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Matheson Ormsby Prentice is Ireland's largest law firm. We focus on advising international companies and financial institutions doing business in and through Ireland. Our clients include many Fortune 500, FT Global 500 and FT Euro 500 companies. We also represent some of Ireland's largest private, public and State owned companies and institutions. The firm's headquarters is in Dublin, with offices in London, New York and Palo Alto, Silicon Valley.

The Banking and Financial Services Disputes Group at Matheson Ormsby Prentice advises major financial institutions, including investment and retail banks, brokers, fund managers, insurers, regulators, exchanges, financial services businesses and corporations on the complex litigation and regulatory issues that often arise in financial and banking transactions. The Group has successfully represented clients faced with problems which have been high-value, reputation-threatening and multi-jurisdictional. In particular, the Group has experience of advising clients on:

- fraud and asset tracing
- mis-selling claims and contractual disputes arising out of the banking relationship
- derivatives and structured products
- disputes arising in insolvencies and restructurings
- disclosure obligations and the duty of confidentiality
- lender enforcement action
- regulatory investigations and enforcement

This team of 11 dedicated lawyers provides legal and strategic advice in tune with the requirements of major financial institutions dealing with a wide variety of issues. Where appropriate, the Group works in multidisciplinary teams with lawyers from other groups within Matheson Ormsby Prentice such as Banking and Financial Services, Tax and Commercial Property, amongst others. Similarly, we have developed close working relationships with leading law firms in overseas jurisdictions, experts in forensic investigations and other relevant disciplines which enable us to provide a seamless service and top class advice.

The Group has recently had notable involvement in some of the largest and most complex contentious disputes for banking and financial services clients in the State.

EXAMPLES OF RECENT TRANSACTIONS

• Fraud and Asset Tracing

We have experience in handling large claims and high value, complex fraud and asset tracing work for clients in the commercial and financial sectors.

• Mis-selling Claims and Contractual Disputes

We acted in the largest investigation in the State in relation to the mis-selling of financial products. We also regularly deal with overcharging claims, from a bank, customer and regulatory perspective.

• Disputes relating to Structured Finance Transactions

We advise international financial institutions and corporations in relation to disputes arising out of a range of structured finance transactions both in and throughout Ireland, including derivatives, securitisations, structured notes, tax arbitrage structures, CDOs (synthetic or real) and repackages.

• Disputes arising in Insolvencies and Restructurings

We advise on all aspects of disputes and litigation arising out of domestic and cross-border insolvencies involving Irish companies. We have advised creditor groups and companies as well as liquidators, receivers, examiners and various financial institutions. We also advise directors in avoiding actions which may result in them being held personally liable for some or all of a company's debts and other sanctions such as restriction and disqualification.

• Disclosure Obligations and the Duty of Confidentiality

We advise leading domestic and international financial institutions on the increasing number of EU and domestic compliance regulations. We have worked with clients on internal investigations and advise on mandatory reporting obligations as they affect financial institutions. We also advise financial institutions on their duties of confidentiality in light of requests by third parties, such as Tribunals of Inquiries, the Revenue and the ODCE, for the production of documents and for non-party discovery.

• Lender Enforcement Action

We have a strong practice base in the area of banker-v-borrower disputes, including enforcement issues and restructuring (of both debt and equity). We provide advice on options and strategy in relation to problem loan accounts. We advise on all types of enforcement issues including security reviews, receiverships, general "work out" situations, debt recovery, reputational issues, freezing orders and garnishee proceedings.

• Workouts

We have extensive experience in advising banks and accountants appointed by financial institutions, on how to reach workable arrangements with distressed customers and avoid confrontation, potentially expensive contentious action and potential negative publicity.

• Regulatory Investigations and Enforcement

We specialise in contentious regulatory work, with extensive experience of regulatory investigations and enforcement actions. Our depth of understanding of regulatory process and policy enables us to advise clients on a wide range of compliance issues, helping to achieve the best possible outcome from interactions with regulators.

CONTACTS

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