in mediating and resolving disputes with multiple stakeholders to achieve a timely resolution.

**STRATEGIC INSIGHTS** In-house legal and finance teams are typically pressed for resources. We work across many industries, types of commercial disputes and recovery actions, political and legal regimes and will share with you the insights we have gained over many years.

**RELATIONSHIPS WITH LEADING ADVISERS** We regularly work with leading law firms, arbitrators, mediators, barristers, market analysts, economists and other experts. You can choose your preferred legal and other providers or call upon our network.

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“They provide more than just finance – they contribute to the vision of success for the client.”

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RAMIRO RODRIGUEZ, DIRECTOR, DUANE MORRIS

# 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.



● 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 over 20 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)