

KUZNETSOV
MARISIN
AND PARTNERS

Vasily Kuznetsov



MANAGING PARTNER
LLC KUZNETSOV, MARISIN AND
PARTNERS

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EDUCATION AND HONORS

Law Degree, Moscow State
University, 2003 (with honors)

Recognized as leading individual
by Chambers Europe and Legal 500
EMEA

Vasily Kuznetsov is "a rising star, who is personable and hardworking" and a "dynamic practitioner" (Chambers Global) - he has been representing domestic and international clients in major litigations and arbitrations since 2002, including in commercial cases involving the recognition and enforcement in Russia of foreign judgments and awards. Prior to KMP, he was counsel at Clifford Chance, partner at Dechert, partner at Quinn Emanuel, and partner and head of Russian dispute resolution practice of Baker Botts.

He is a member of the Expert Council of the Arbitration journal, member of the ICC Arbitration and ADR Commission for Russia, and accredited arbitrator at the Russian Arbitration Center.

NOTABLE REPRESENTATIONS

- Represented a number of Russian businessmen and their companies in several high value LCIA arbitrations and court proceedings in various jurisdictions arising out of a project to rebuild the Soviet-era Moskva hotel just off the Red Square. We developed and implemented a defense strategy, personally prepared all witnesses for deposition and cross examination. The dispute lasted for 5 years and resulted in our full victory: we forced the opponents to withdraw their claims from state courts, while the arbitrators ruled in favor of our clients and dismissed the claims of the opponents.
- Represented the interests of Alisher Usmanov's entities in a major dispute over one of the largest social networks in Europe - VKontakte. The dispute involved several proceedings, including in London, U.S. and offshore jurisdictions. We were able to press the opponents to settle the dispute on the terms

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favourable for our client according to which the client received the whole control over VKontakte.

- Represented Bank of New York Mellon as respondent before the City of Moscow Arbitrazh Court in a \$22.5 billion claim brought by the Federal Customs Service of the Russian Federation, the largest case ever heard by a Russian state court, in which the claimant sought the first ever application of the U.S. RICO Act in Russia. Our strategy led to a settlement agreement proposed by the Federal Customs Service of the Russian Federation. The case was terminated on the terms favourable for our client.
- Defended the interests of a foreign aircraft company in the dispute against an entity of a Russian billionaire in Russian courts. We managed to postpone the proceedings for about six months referring to the necessity of a proper notification of the respondent. Eventually, the judge dismissed the case based on the doctrine of forum non conveniens. It was the first time ever that a Russian state court applied this doctrine and refused to consider the dispute.
- Defended Russian uranium seller Techsnabexport as a respondent in a US\$1 billion international arbitration (Stockholm) regarding the alleged non-delivery of nuclear materials (the award was rendered in favour of Techsnabexport) and in the case before the Swedish Svea Court of Appeal which also ruled in favour of Techsnabexport.
- Represented participants of a gigantic joint venture with business operations in Russia and CIS in a complex high value corporate conflict regarding management of the JV and contractual obligations of the JV members. The main focus was on the Russian court cases. The amount of the dispute exceeded several billion dollars. We managed to press the opponents to settle the dispute on the terms favourable for our clients.
- Defended the Russian Chess Federation in connection with non-admission of the Russian women's team to the 2014 World Chess Olympiad in Tromsø (Norway). As a

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result, the Russian team was admitted to the competition and received official apologies from the organizers.

