

# Holman Fenwick Willan EMPLOYMENT CAPABILITY

LITIGATION AND COUNSELLING

# WHY CHOOSE HFW FOR YOUR EMPLOYMENT NEEDS?

HFW's employment, litigation and counselling practice combines our long-standing, top rated reputation for litigation, with our extensive corporate management experience in running high value, multi-jurisdictional regulatory, complex commercial and employment battles, often in "bet the company" litigation.

Our international team has frontline experience of multilateral engagements with conflicting regulators, and use this to our client's advantage. Our corporate crisis management background is also unique, and we combine it with a complete understanding of how to allow a company to survive and succeed commercially while engaged in what can become all-consuming campaigns.

Increasingly, issues of regulation are not just a matter of compliance, they are used as levers in competitive markets, something that we understand very well. HFW has first hand experience of supplying both the litigation and support services together with invaluable counsel to boards, general counsel, chairmen and chief executives. This means, in turn, that our understanding of compliance, contractual and structural services for clients is of the highest standard.

## What we do

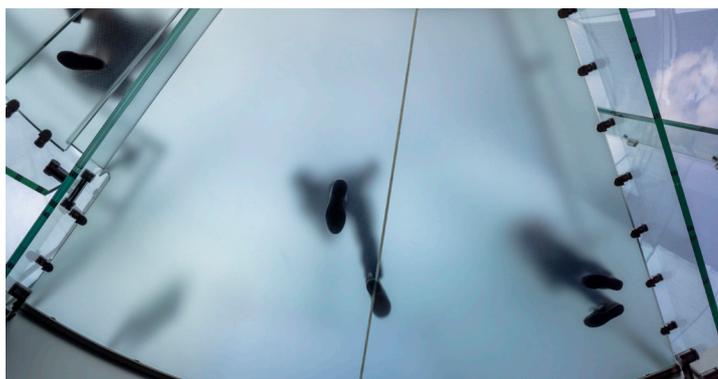
HFW's employment and litigation team spans, and can access, our international office network and focuses on employment counselling and complex employment litigation for clients in our core sectors of focus, with specific expertise in financial services, insurance, energy and commodities, shipping, aviation and construction.

We are a 'go-to' practice in respect of individual and team moves, the enforcement of restrictive covenants, breach of duty, conspiracy actions, employee data breaches, misuse of confidential information and intellectual property.

On the non-contentious side the group regularly counsels clients on internal investigations involving regulatory breaches, whistle-blowing, fraud and theft/misuse of company property.

The group also advises on the employment aspects of mergers and acquisitions, restructurings and reorganisations, collective redundancies, outsourcing and industry consolidation generally.

We understand the complexities of handling employment litigation and are able to access alternative litigation funding sources in appropriate cases.





## Recent highlights

Our team's experience includes:

### Litigation

- Advising in the United Kingdom and the United States and effecting a \$100 million recovery in respect of the permanent impact on a company's share price as the result of a large team move.
- Advising companies and individuals on regulatory investigations in multiple jurisdictions in respect of market manipulation issues, including FX and LIBOR.
- Advising a financial services company in relation to defending a substantial team move and successfully securing one of the widest injunctions ever granted.
- Representing insurance brokers on injunction proceedings preventing misuse of confidential information and poaching of clients.
- Successfully representing a large broking house in litigation enforcing a seven figure liquidated damages clause on the no show of a rainmaking broker recruited from a competitor – the leading case on the enforcement of liquidated damages clauses in employment contracts.
- Advising a wealth management company on a successful injunction application preventing a former financial adviser from poaching clients for a competitor.
- Representing the former high profile chief executive officer of a luxury car manufacturer on a high value contract dispute.
- Successfully representing three brokers in a multi-million pound conspiracy, misuse of confidential information and restrictive covenant dispute.

### Reputation management

- Advising on the impact of social media and reputation protection for both companies and individuals, including securing a written published apology from a leading financial newspaper.
- Assisting a financial services company in an internal investigation into regulatory breaches and the resulting dismissal of a number of directors and senior executives.

### Advisory

- Acting as regular trouble-shooter to a well known high profile financial services figurehead.
- Advising a commodities trading house on breach of contract and bonus disputes.

### Transactions

- Advising on the purchase and subsequent integration of a broker in the energy sector.
- Co-ordinating advice in respect of opening offices in jurisdictions including Nigeria, South Africa and Switzerland.

### Arbitration/mediation

- Mediating a significant race discrimination case to resolution including and agreeing as part of the settlement to develop and implement new policies to prevent the potential for reoccurrence as a condition of settlement.
- Using arbitration to resolve a high value contract dispute in order to avoid reputational damage to both the claimant and a celebrity family member.

# KEY CONTACTS

For more information about the capabilities of our employment team, please contact:



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