- Secured apologies for the Russian Chess Federation from the Turkish Foreign Ministry (in connection with alleged statements of the President Recep Tayyip Erdogan) and a UK newspaper Telegraph (in connection with statements regarding Panamanian papers).
- Represented the Russian billionaire from the Forbes list in multi-billion dispute which was considered in a Western jurisdiction.
- Represented the interests of the leading international company in one of the regions of the Russian Federation. The situation was complicated by the fact that one of the claims against the client was filed by the prosecutor, and this jeopardized the multibillion-dollar reorganization of the client's European business. Gaining a quick victory (the prosecutor eventually dismissed the claim) allowed the client to restructure the business successfully.
- Represented the Russian billionaire in connection with his relationship with one of the European royal families. The matter was of immense importance to the client, and the case was successfully settled on favorable terms.
- Defended a Russian company in two parallel high value SCC and ICC arbitrations with a Western contractor relating to construction of a unique high-tech plant in Russia. The dispute resulted in a favorable outcome for the client.
- Represented a subsidiary of Group DF in several proceedings in Russia regarding control over EMFESZ, a leading Hungarian gas trader with annual turnover of circa \$1 billion. We won the cases in Russian state courts and ICAC.
- Represented one of the world's leading mining groups in a high value LCIA arbitration against a big Russian metal producer regarding iron ore supplies. Eventually, the debtor proposed to settle and agreed to pay all the client's claims, including principle

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debt, late payment interest and 100% of legal fees and arbitration costs.

- Represented Société Générale as agent together with the 10-bank syndicate prior to and in a default situation and insolvency regarding a \$1 billion loan to Yukos Oil Company secured over oil export receivables. Ultimately the bank syndicate obtained what it had sought and the Yukos debt was eventually assigned to Rosneft. What is special about this case is that our legal strategy was subsequently used in other cases.
- Represented a major foreign bank as defendant in Russian court proceedings involving the Central Bank of Russia and Vneshekonombank and initiated by Vneshtorgbank seeking to have a series of English law deposit and sub-participation agreements declared sham and invalid under Russian law. Eventually, after several court instances we won the case.
- Acted for a Russian businessman in a corporate dispute with other beneficiaries of major oil refinery and production assets in Russia held via a complex offshore structure. The matter involved proceedings in Guernsey, BVI, Cyprus, Russia and other jurisdictions.
- Represented Sukhoi Civil Aircraft in U.S. court proceedings initiated by a U.S. contractor regarding development of interior design for Sukhoi Business Jet aircraft. After important victory on the opponents' injunction application, which allowed presentation of the aircraft at the MAKS air show, the claim was withdrawn.
- Acted for Erdenet Mining Corporation, a major copper producer, in a number of London Metals Exchange arbitrations regarding supplies of copper concentrate.
- Acted for Gazpromexport, a Russian gas exporter in a high value arbitration over payments for gas.

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- Represented a major Russian metals and mining company in civil and criminal legal proceedings in the Belgian courts.
- Defended a major international car producer in a number of litigations in Russian courts against Russian consumers that sought, inter alia, replacement of allegedly defective cars or recovery of the purchase price thereof.
- Acted for an international investment bank in an investigation of alleged fraud committed by one of its employees against the bank and its clients (and in several related arbitrations with its clients and in a labor litigation with the employee in question).
- Acted for NVIDIA, a leading U.S. producer of visual computing technologies, in a white-collar criminal investigation regarding leakage of highly confidential information, which involved interviewing employees of the client and its Russian business partner.
- Acted for a major New York bank with operations in Moscow, conducting investigations related to a lawsuit brought against the bank in New York, including interviewing a large number of witnesses.
- Advised a leading multinational chemicals producer on its internal investigation of potential fraud by employees of its Russian subsidiary.
- Advised an international investment consortium on Russian anti-corruption legislation in the context of a number of court cases in The Netherlands (as well as acting for the consortium in those cases).
- Acted for a building company in support of an ICC arbitration. We successfully obtained a Russian court injunction in relation to a state-owned land plot in the centre of Moscow.

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EXAMPLES OF PUBLICATIONS, SPEECHES, AND PRESENTATIONS

- The International Comparative Guide to Litigation & Dispute Resolution, Jurisdiction Chapter - Russia, latest edition 2016.
- The Global Legal Insights on International Arbitration, Russia, latest edition 2016.
- The International Comparative Legal Guide to Class & Group Actions, Jurisdiction Chapter - Russia, latest edition January 2016.
- CDR Summer Arbitration Symposium, (Speaker), London, 2016.
- St. Petersburg International Legal Forum, (Speaker), Russia, 2015 and 2017.
- CDR Autumn Arbitration Symposium, (Speaker), London, 2015.